

and English versions) of the Committee on Subordinate Legislation.

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES

[English]

Sixth Report

SHRI K. D. SULTANPURI (Simla) : I beg to present the Sixth Report (Hindi and English versions) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on Action Taken by Government on the recommendations contained in the Forty-Sixth Report of the Committee (Seventh Lok Sabha) on the Ministry of Home Affairs—Reservations for and Employment of Scheduled Castes and Scheduled Tribes in Assam Rifles, BSF, CISF, and CRPF.

SUSPENSION OF LUNCH HOUR

[English]

THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND TOURISM (SHRI
H. K. L. BHAGAT) : As we have to trans-
act some important legislative business today,
I suggest that the lunch hour may be sus-
pended today.

MR. SPEAKER : Is it the pleasure of
the House to suspend the lunch hour today ?

SOME HON. MEMBERS : Yes.

12.12 hrs.

CALLING ATTENTION TO MATTER OF
URGENT PUBLIC IMPORTANCE

[English]

Non-implementation of agreement
arrived at between
DUTA and UGC

SHRI AJIT KUMAR SAHA (Vishnu-
pur) : I call the attention of the Minister of

Human Resources Development to the following matter of urgent public importance and request that he may make a statement thereon :

“Reported non-implementation of agreement arrived at in January, 1983 between Delhi University Teachers’ Association and University Grants Commission in regard to improve-
ment of service conditions of teachers, leading to discontentment among them and steps taken by Government in that regard.”

THE MINISTER OF STATE IN
THE DEPARTMENT OF EDUCATION
AND CULTURE (SHRIMATI SUSHILA
ROHATGI) : The Delhi University Teachers’
Association has launched an indefinite strike
from December 10, 1985 to press their
demands. The main demands are (1) with-
drawal of U.G.C.’s instructions regarding the
termination of the Merit Promotion Scheme;
(2) improvement of housing facilities; (3)
sanction of stagnation removal increments
for selection grade lecturers in colleges;
and (4) institution of Professor’s grade in
colleges.

The Delhi University Teachers’ Associa-
tion had gone on a protracted strike from
October 12, 1982 which was called off on
January 29, 1983. The major demands of the
teachers at that time were (1) implementation
of a time-bound promotion for all teachers,
and (2) improvement of housing facilities for
teachers in the university and its colleges.

In November-December, 1982, the UGC
had finalised Merit Promotion Schemes for
University and College Teachers for the
country as a whole. On representations made
to it, the UGC reviewed the scheme and
decided to apply a uniform ceiling upto
33½ per cent in the case of both university
and college teachers. Later, the UGC also
agreed to certain flexibility in implementing
the scheme in regard to the Delhi University
and its colleges. The strike was called off on
that basis.

The Merit Promotion Scheme was
formulated by the UGC as a Sixth Plan
Scheme. With the termination of the Sixth
Plan, the Commission informed the uni-
versities that the Merit Promotion Scheme

also stood terminated. In the meanwhile, the Commission had appointed a Committee headed by Prof. R. C. Mehrotra to examine the present structure of emoluments and conditions of service of college and university teachers and to make recommendations on them, including the provision of opportunities for professional advancement of teachers. As the report of the Committee has not been received as yet, the UGC has since advised that the Merit Promotion Scheme will continue till such time as the revision of pay scales and related matters are finalised by the U.G.C.

In January, 1983, the Delhi University was advised that they might formulate a scheme for construction of staff quarters at a cost of Rs. 3 crores for university employees and Rs. 6 crores for college employees. The scheme for university employees has since been sanctioned and construction is in progress. As the number of colleges in Delhi is large, there was some delay in the formulation of the scheme for college employees. However, this scheme has also been formulated and is in the process of finalisation and approval.

As for the demands for removal of stagnation and institution of Professor's grade in colleges, the Delhi University had informed DUTA on January 28, 1983 that these matters would be placed before the appropriate authorities of the University and their recommendations would be taken up with the U.G.C. for implementation. The University requested the UGC in April, 1983 for sanction to create posts of Professors in Colleges in Delhi. As acceptance of the Delhi University's proposal involved a major change in staffing pattern of colleges, the Commission has referred the proposal to the Mehrotra Committee.

The recommendations of the Delhi University to sanction one increment every alternate year subject to a maximum of five increments to the selection grade lecturers who are already at the maximum of their scale was referred to the UGC in November, 1983. As the scales of pay and allowances of teachers in Central Universities are determined by the Central Government, the proposal for stagnation removal increment was examined by Government at the request of the UGC. In Government service, the concept

of stagnation removal increment has been accepted only in respect of employees who are in pay scales whose maximum does not exceed Rs. 1200/- p.m. The maximum of the pay scale of selection grade lecturers is Rs. 1900/- p.m.

The Government have, on their own, been considering alternate sources to raise funds for construction of houses for university employees. Discussions were held with various financial institutions like the Housing Development Finance Corporation. In the discussions with HDFC, Delhi University and Jawaharlal Nehru University were also associated to formulate a proposal. As this scheme involves a major departure from the normal pattern of funding, it requires careful consideration and approval of various authorities. We are pursuing this matter. This scheme did not form part of the settlement of the strike in January, 1983.

The specific commitments made in respect of the Merit Promotion Scheme in January, 1983 are being implemented. Construction of staff quarters at a cost of Rs. 3 crores for university employees is in progress. The Rs. 6 crore scheme for college employees is being finalised.

Before the Delhi University Teachers' Association went on strike on December 10, 1985, I met their representatives and assured them that we are always willing to consider their problems and that all specific commitments made by the Government would be honoured. It is disappointing that despite this assurance, they went on strike. Even after the strike started, the steps taken in regard to the issues were explained to the teachers' representatives; yet the strike continues. The House will appreciate that the Government have been sympathetic to the problems of the teaching community and are doing everything possible to meet their genuine demands. The Government hope that in view of this the strike will be called off in the larger interests of the academic community.

12.18 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

SHRI AJIT KUMAR SAHA (Vishnupur):
The Statement made by the Hon. Minister

is not at all convincing. At the very outset I would urge upon the Hon. Minister to take to personal intervention so that this stalemate in the field of education is ended. Don't leave it in the hands of the bureaucracy.

As we all know, in 1982, the Delhi University Teachers were compelled to take recourse to an indefinite 'cease work' programme because the attempts for a peaceful settlement had failed. On 13th January, 1983, the Delhi High Court, under Chief Justice Prakash Narain and Justice Jain, intervened through a public litigation filed by the father of a student. The High Court summoned the Government of India, the UGC, the Delhi University and the DUTA representatives and the hearings began. On 20th January, with the approval of all the concerned parties, the Chief Justice, Shri Prakash Narain, proposed a working formula. All accepted that formula on 23rd but the Counsel for the Government of India challenged the jurisdiction of this High Court.

On 25th January, 1983 Shrimati Shiela Kaul, the then Education Minister in a Press conference gave some categorical assurance to the striking teachers on the basis of which the 'cease work' was withdrawn. But the commitment made by the Hon. Education Minister was honoured more in breach rather than in observance. The document "Challenge of education" has harped on the term de-politicisation again and again—which we discussed recently. In the name of de-politicisation the Education Ministry perhaps expect that teachers remain as mute spectators even when grave injustice is meted out to them.

6000 teachers have struck work in the very heart of the national capital. As a result more than one lakh fifty thousand students are suffering.

In view of this, I want to ask the following questions :

I want to ask the Hon. Minister as to why college teachers are not being allowed to enjoy professor's scale.

Secondly I would like to know why the teachers of professional colleges (under Delhi

university) do not enjoy the same benefits as are enjoyed by other teachers. I would like to know as to why Ordinance No. 12 of the University is not applicable to these colleges. Also I would like to know why the teachers of professional colleges are compelled to retire at 58. These are my questions.

SHRI M. RAGHUMA REDDY (Nalgonda) : The Hon. Minister is a very learned man and he knows the problems of the university teachers and students. He was a famous Education Minister in Andhra Pradesh; he settled many issues. But here unfortunately in Delhi university this thing has happened. This is the second time that teachers went on strike within 2 years. The teachers actually were suffering for want of promotions and want of housing facilities. For want of Ph.D. degrees they are not actually being encouraged by the UGC. I want to know from the Minister whether any agreement has been reached between university authorities UGC and DUTA during 1983. If so, what are the contents of that agreement? Has any promotion avenues been created during that period especially for the college teachers? Has any professor grades been created to these college teachers? I want to know this from the Minister. Has any housing facilities been created for the teachers? If so how much amount was spent so far? How much amount you are going to spend in future? I want to know all these details from the Hon. Minister.

SHRI ANIL BASU (ARAMBAGH) : The statement made by the Minister is full of anomalies. You just go through the statement made by the Minister. I am reading the statement, page 6. It says :

The Government have been sympathetic to the problems of the teaching community and are doing everything possible to meet their genuine demands.

By saying 'genuine demands' she wants to escape from the position of delay in the matter of settlement of the problem of Delhi university teachers. She has not stated that she is sympathetic to Delhi University Teacher' demands. He escaped that question.

Sir, the Delhi University is the Central University. In respect of all other Central

Universities the teachers of the Colleges and the Universities are treated as faculty teachers and they are given the same scale of pay and they are enjoying the benefits in respect of promotion and other things. But in the Delhi University which is a Central University in this Capital, the professional teachers of the Colleges and the University are denied all these benefits. I want to know from the Hon. Minister : Do you know that the teachers had been stagnating in their respective grades for the last six years in the Delhi University ? If so, do you think it is desirable for a teacher to stagnate like this without any prospect of any relief ? What effect will there be on the morale of the teachers and what action do you contemplate to take to remove the stagnation and whether you accept the University's proposal for stagnation removal, which provides for one increment every alternate year ? Is it a fact that the Delhi School teachers and principals had been given stagnation relief for the last two years through a Cabinet decision ? If so, on what basis it has been denied to the Delhi University teachers ? Also, is it a fact that the Delhi University Merit Promotion Scheme is incorporated in the Ordinances XI and XII of the Delhi University which have the concurrence of the Visitor and the Ministry of Human Resources Development through their representatives in the University Court Executive Council and Academic Council ? If so, does it not violate the principle of natural justice if these Ordinances which govern the service conditions of teachers are arbitrarily made infructuous ?

Sir, you know that in the other Central Universities the employees and the teachers are provided accommodation up to a ceiling of 40 per cent of the strength. But in the Delhi University, even 5 per cent of the employees and teachers are not getting accommodation, though many assurances are given by the Minister and the UGC itself in this regard. Will the Minister consider constructing houses for the Delhi University College and University teachers and employees ? A proposal for spending Rs. 20 crores for housing was sent by the Delhi University to the concerned authorities of the Ministry and the UGC. I would like to know whether they are going to implement it during the Seventh Plan

period. If not, when will it be implemented for providing them accommodation ? I want a categorical reply to all these questions.

SHRI R. P. DAS (Krishnagar) : Mr. Deputy-Speaker, Sir, before I go into the matter in regard to this Statement, I would like to point out that all the Delhi University teachers have gone on strike for 9 days. There was strike from 10th December. Yesterday they have decided to go on strike indefinitely until the agreement reached in 1983 January is implemented. Before this strike, there was another strike for 109 days. That strike began some time in November and ended in January 1983. It was, I think, the longest strike in the history of Delhi University and after this strike an agreement was reached and now the subject of the Call Attention Motion in this House is non-implementation of that agreement which was reached in January 1983. There are 3 or 4 points in the Agreement—the first was about the promotions of teachers, the second was about housing and the third was about the stagnation removal and the fourth was the introduction of Professors grade in colleges. The Statement says that most of the points have been met in the mean time and the Government is very much eager to fulfil and to implement the points that were reached in the Agreement. But you will find Sir, that if we go into the points raised by the Minister in her Statement one by one, then you would kindly find that none of the points was ever fulfilled by the Government.

Regarding housing scheme, it was decided that the professors would be provided with houses since Delhi is facing acute shortage of housing. But the Government did not care to provide housing for the Delhi University college teachers. In view of the terrible housing situation in Delhi University, the Ministry agreed in principle to provide Rs. 20 crores more for the housing scheme in 1984. These promises have not yet been fulfilled by the Government. How can the Minister say that the Government has fulfilled the points raised in the agreement ? Therefore, there was no reason to believe that the agreement was fulfilled at all.

If you take the case of promotion and stagnation removal, in fact, none of the

Delhi University teachers has got the benefit. Delhi University teachers and teachers all over the country feel that there should be promotion avenues because if one enters into this profession of teaching, there is very scant scope for promotion. Therefore, there should be enough avenue for promotion in the rank of lecturers and other college teachers. Some of the lecturers may be promoted to the professors grade and that. This has to be done in a liberal manner. But that was not done at all. The Delhi University Teachers Association demanded that Government should implement that ongoing and the quota-free promotion scheme. as was agreed upon. This scheme was incorporated in July 1983 in the Ordinances XI and XII of the University which govern the service of the college teachers. These are all about the statutes of the Delhi University. But the Government thought it better to deny the provisions made in the Statutes namely ordinances XI and XII. So, the Government should look into it and see that the provisions made in the ordinances XI and XII are honoured. But the Minister, in her statement, says that these provisions had been met and all the genuine grievances of the professors and teachers have been redressed. But that is not true. I am of the opinion that the points made in the statement of the Minister are not correct. Therefore, I would like to ask the Minister.

In 1973, the Government appointed the Sen Committee for revision of pay scales of teachers. The Sen Committee recommended that pay revision should be done every 5 years. Is it not a fact that if this revision had been done in time, the problem of stagnation would not have arisen at all? Why has the formation of the pay revision committee been delayed by six years thereby creating a problem of stagnation? Therefore, the recommendation of the Sen Committee should be honoured and there should be a pay re-vision committee and it should be done every 5 years.

I would like the Minister to answer to these questions.

SHRI BASUDEB ACHARIA (Bankura):
Sir, this is very unfortunate that today is the 9th day of strike by the Delhi University

Teachers. The Delhi University teachers have not suddenly launched a strike. They left no stone unturned to impress upon University authorities, UGC and the Education Ministry, to implement the agreement which was arrived at in the year, 1983 but it has led to the prolonged strike by the university teachers. This was announced by the then Minister Mrs. Sheila Kaul also. But the main three demands were not implemented by the Government. They waited for long three years. Some proposals were referred to Mehrotra Committee and this Mehrotra Committee has not yet submitted its recommendations.

When UGC, University authorities and Ministry of Education have agreed to implement, why are they taking so much time? If the Government is so sympathetic to the teaching community of our country, why these genuine demands of the University teachers of Delhi University which is one of the premiere Universities of our country, are not being implemented?

This stagnation removal and introduction of professors grade in colleges is one of the main demands of the University teachers and the proposal was sent by academic council and executive of the University to the UGC and then UGC to the Ministry of Education and this proposal is pending since long in the Ministry of Education now.

The Minister has stated in his statement on p.3 :

“The concept of stagnation removal implementation has been accepted only in respect of employees who are in pay scales whose minimum does not exceed Rs. 1,200/- p.m.”

When these agreements were made, Government also agreed to implement the proposal to remove stagnation and at that time they did not think that this will hinder to remove the stagnation.

I want to know from the Education Minister—he will clarify—what hinders the Ministry of Education to implement this main demand, this removal of stagnation.

Due to this, about 500 teachers are not receiving their increment.

As regards the service rules, there should be uniform service rules. But in Delhi University, the service rules are not uniform. For general colleges, there is a set of service rules and for professional colleges there is another. The professional college teachers are to retire at the age of 58 years, but the other college teachers retire at 60 years and even after 60 years, after superannuation, they get re-employment for two or three years; that means, five years more. Why should there be such a discrimination? That is not there in other Central Universities, in the Banaras Hindu University or the Aligarh Muslim University or the Viswabharati. There are so many Central Universities, but this discrimination is not there in any of those Universities; this discrimination is there only in Delhi University. Why?

One Working Group was appointed by the University to recommend democratisation of the University, and they submitted their report long back. But the recommendations of this Working Group have not yet been implemented. Moreover, the University authorities are imposing restriction on two terms for elected teachers' representatives in the Academic Council and in the Executive Council.

My friend, Mr. R. P. Das, has already asked about the Sen Committee's recommendation that every five years there should be one Pay Commission. If the University authorities or the UGC had constituted a Pay Commission, then this problem would not have arisen.

I request the Hon. Minister of Human Resources Development to intervene immediately because this involves not only 6,000 teachers but thousands and thousands of student community; the higher education in Delhi has now come to a standstill. So, I request him to intervene immediately, sit with the representatives of the Delhi University Teachers' Association and implement immediately the three main demands which they accepted; which they agreed to implement, three years back.

THE MINISTER OF HUMAN RESEARCH DEVELOPMENT (SHRI P. V.

NARASIMHA RAO): Sir, the statement made by my colleague was in response to a Calling Attention Notice given by Hon. Members which was quite specific. They said something about non-implementation of the agreement arrived at in January, 1983. Now, what all is not contained in that agreement is beside the point. We can certainly go into details, merit, etc., but not in connection with the answering of this Calling Attention. I think, that is quite clear. And we have made it perfectly clear that, if there was an agreement in 1983 whereby Government made any commitment, we stand by that commitment, we honour that commitment. But, before that, we will have to find out whether there was a commitment. By Mr. Acharia saying that it was there or my saying that it was not there, this is not going to be decided either way. I stand by the commitment. There is no question of going back on any commitment made in 1983. This has been made abundantly clear to every one. (*Interruptions*) Now, the question is this. It is being said that we have denied or we are going back on the commitment. I want to tell every one concerned that we are not going back on any commitment made. I have asked those who are concerned in this to tell me what commitments were made. Merely someone saying that there was a commitment does not make it a commitment. It has to be either on record or in the correspondence. I have already stated what commitments were made according to us and what implementation is being done.

In regard to a particular issue, if it is proved today thus there had been a commitment I say this minute, this moment, I say that I stand by the commitment. But I have to tell you that we have not come to that conclusion.

(*Interruptions*)

Shall we go and discuss it later? Are we negotiating on the floor of this House? You have brought something to my notice and I am replying. You and I are not parties to it. As publicmen you have brought a matter to my notice.

SHRI BASUDEB ACHARIA: We are very much concerned, that is why we have brought it.

SHRI P. V. NARASIMHA RAO: Very good. I want to tell you that my concern is

no less than yours. It is even a little more because I have to run the show. There is a difference even there. I want to tell you that if there is a commitment, whatever happens to others, I am prepared to abide by it. But I find that in terms there is no commitment.

SHRI BASUDEB ACHARIA : That was stated by your predecessor Mrs. Sheila Kaul in a press statement.

SHRI P. V. NARASIMHA RAO : We will go into it. *(Interruptions)*

Interrupting me is not going to improve the situation. Let us understand.

SHRI R. P. DAS : The UGC had made the commitment.

SHRI P. V. NARASIMHA RAO : I will go into Mrs. Sheila Kaul's statement. I have already gone into it. I have gone into the records, I have gone into what the Finance Ministry has said, what we have been doing and where the matters stand at the moment. I have not said anything in the statement to say that I am rejecting it. I have only stated the facts as they are.

Now the point is about the strike. I don't know whether we are really discussing the strike or discussing the demands. Because it is said that as a result of... *(Interruption)* .. The point is that I don't find any relationship between the strike and any of these demands. Some have been accepted, some are in the pipeline and the others are being considered. That was all that was said.

We have considered it not once, not twice, but we are again and again trying to plead with the Finance Ministry if we can do it. But the point is that Government is all one. No Minister in the Education Ministry can make a commitment, a commitment in the sense in which you are taking a commitment without the matter being examined at Government's level with all the Ministries involved.

That is why there is no question of our going back on a commitment. What I want to submit to you Mr. Acharia is, you please tell me how it is a commitment. I have

looked into my records. I am open to conviction, I am open to your convincing me. I have told the Vice Chancellor asking him to give me all the papers that he has in regard to these matters. He has sent some papers. I am not clear that there is a commitment on that Nor, I am sure, he also is clear. It is a question of interpretation.

SHRI R. P. DAS : There is a clear agreement between the VC and the UGC.

SHRI P. V. NARASIMHA RAO : Please produce it. I am not asking you to produce it. I am also asking those who are concerned to produce the agreement.

(Interruptions)

I think it is all settled. We are settling it here. If there is a commitment I stand by it, please produce the commitment. It is as simple as that.

(Interruptions)

SHRI ANIL BASU : The Minister is asking for the agreement, we will lay it on the table.

MR. DEPUTY SPEAKER : I won't allow. No papers shall be laid on the table.

SHRI P. V. NARASIMHA RAO : Please give it to me. I will take it from you. I am prepared to sit with you also, if necessary.

(Interruptions)

We will examine the agreement.

(Interruptions)

SHRI R. P. DAS : UGC is an agency of the Education Ministry.

SHRI P. V. NARASIMHA RAO : It is not an agency of the Education Ministry. It is a body created by statute. It has its own rules and method of functioning. I want to ask the Hon. Members do they think UGC is an agency of the Ministry? *(Interruptions)*

Don't be so unkind to the UGC. In your ever-enthusiasm to make a point do not reduce the UGC to an agency of the Government.

SHRI R. P. DAS : If it is not an agency, then it is a Commission that is being guided by the Education Ministry.

SHRI P. V. NARASIMHA RAO : UGC has its own autonomy. It goes by its rules. We do not give directions everyday to the UGC. *(Interruptions)* We are going astray from the main point. I stand by all the commitments made in 1983. All that has to be done is to convince me that there has been commitment to issue (a), issue (b), issue (c) and issue (d). I stand by it. There is no need for further trying to sort it out on the Floor of the House. You were supposed to ask only certain clarifications. I may repeat that if there is a commitment that commitment is acceptable to me. It will be honoured by me.

SHRI R. P. DAS : It is an agreement.

MR. DEPUTY SPEAKER : Even if it is an agreement it means there is a commitment.

SHRI P. V. NARASIMHA RAO : If there is an agreement it means there is certain commitment also. Hair-splitting is not going to take us anywhere. If there is an agreement according to which there is a commitment I stand by it. Let us go into it. We have gone into it. Frankly, we do not find there was any commitment to implement it immediately. As regards the issue of stagnation the matter is receiving attention at Government level. We have tried to plead with the Finance Ministry. They have said this is not possible. *(Interruptions)* All Government is one. I need not even tell you which Ministry has said what. The point is we have not been able so far to take a favourable decision nor was there any commitment to take a favourable decision. All that we said was that we will consider it. I stand by that. That we will immediately do it in your favour was not a part of the agreement. So, I cannot say I am going to do it here and now. This is the position. Please try to understand and tell your friends in the interest of everybody. This is how we are going about it. Keeping the sword of the strike hanging over it, it is very difficult for any Government to sit with anyone in a dispassionate atmosphere and solve these prob-

lems. We will consider whatever is under consideration. We will implement whatever has been committed for implementation. If orders are to be issued on something which has been decided upon they will be issued. We will not even ask whether they are going to continue the strike or not. So, far as our decisions are concerned we will take them in proper time.

SHRI BASUDEB ACHARIA : Sir, the Hon. Minister can take up this matter with the Finance Ministry. After all it involves a few lakhs of rupees.

(Interruptions)

SHRI P. V. NARASIMHA RAO : You had your say and I had mine.

(Interruptions)

MR. DEPUTY SPEAKER : Let us take up the next item of the business of the House. Now, Matters under Rule 377.

MATTERS UNDER RULE 377

[Translation]

- (i) Need to re-establish a Divisional Office at Nainpur railway junction in Madhya Pradesh

SHRI M. L. JHIKRAM (Mandla) : Mr. Deputy Speaker, Sir, in Madhya Pradesh, Nainpur is the biggest junction of Central Eastern Railway on narrow gauge line where earlier there used to be Divisional Manager's office. Because of this, the railway line in the area was well managed and well maintained, but with the shifting of the Divisional Office from Nainpur not only the management and maintenance has deteriorated but thousands of persons have lost their means of livelihood also. This has caused anger and resentment among the people. Due to inadequate arrangements and lack of inspection, a serious rail accident had occurred last year near Charai-gaon in which hundreds of people lost their lives. The people had agitated against this accident as well as against shifting of the Divisional Office. As a result of the then Railway Minister Shri Abdul Ghani Khan