

[श्री राम निवास मिर्चा]

की तामील नहीं होती। इस संशोधन विधेयक के द्वारा इस में प्रावधान हो रहा है कि 6 महीने के अन्दर राज्य सरकार या केन्द्रीय सरकार जो भी कमीशन मुकर्रर करती है, उसके लिये वाध्य होगा कि वह उस की रिपोर्ट को सदन के समक्ष रखे और उस पर क्या कार्य-बाही की गई है, उस को भी रखें। अगर माननीय सदस्य इस बिल को देख लेते तो इन्हें पता लग जाता हम ने इस बिल के द्वारा कानून को सुधारने की कोशिश की है और कानून को सुधारने की प्रक्रिया तो एक निरन्तर प्रक्रिया है उसी के आधार पर हम ने सागर मसला ला-कमीशन के पास भेजा था, उन्होंने कई सुझाव दिये, जिन को हम ने स्वीकार किया। इस के बलावा इस बिल को प्रवर समिति को भेजा गया, उनके भी बहुत से सुझाव हम ने स्वीकार किये और अधिक से अधिक उपयोगी बना कर ही यह विधेयक सदन के समक्ष प्रस्तुत है।

इस लिये, उपाध्यक्ष महोदय, मैं इस सदन से अनुरोध करूंगा कि वह इस विधेयक को पारित करें ताकि यह विधेयक और ज्यादा कारगर बन सकें, जो एन्क्वायरी कमीशन मुकर्रर होते हैं वे और ज्यादा कारगर और सक्षम तरीके से काम कर सकें और जो भी काम उन को सौंपा जाय वह ठीक ढंग से और व्यवहारिक ढंग से हो सकें।

श्री मूलचन्द्र डागा : मेरे एक प्रश्न का भी उत्तर नहीं दिया।

MR. DEPUTY-SPEAKER : Order, order. The question is :

"That the Bill be passed."

The motion was adopted.

14.16 hrs.

VISVA-BHARATI (AMENDMENT) BILL

THE MINISTER OF STATE IN THE
MINISTRY OF EDUCATION AND

SOCIAL WELFARE AND IN THE
DEPARTMENT OF CULTURE (PROF.
S. NURUL HASAN) : Mr. Deputy-Speaker
I beg to move :

"That the Bill further to amend
the Visva-Bharati Act, 1951 be
taken into consideration."

Sir, I am moving this Bill before this honourable House with a very heavy heart. I feel very strongly myself and I am sure that the House shares this feeling that the Government should not interfere with the functioning of our universities as far as possible. Unfortunately, a situation, a situation has developed in Visva-Bharati when in the interest of the smooth functioning of the University itself and in the interest of its autonomy, it has been necessary for the Government to bring forward this amending legislation.

The House will recall that various incidents of violence and intimidation have taken place in the University since November, 1970. It has also been reported that a small section within the University has been adopting a negative attitude which has made it very difficult for many of the teachers and the students to carry on their normal academic work.

While it is important that the Government should not pressurize any university in so far as the academic pursuit is concerned, it is also important that no section within a university itself should be permitted to pressurize others from carrying on their normal and legitimate academic functioning. This Bill has been brought before the House partly to save the authorities of the University from various types of internal pressures and pulls and partly also to smoothen the transition to a new structure which is visualised for Visva-Bharati as for the other Central universities in implementation of the report of the Committee on the Governance of Universities appointed by the UGC, commonly called the Gajendragadkar Committee.

The Gajendragadkar Committee Report has been placed on the Table of the House by me during this session and I hope some of the hon. Members at least have had

the occasion to glance through it. As they will realise, it would involve a considerable restructuring of the administration of the University.

Therefore, the Government felt that if taking both these factors into account we could restructure and have a temporary, a transitional, organisation in the University, it would help to protect the academic functioning and intellectual atmosphere of Visva-Bharti University.

It mainly deals with the establishment of a smaller Court; an Academic Council which is composed predominantly of teachers of the University, more or less, on the lines of the Academic Council in so far as broad principles of many other Universities are concerned; a small Executive Council on the lines that the House had approved for the B.H.U. and a Standing Finance Committee. The Board of Studies has also to be modified. The reason for changing the constitution of the Board of Studies was that because of historical reasons, it so happened that in the Board of Studies, there are many persons who were teaching in school classes and the House, I am sure would agree with me that those who are engaged in teaching in school classes are not always the most competent people to serve on the Board of Studies for post-graduate or research studies. Therefore, we have decided to modify the constitution of the Board of Studies.

If there are any points that are raised by the hon. Members, I shall seek your indulgence, Sir, to reply to them at the end of this reading of the Bill. I would only conclude by saying that I am hoping that this measure will be a transitional measure and that very soon it will be possible for the Government to come before this House again with a new Bill to bring the constitution of Visva-Bharati University in line with the recommendations of the Gajendra-gadkar Committee Report.

MR. DEPUTY-SPEAKER : Motion moved :

"That the Bill further to amend the Visva-Bharati Act, 1951, be taken into consideration."

*DR. SARADISH ROY (Bolpur) : The House is discussing the Visva Bharati Bill. This Bill was introduced through an Ordinance on 3rd November, 1971. A press note was issued in this connection which stated "It was necessary to bring about an immediate change in the administrative body of the University and that it was necessary to provide for nominated University bodies in place of the elected ones."

The Executive Council that was there earlier was not an elected body. Out of the 15 members, only 2 were elected and these elected members represented not the teachers but the ex-students of the university. Therefore, the Board or the Executive Council comprised of nominated members or ex-officio members. Therefore the present Bill does not seek to replace the elected members by the nominated members. Moreover, the objective of the Bill is not to affect any improvement in the system of education but it is only a political move. Had it not been so, the nominated bodies should not have been there. The former nominated bodies comprised of nominated members belonging to the ruling party. The two elected representatives that were there, did not have any link with extremist party rather they were associated with the Ananda Bazar Patrika Group. Therefore, the plea that the Government have taken that they are seeking to replace an elected body by a nominated body is not tenable.

In 1969, an eminent Gandhite, who was also a member of the University Council and the University Court had written a letter to the visitor of the University. At that time the Vice Chancellor of the University had resigned and there was some agitation on this account. Referring to the incident, he had written "my humble suggestion is that you may be pleased immediately to order an impartial unbiased and broadminded inquiry into all aspects of the working of Visva Bharati." He further added "for many years now the country has had bitter experience of trouble at numerous educational institutions. Usually enquiries are ordered after things have gone too far so that little good results from them, whereas an inquiry if instituted at the first sign of trouble could possibly

[Dr. Saradish Roy]

avert the rot". This letter was written on the 23rd of July, 1969. Then, after one year on the 1st June 1970, he again wrote to the Chancellor about the impending closure of the University and he stressed that the Council—"the supreme governing body of the university"—"Should institute a thorough inquiry into the working of the University to find out and remove the various shortcomings that were there. But despite these warnings, neither the Council nor the Central Government institute any inquiry into the matter.

Today the Bill has been introduced in this House to set aside the erstwhile university bodies. I would therefore like to know, whether keeping in view the incidents that have taken place during the last few months, the Government had consulted the Executive Council of the University before introducing this Bill in this House or not. As far as I know they have not consulted the Executive Council. Therefore, it is very clear that the main objective of the Ordinance was not to bring about any improvement in the sphere of education. The University is suffering from many ills for a long time and unless we are able to diagnose the disease correctly we would not be able to cure it no matter how many ordinances we may issue and how many nominated bodies we may appoint.

From the school to post-graduate classes there are 2000 students and the number of administrative staff for these students is between 1300 to 1400 while the number of teachers/professors varies between 3 to 4 hundred. Now let us see how the administration is being run there. The Registrar had resigned but instead of accepting his resignation he was asked to proceed on leave this is being extended repeatedly. The post of the Controller of Examination is lying vacant since the date of its creation. Shantiniketan is a part of the University but there is no Principal for the last four years. There is a post of an internal auditor but is lying vacant and similar is the case with the post of a Finance Officer. There are 34 Office Superintendents over the administrative staff. What is the reason for this? Several Office Superintendents posts have been created to pacify group interests. A person who has failed in English has been appointed as the Editor

of Visva Bharati News Bulletin. The gentleman who used to carry files of Shri Rathin Babu has been appointed as the head of the "granthan Bibhag" and like this corruption is rampant in every sphere of the University activity and because of this we have come down to this present position. Now let us see how is the teaching being conducted in the university. the qualifications of the reader of the Philosophy department are such that they have become a big joke for all. The Department of Mathematics is without a professor for last 4 years. The Head of the Department of History has intimate connections with the C. I. A. I do not know whether you are aware of it or not but it is a fact and this very gentleman cannot stay in Shantiniketan for more than three days and he has to rush to Calcutta often. The Heads of the Departments of English and Economics have resigned out of disgust. A person has been made the head of the department of Geology whose only qualification is that he enjoys the favour of an influential member of Ashramic Sangha and that is his only qualification. People express grave doubts the experience of the professor of Ravindra Bhavan. In the Hindi Department, there are more than one teacher but no students and the teachers are just idling. How are the teachers being appointed? The appointments are not made on the basis of the qualifications of the teachers but on the basis of the influence they have on the University and as a result of the many good professors have left the University. This very thing is happening in the administrative matters also. The University has Class III staff called the senior Assistants and class IV staff called junior Assistants. A non-Matriculate has been appointed a senior assistant because he enjoys the favour of some influential person but a Matriculate has been appointed as a junior Assistant (Class IV) because he has no influence to wield in his own favour. Not only this, promotions are given where they are not needed and the just claims of the qualified teachers are ignored. Naturally these things give rise to discontentment and when the teachers want to ventilate their grievances they are branded as agitators or extremists.

The hon. Minister has just now referred to the students agitation. I may tell him

that when all the universities of West Bengal had to be closed down due to students trouble it was only in Visva Bharti that classes were held regularly as per routine and not even one class was suspended. This is not my personal claim but a report to this effect has already appeared in many newspapers of West Bengal.

The University apart from getting an annual central grant of Rs. 70 to 80 lakhs has its own source of income also, But they do not give any account of this income to the Central Govt. It is learnt that interest on a deposit of Rs. 20 lakhs is lying unaccounted for and the University authorities are not willing to part with information about this to anyone. As a result of all these corruption has become rampant in the University and whenever the teachers try to put forward their legitimate claim they are not heard and as I have already stated that despite repeated requests being made, the Central Government did not institute any inquiry into the working of the University. Therefore, I feel that through the Ordinance or through this present Bill we will not be able to solve the problem of the University,

During the last 20 years the University could not frame any service rules for the staff and whenever the teachers asked for these service rules for recruitment and promotion their demands are fell on deaf ears.

Shantiniketan was once under the Ministry of agriculture but now it has come under the control of the University and Education Department. This organisation is intended for conducting research but out of the total staff employed in this organisation only 5% devote themselves to reserch work and the rest 95% of them keep themselves busy with administrative work only. Students who pass out from this organisation cannot get any job. An inquiry was instituted into the matter but the report of the inquiry committee is yet to see the light of the day. Shantiniketan once had a very good influence on the rural people and economy of the region but it has lest all its influence now and people also have lost confidence in this organisation. I feel Sir, that the Central Government is responsible for this because they have failed to take remedial measures

in time to improve the working of this organisation as also of the University and they have not ensured employment to these Boys who pass out of this organisation.

During the last few years nearly 30 incidents have taken place in the University. In one case an office superintendent was also killed. Even though the incidents were taking place over a period of many months, the Central Government did not take any remedial measures despite requests being made repeatedly by members of the Executive Council who were non-Marxists and Gandhites.

A few days ago, in the city of Bolpur a leader of a particular political party in a meeting urged upon the students of Visva Bharati to form students organisations for that political party namely, the ruling party. The University had a rule that a student failing thrice was not allowed to continue his studies in the University. This rule has since been suspended and three students who have failed more than three times have been allowed to remain in the University because they have been entrusted with the job of forming students union for the ruling party. In these circumstances I do not know how the hon. Minister feels that he would be able to bring about an improvement in the situation of the University. I feel that the ruling party is only trying to utilise the situation in their own interest.

I therefore feel that by merely issuing Ordinances we would not be able improve the matter. If we want to bring about any improvement then we have to put an end to corruption connected with promotions and appointments, meet the legitimate demands of the teachers and the students, formulate service rules for recruitment and promotion and have to create a healthy atmosphere of harmony as otherwise we would never be able to achieve the objective. With these words I conclude my speech.

SHRI H. N. MUKERJEE (Calcutta North-East) : Mr. Deputy-Speaker, Sir, it would have been a pleasure for me, purely personally speaking, if I could welcome the first legislative sponsorship in this House by my hon. friend the Minister of State, but I am afraid I cannot compli-

[Shri A. N. Mukerjee]

ment him because this ordinance and the Bill to follow is a peculiar present to Visvabharati on the eve of the celebration of its golden jubilee.

It smacks of a spirit of authoritarianism in the Government of the day of which I thoroughly disapprove, and perhaps it is as an expression of that element of authoritarianism that I find not only that the Prime Minister, the Chancellor of Visva-Bharati is absent—she could conceivably have so many other engagements; I do not mind—but the Minister of Education, Shri Siddhartha Shankar Ray, who was supposed to have conducted a personal investigation in the affairs of Visvabharati, which alleged investigation has led to the production of this proposition, is not here. He was here during the morning, but he is not here to answer anything that House in its wisdom might bring up. But I do not think he even supposedly lifted a little finger in regard to a serious investigation of Visvabharati affairs. But he is not here even to answer anything that might come up.

I say also that this is a peculiar present to Visva-Bharati because this goes right against the entire spirit of the institution. One might ask, 'Who cares for the spirit Visva-Bharati? We have a hell of a job to do. Visva-Bharati is a headache and, therefore, we have done this'.

I am reminded of the last speech which Jawaharlal Nehru had made to the inmates of Visva-bharati and Shri Nurul Hasan can discover a tape-recording of it in Shantiniketan—where he had referred to Visvabharati's special mission. He had pointed to the tall buildings and growing affluence of the institution as something about which one should beware, and had added—'I am quoting the exact words he spoke in Hindi.

लेकिन सरकार से थोड़ा अलग रहना चाहिए।

Jawaharlal Nehru in his last speech to the inmates of Visva-Bharati had said that it was necessary that Visva-Bharati should remain somewhat aloof from the cruel touch of the administration of this Government.

You will forgive me if I think of the days in which Visva-Bharati had been set up with certain ideals which Government may not care for but the country, will, if properly apprised of certainly care for;

“यत्र विश्वम् भवत्येक नीडम्”

That was the Vedic slogan with which Brajendranath Seal and Rabindranath Tagore took part in the foundation-stone ceremony of Visva-Bharati in December 1921, and as a result of that ideal of inviting the entire universe to the nest, so to speak, the cultural nest of Shantiniketan, we find people like Sylvain in Levi, Winternitz, Stenkonow coming and sitting down with scholars like Vidusekhar Shastri and conducting their work.

That was why men like William Pearson and Elmhirst got enthused and by the idea of Sriniketan. It was the embodiment of the contact of a university with agricultural life, agriculture being the oldest form of human culture, & Tagore had envisaged that the University at Shantiniketan would be organically linked to this University, whose ideals would be in conformity with the fundamental tenet of an organic sense of life in all its manifestations. But all that has gone overboard. Nothing of that is in the contemplation of these ladies and gentlemen who comprise authority in this country.

That is why it is not suddenly that Visva-Bharati, on account of what they say, violence and destructive activities, has come down. As was just pointed out, if you take the toll of violence and destructive activities, so many other universities could show a record by which the record of Visva-Bharati would pale away. It is not that at all. For year now, Visva-Bharati is going down the drain and nothing is being done by the Government of the day in spite of Shrimati Indra Gandhi being for the last five years or so Chancellor of the University, in spite of her going ceremonially onevery Christmas Day and addressing a meeting in the Sylvain surroundings of that place. Nothing is being done. That is why our grouse is that during the last few years, repeatedly, demand has been put forward that there should be a real, genuine prope into the affairs of Visva-Bharati. It never took place. This demand was made because the characteristic

institutions of Visva-Bharati have been deteriorating. The Chin-Bhavan, which in the days of Tan Yen-shun, a friend of Mao, Tse-tung himself, was a stupendous institution, an institution with potentialities which were incalculable. The Chin-Bhavan is now in a derelict condition. Even the Hindi Bhavan, in spite of the enthusiasm for Hindi on the part of some members of the Cabinet, is in shambles. The Shilpa Bhavan, the museum, and all that are in absolute doldrum. What is supposed to be an advance centre of philosophy is completely defunct, and Sriniketan, about which I would say a few words a little later, has been going downhill all the time. The Vidya Bhavan has been without an Adyaksha since Dr. Rudra's resignation. For several academic departments, the corresponding needs of the Boards of studies are just not there for a considerable length of time. Almost all the institutions at Sriniketan are without a permanent head. The Bengali Department of Rabindra Sadan has not even a nominal head for quite sometime. There is a statutory office of Proctor unfilled since the last incumbent resigned. The Controller of Examinations fell ill and took leave, the acting incumbent is reported to have resigned and perhaps there is no body to mind the baby for months. The position of the Registrar was uncertain, whether he was going to stay or to leave, no body knew about it. There is no internal audit officer. They have got a finance officer, an honorific, ornamental designation for a good friend of mine who is a working judge of the Calcutta High Court. Is it a joke—the idea of looking after the accounts of the university? There is no internal audit officer. And the finance officer is a person who is a working Judge of the Calcutta High Court, who can come for an occasional jaunt to Bolepur. But he cannot do anything more than that.

This ordinance and the Bill which has followed, if they were *bona fide* measures, I could welcome them. If they are *bona fide* measures for a genuine amelioration of the disease which has been afflicting Visva-Bharati for so long, I could have welcomed it, but it is not there at all.

I say this because the Prime Minister, as Chancellor, and the President, as the Visitor of the university, have nominated

three members to the executive council in addition to other persons and other sources of influence over the university. What has happened in the meantime? Why has not anything been done in the meantime? Section 10 (2) of the Act empowers the Visitor, that is, the President of India, that is to say, "the President, acting on the advice of the Ministry of Education." The President of India has the power to cause an enquiry or inspection. This sub-section was never invoked up to now. Parliament, when they passed the original Act for Visva-Bharati invested the President, that is to say, the Ministry of Education, with the duty, the responsibility, of having an investigation when sit was called for. That duty is not discharge d; that responsibility is shirked. And then, you say, I want complete autocratic power for myself. I want a truncated body, a very small number of people entirely at my beck and call to command everything in Shantiniketan. Parliament authorised the Ministry of Education, because the President is just there more or less as an ornamental personality. Parliament wants, and puts in a section of the Act that "you investigate the matter and take steps." They do not investigate; they do not take steps. Though all kinds of grievances and abuses have accumulated over the years, they do not take even one single step, even through Prime Minister was approached umpteen times, and often several discussions take place in this House as well as in the other House on the entire situation, and they come at the last moment and say, "We take it over."

How do we take it over? We read in the papers I do not know what happens behind the scene—that the Minister of Education attends a meeting of the Cabinet and the Minister of Education is given the job of making a personal investigation. That is not the kind of investigation envisaged by Parliament seriously in the Act. The Minister is asked according to the Press reports, by the Cabinet to make a personal investigation and report. What was the investigation that the Minister did? How? We never know. He never went to Shantiniketan after he was asked by the Cabinet to have an investigation. As far as we know, people in Shantiniketan tell us that they were never asked any questions

[Shri H. N. Mukerjee]

in regard to the so-called investigation to be conducted by Shri Siddhartha Shanker Ray. Nothing happened. They come and tell us:

"We have this very small body as envisaged in clause 3 of the amending Bill. They are pushing out of the picture all the Adhyakshas Professors and heads of departments, the Adhyakshas of the bhawans, heads and Principals of the institutions who were according to the original Act members of the Samsad, the court of the University. They want a small body; they want some people entirely at their back and call to go and reorganise the Shantiniketan."

If I knew that they had genuinely proceeded in regard to reforming the abuses, removing the abuses at Shantiniketan and told us that on the basis of this investigation we had appointed a small committee which is necessarily small because they have to act very rapidly, I could have tried to understand that proposition. But they never tell us anything. What is the investigation that they have made?

Parliament has over and over again asked for an investigation into the affairs of Viswabharati, 1969 and 1970 were the years of turmoil in Viswabharati. A professor of philosophy who was the Vice-Chancellor of the University was compelled to resign and we know for a fact that the so called representatives of ex-students of Shantiniketan who control the entire apparatus, morally speaking, blackmail the vice-Chancellors of the University, like Dr. Kalidas Bhattacharyya who was compelled to resign and they have their association with a grisly group of people who run the Ananda Bazar Patrika and certain other vested interests in west Bengal. The sooner we get rid of that kind of excrescence from our country, the better for everybody. Those are the people who are dominating over Viswabharati; these are the people who are making the whole thing a sham and a sheme-for this country and that is why we have to come to this pause.

What the Government has in mind, we do not know. That is why I say that I want a definite answer in regard to the

Education Minister's alleged investigation without which they could not have proceeded to the issuing of the Ordinance and the legislation that followed. What did he do? Did he visit Shantiniketan? Did he find out things after he was asked to investigate and that sort of thing.

This is not 'operation rescue' for Viswabharati; it is 'operation capture' for Viswabharati. Why should the Government of the day be interested in capturing an institution like this? I do not know. Is it because Viswabharati being situated in a part of West Bengal where a certain brand of extremist political agitation has been rampant for some time much to be disconcerted bewilderment of many of us, is it because of that they want to get hold of the University lock, stock and barrel and control it in a completely autocratic fashion which goes right against the grain of any kind of university autonomy principle? Why should we think of that in that way?

After all Viswabharati is not insulated from the rest of the community. In the district of Birbhum if there is some agitation, some repercussion of it is bound to enter into the minds of the young people who inhabit them. Even so in Viswabharati itself such instances were few and far between. You can never say that Viswabharati students have behaved very badly or that the Viswabharati university teachers were very politically minded. Not in the least. Nowhere in this country is perhaps a community of teachers who are so basically non-political as in Viswabharati. Nowhere, not in Calcutta or Jadavpur or Burdwan; forget West Bengal universities, not even in Delhi. The Delhi University teachers are a great deal more politically oriented than the teachers of Visva Bharati. Then why do you do this? Only because you went to assert your influence directly.

The Vice-Chancellor—I knew him personally, I have known him for 40 years now nearly—is expected to be more effective by becoming subordinate administrator, dancing near the doorsteps of Nurul Husan and Siddhartha Shankar Ray. Is he going to be a better administrator if he is to make his curtsies to the officers of the Government of India?

He was chosen by the Karma Samiti and the Samsad. Both are dissolved, and he

is made a subordinate official. I do not understand what has happened to the academic community of this country. If I or any of us were in the position of the Vice-Chancellor, and having been nominee of the Karma Samiti and the Samsad, if the Karma Samiti and the Samsad are pushed out, I would never have agreed to continue under the surveillance of the Minister of State or his millions in the Education Ministry. I would never have done it. Educational autonomy and academic freedom are things which we should treasure, but this Government goes on behaving such in a way that the mind of the academic community is tainted and distorted and they begin to worship power, and they come to the shrines of power which are supposed to be situated in Delhi. That is exactly what is happening. And apart from that so many other things are done.

I want Government to tell us something more about it. Why have not Government looked after Sri Niketan? What has happened? So many of the Government people tell us that they are interested in the revival of the village industries, the talent creative activity of our people as far as the village folk are concerned, Tagore started this institution. I find the Agricultural University—University, I think, it is called—working fairly satisfactorily in the very inhabited conditions of our country. Why should not Sri Niketan be made the nucleus of something like an Agricultural University when it is functioning properly? Sri Niketan products have a wonderful market, internal market as well as foreign market. But why is it that Sri Niketan does not flourish? Why is it that no attempt is made, as Tagore wanted, towards an organic link up between the economic life of the people and their creative activity, their production of economic goods and the academic, cultural atmosphere of the country? Why is it that here we find that artisans who are as good as artistes are not really encouraged? If the idea is that Rabindranath Tagore lived a long time ago, that he had some antiquated notions in regard to education, that in the modernistic mind of my friend the Minister of State these notions are no longer valid, I would like an investigation. I do not say that we should stick to Tagore's ideas and all that sort of thing. If they are outmoded, as they might very well be, if Shanti Niketan should

no longer carry on in the old fashion, if Jawaharlal Nehru's idea towards Shanti Niketan ought to be repudiated, no longer passes muster let us find out, let us have a civilised intellectual discourse in regard to that matter. Let there be an investigation made by competent people. Let Tagore's ideals be thrown over board if they are no longer in conformity with the requirements of today. But have we made that investigation.

What are we doing? Setting up a few buildings, putting in a lot of money; and then having a complete picture of demoralisation, degradation and inefficiency. Is this the way in which we should conduct our affairs? That is why I say this is an example of the authoritarian mentality which prevails in the Government of the day, which extends to the sphere of the academics, which utilises, exploits the idea of political disturbances in educational institutions even to the extent of repudiating all the academic ideals of a man like Rabindranath Tagore, and that is why the Act is being changed, and in the name of having a comprehensive legislation at some future date they are having this passed.

I have been in this House for 20 years, and I am fed up with the idea of Government coming up and saying that they will bring a comprehensive piece of legislation later on. It never comes. By the time it comes, so much water has gone down the Jumna that your comprehensive legislation is no longer adequate to the scene. That is why we have to be very careful.

15.00 hrs.

I do not want to take more time, but I feel that all the Central Universities are stinking today Banaras, Aligarh, Delhi and Visva Bharati—every one of them is stinking more or less. Sometimes the stench goes upto the high heavens. Sometimes it does not go so high up. Anyhow that is how it is. Even right under the nose of the ministry, Jawaharlal Nehru University is developing a sort of isolated academicism, which is as remote as one can imagine from the ideals of Jawaharlal Nehru. This is on account of the Govern-

[Shri H. N. Mukerjee]

ment's predilections for authoritarian methods of work. I change this Government that in regard to Visva Bharati, which is the Prime Minister's particular pigeon, she has no business to be Chancellor merely because she was at one time a student of Shanti Niketan. I charge the Government that Visva Bharati, which was very specially required to be nursed by some of the leading figures of Government—that was the idea of Jawaharlal Nehru—has been deliberately allowed to rot and sink. For the last two to three years, Government has been entirely negligent in regard to every demand that has come from the public as well as from the students and teachers of Visva Bharati for a genuine probe into its affairs. Government has acted only in order to support the idea of that clique which, in the name of representing the ex-students of Shanti, Niketan, want to control that institution.

Now Government have come forward with an authoritarian piece of legislation. If Government expect that they would be able to nominate independent-minded academicians to get into the picture under the terms of this Act, I say, Government is barking up the wrong tree. They will never get men worthwhile who will work under the terms of this ordinance and this Bill. They will never get any kind of genuine, civilised administration of an honest academic institution if they want to stick to the provisions of this ordinance and this Bill. Therefore, I repeat the disgust I feel at the way in which Government has proceeded in regard to Shanti Niketan and Visva Bharti. I repeat that this is a cruel and most pervert present to be made to Shanti Niketan on the eve of the celebrations of the Golden Jubilee of Visva-Bharti.

श्री राम रत्न शर्मा (बांदा) : उपाध्यक्ष महोदय भी विश्व भारती का नाम आते ही श्री रवींद्र नाथ टैगोर का नाम सामने आता है। उन्होंने अपने सिद्धांतों के अनुरूप भारत वर्ष में एक विश्व संस्था शिक्षा के लिए बनाई। शहर के वातावरण से दूर उन्होंने एक ऐसा शिक्षा क्षेत्र बनाया था जहां पर कि विश्व का हर एक व्यक्ति आकर शिक्षा पा सके। शिक्षा संस्थानों को किसी राजनैतिक दल

के दबाव में नहीं होना चाहिए यह परिकल्पना उस समय भी थी और आज भी है। लेकिन एक कहावत घड़ियाली आंसू के बारे में है, आज उस को हम प्रत्यक्ष देख रहे हैं। जब हमारे मंत्री महोदय अपना भाषण देते हैं तो कहते हैं :

“Government should not interfere with the educational institutions.”

इस से ऐसा लगता है मुझे कि घड़ियाली आंसू यहां पर प्रत्यक्ष बहाए जा रहे हैं। एक तरफ वह कहते हैं कि शिक्षा संस्थाओं पर सरकार का कोई ऐसा अधिकार या दबाव नहीं होना चाहिए कि जिस तरह का शासन हो वह अपनी नीतियों और अपने सिद्धान्तों को देश में शिक्षा संस्थाओं के द्वारा जारी करे और दूसरी तरफ इस तरह का लेजिस्लेशन लाया जाता है, तो इस में और कोई बात नहीं है, यह घड़ियाली आंसू यहां पर प्रत्यक्ष मूर्त रूप में सामने आ रहे हैं।

सब से पहली बात जो यहां पर इस अमेंडमेंट के द्वारा लायी गई है वह यह है कि जो पुराना ऐक्ट था विश्व भारती ऐक्ट 1951 उस में संसद को सर्वोच्च माना गया है। लेकिन इस अमेंडमेंट के द्वारा विश्व भारती पर संसद की सर्वोच्चता को समाप्त कर दिया गया है और उस के अन्दर की वह भावना कि शैक्षणिक संस्थाएं राजनैतिक सत्ता से दूर रहें विलोप कर के उस को राष्ट्रपति के अधीन कर दिया गया है। जैसा कि अभी कहा गया कि राष्ट्रपति अब शासन का अंग है, अब कांस्टीट्यूशन अमेंडमेंट के बाद सरकार की हर बात पर उसे अपनी मुहर लगानी पड़ेगी तो सरकार ने राष्ट्रपति के अधीन लाकर इस विश्वविद्यालय के ऊपर अपना डायरेक्ट कंट्रोल कर लिया है जिसको कि किसी भी प्रकार से उचित नहीं माना जाना चाहिए और सरकार को इस तरह के हथकंडे कम से कम शिक्षा क्षेत्र में नहीं

अपनाने चाहिए। संसद पहले सर्वोच्च थी विश्व भारती के लिए लेकिन इस अमेंडमेंट के बाद उसको केवल सलाहकर या परामर्शदात्री बना दिया गया है। अब केवल परामर्श देगी उसके परामर्श माने जाते हैं या नहीं माने जाते हैं, यह अलग बात है। उस विश्व-विद्यालय का जो एक अलग रूप वा राजनीति से और खास तौर से शासन से वह अब नहीं रह पाएगा। इसी प्रकार से संवैधान 22 में कर्म समिति को परिदर्शक के अधीन कर दिया गया है। पूरे का पूरा जो 1951 का ऐक्ट था उस को बिलकुल बदल कर इस अमेंडमेंट के द्वारा उसे शासन के अधीन कर दिया गया है। शासन जिस प्रकार से चाहेगा उस प्रकार से नियुक्तियां करेगा जिस प्रकार से चाहेगा काम करेगा और उस विश्वविद्यालय का उपयोग करेगा।

अभी बनारस विश्वविद्यालय में क्या हुआ एक काम्प्रीहेन्सिव बिल लाने की बात बार-बार कही गई कि सब यूनिवर्सिटीज के लिए एक ऐसा लेजिस्लेशन लाया जायगा जो कि मुझे विश्वास है कि शायद कभी नहीं आएगा। सरकार इस तरह से थोड़े-थोड़े अमेंडमेंट करके अलग-अलग विश्वविद्यालयों को अपने काबू में करने की कोशिश कर रही है। बनारस विश्वविद्यालय की घटनाएं अभी हाल की ही हैं। उन को हम लोग भूले नहीं हैं। इस विश्व-विद्यालय में बदला लेने की भावना से लगभग 17 विद्यार्थियों को या तो रस्ट्रिकेट कर दिया गया है या उनको परीक्षा से रोका गया है। मैं सरकार से आग्रह करूंगा कि किसी के विरुद्ध बदला लेने की भावना से कोई काम न किया जाय। इस समय देश की परिस्थिति ऐसी है जिसमें कोई भी ड्रिस्टिक ऐक्शन सरकार को समझ बूझ कर लेना चाहिए। देश की युवा शक्ति खास तौर से विद्यार्थी वर्ग को इस संकट के समय में इस प्रकार के बाताबरण में डालना चाहिए ताकि वह देश की इस परिस्थिति में

कन्धे से कन्धा मिलाकर राष्ट्रीय एकता की भावना से ओत प्रीत हो कर चलें और देश का साथ दें। किसी भी ऐसे राजनैतिक कारण से सरकार को ऐसे उलझाव में नहीं पड़ना चाहिये कि इस देश की युवा शक्ति अकारण छेड़ें। अकारण ऐसे आचरण करें राजनैतिक कारणों से कि सरकार को आन्तरिक कठिनाइयों में फंस जाना पड़े। दूसरी तरफ मैं अपने विद्यार्थी बन्धुओं से भी कहूंगा कि देश की इन नाजुक परिस्थितियों को देखते हुए इस समय वह कोई सा काम न करें जिस से देश की आन्तरिक अवस्था बिगड़े और सरकार को आन्तरिक परिस्थितियों को देखना पड़े। अभी हाल ही में राजस्थान और इलाहाबाद के विश्वविद्यालय बन्द कर देने पड़े हैं। मैं इस पर भी सरकार से कहूंगा कि कानून बनाना कोई समस्या का हल नहीं है।

समस्या के हल दूसरे भी हो सकते हैं और उन के बारे में सरकार को उन कारणों की अच्छी तरह से खोज करनी चाहिये, जांच करनी चाहिये और उस के बाद जो अपराधी हों, उन को सजा देनी चाहिये। लेकिन राजनीतिक कारणों से किसी से बदले की भावना से सरकार को कोई भी कदम नहीं उठाना चाहिये और ऐसा कोई कार्य नहीं करना चाहिये जिस से कि सरकार परेशानियों में पड़े और राष्ट्र को बिखरने का मौका मिले। ऐसी परिस्थितियों में जब कि राष्ट्र को वास्तव परिस्थितियों से जुटना पड़ रहा है, उसे आन्तरिक परेशानियों से बचाया जाय।

मैं मंत्री महोदय से अनुरोध करूंगा कि यह समय इस बिल को लाने के लिये उपयुक्त नहीं है, इस समय इस को विद्डो कर लें और सोचने समझने के बाद फिर कोई काम्प्रीहेन्सिव बिल लायें जो देश के सभी विश्वविद्यालयों पर समान रूप से लागू हो सकें।

SHRI PRIYA RANJAN DAS MUNSHI
(Calcutta-South): Mr. Deputy-Speaker,
Sir, I support the Bill.

[Shri Priya Ranjan Das Munshi]

In connection with with the academic affairs of Visva-Bharati many things have been projected by professor Hiron Mukerjee and Dr. Saradish Roy from the opposite Benches. I partly agree with their view in regard to the functioning of Visva-Bharati and the professors and students but about the reasons for the very recent affair. I quite agree with what has been said in the Bill in detail.

Visva-Bharati is not hanging in the sky. It is in the Birbhum District of West Bengal. Rabindranath Tagore spent many of his good years there, composed poems and wrote books. The rivers and some places of Birbhum District are recorded in the lines of Tagore's poetry, songs and literature.

The idea of Shanti Niketan, if I am not wrong, was basically to conduct the academic life in an atmosphere of peace according to the historical and traditional life of India and to make some universal appeal to all student communities of the world for the basic teaching of Tagore in relation to humanity and relation.

For a very few years I was associated with Visva-Bharati in my student days. I know that most of the intellectuals of our country, the professors, the readers, the doctors and those who are acquainted with Visva Bharati affairs, would say that it is the only university not only in India but in Asia which was undisturbed in its academic affairs, in the regular functioning of the students, since its beginning. But with the recent political activities of Bengal Visva-Bharati was also affected to a large extent.

Before I go to the Bill I would like to consider the reasons for the Bill. The reasons are very categorical. They are—destruction of property, tremendous violence etc. Professor Mukerjee said in his good speech and pointed remarks that the Visva-Bharati University and staff were not political, that they were not any more political than other universities of this country and that they were quite sound and good enough to tackle the university administration. I do not agree for two reasons, I suppose, the very recent actual murder toll in the Birbhum District was more than 98 of which 56 were students of the district. I should not say students belonging to my

patty or that party. I should simply say that the young people in Birbhum district were brutally killed by some conspiracy hatched by Naxalites or the so-called extremists. That plan happened in college hostels and, more or less, it was in the Visva-Bharati Hostel.

The day when three of the students were killed, I was in Bolepore. I talked with the students of the Visva-Bharati. They were quite afraid to give the history of the incidents because they told me that if they give any information, they would be killed inside the visva-Bharati Hostel. Immediately, I informed the Government and the local administration about the matter and they told me that they would take care of it. After these things the office Superintendents were killed.

Let the teachers of the Visva-Bharati be political persons because, today, in our country, when we believe in democracy, I should not say that the intellectuals are free from politics. But the academic institutions should not be the ground of politics. Let them be political persons. In that respect, I consider most of the teachers of the Visva-Bharati are political persons. It is not their fault.

So far as the general aspect is concerned, it is true that the classes were not closed like Jadhavpur University or Burdwan or Calcutta University. But the actual impact of Tagore which Tagore expected from the educational system of the Visva-Bharati was greatly hampered. What Tagore expected was free discussions of all intellectuals; what Tagore expected was free conversations of great talents of the world; what Tagore expected was imparting of teachings of great heroes. The atmosphere here was such in the Visva-Bharati campus that even the name of Tagore was taken by the students with great care. Unless they had security, they would not do.

In the last convocation I was there and I saw that most of the students of the Visva-Bharati are quite fine. They love the Visva-Bharati; they love the institution; they love Tagore and they believe in the teachings of Tagore which are preached to many of our young students of the country. But the administration, by their own manipulation,

'took advantage of the law and order situation and tried to provoke certain sections of the students belonging to the extremist community to have their own political purposes in the Academic Council or in the *Sansad* and make confrontation with the Vice-Chancellor and other staff.

In that respect, if the image of Tagore, the image of Indian education is to be protected, I believe, that the Ordinance which was promulgated and the Bill which is today before the House is not only essential but it is an attempt in the right direction to protect this great institution in the right shape.

I quite agree with the Opposition Members that the attitude to control these things cannot be taken by way of passing Bills only. The attitude should always be taken with a comprehensive outlook.

In the Gajendragadkar Commission's Report, there are certain recommendations with regard to the Centrally sponsored universities which still are not being followed. I do not know the reasons for that. The hon. Minister should reply to that categorically.

I quite agree with the point raised by my hon. friend, Shri Mukerjee, as to why the Visva-Bharati is touched by the quill-hand of the local administration. Today, in the morning, one of the Members of the Communist Party was quite serious about the R. S. S. activities in Ajmer and in the Banaras Hindu University. I quite agree with him. I do not understand one thing. If the activities of the R. S. S. or the so-called such other forces are really against the academic interests of some academic institutions or universities, on the same lines, if the activities of certain extremists in any political party, might be mine also, go against the interests of the academic institutions or universities, or the so-called image of great intellectuals of our country or the national leaders of our country, the Government should do something positive which might be ruthless in the eyes of the people for some time. But that is necessary and, I am sure, the Ministry of Education is thinking on the issue in this light only.

I would like to submit humbly that the

Visva-Bharati problem cannot be tackled by simply issuing an ordinance or passing Bill or to change certain administration. I should be tackled with the basic needs of the students there. I understand, the students who pass from the Visva-Bharati University are highly being harassed in the country. I can give you the figures. Those who pass from the Visva-Bharati University are simply appreciated in the marriage-ceremony pandals; they are simply appreciated in the Tagore Birthday celebrations. And they are simply appreciated in some ceremonial purposes only and not for the actual purpose for which they took the admission there. Unless we go through the actual problem of the students of the Visva Bharati, these troubles are bound to persist. May be this problem can be controlled by the present Bill. But there are other problems which will come up very soon and the Government shall have to face other things also. So, I think not only for the Visva Bharati University but for all centrally-sponsored and managed universities like Banaras, Delhi and Aligarh one uniform pattern and code of conduct or Bill should be brought forward by the Government of India so that we can think that the policy of the Government and the outlook of the Education Ministry of the Government of India basically is impartial and is basically for the progress and is basically for the general growth of the academic institutions.

Lastly, I conclude that, Tagore was not accepted by the Communists as a poet of humanity. Ten years ago he was called by them as a poet of the *Bourgeois*. Nowadays, I understand that the Communists have become a little indulgent and they have started considering him as a poet of the people. Anyway, Tagore's idea is the basic thing of the Visva Bharati. Jawaharlalji, as Mr Mukerjee quoted, wanted that it should not be another Government Department, but there should be certain autonomy. If Tagore's ideas are to be propagated by the Visva Bharati and by every university or the student camps, I think not only changing the administration will do but the principles of Tagore for peace, love and humanity should be given in a method of training to the teachers appointed in the Visva Bharati.

Now, I agree with, Mr. Mukerjee that the *Ananda Bazar Patrika* people are taking

[Shri Priya Ranjan Das Munshi]

a lot of interest in the affairs of the Visva-Bharati. The *Visva Bharati* has become the affairs of the *Ananda Bazar Patrika*. What it says, the *Visva Bharati* does. Sometimes, I feel and wonder whether the *Ananda Bazar* people are on the Managing Committee of the Visva Bharati. I feel that unless the University and the entire administration are given complete scope to work in tune with the ideas of Tagore and to instil them among the students, simply the problem cannot be solved by this Bill only.

SHRI Y. S. MAHAJAN (Buldana) :
I rise to support the Bill brought forward by the hon Minister for Education.

I do not agree with prof Mukerjee. I believe the Bill is a rescue operation and is of a temporary character pending legislation on permanent lines. This step was necessary. The ordinance and following it, this piece of legislation were necessary because the affairs of the University were very badly managed. The students found that the standards had gone down. Teachers did not attend to their work properly. Though there is a good ratio between the teachers and students, that ratio does not reflect itself in the quality of education and then there was no peace in the campus. In fact, there was vandalism, arson and looting with the result that the University Grants Commission had to give a special grant to protect the property of the University. Because things came to such a pitch that the Government had to intervene and bring this piece of legislation.

This amending Bill is to be welcomed because it streamlines the administration. It makes the bodies smaller and businesslike and though the members of the bodies are nominated, we should understand that this is only a temporary measure. When the permanent measure comes, I am sure their members will be elected from the different categories of people in the University.

Now the Government has been blamed for this state of affairs. I believe Prof. Mukerjee was barking up the wrong tree. As a teacher he should have known that Universities are supposed to enjoy autonomy. That is, they frame their own syllabi, they arrange their own examinations and they appoint their own teachers without interference from the Government. If things

get bad, the Minister has no say in the matter unless somebody complains to the Chancellor or the Governor and the Governor makes a probe or appoints an enquiry committee and on the strength of the recommendation of the enquiry committee only he can take action.

We have to find some *via media* in this country between the autonomy of the universities and Government supervision of the universities. In universities at the moment we find that things go from bad to worse. There are complaints. The Minister feels awkward about interference. He does not interfere with the result that things go from bad to worse.

The Bill is to be welcomed because in the case of the court the number is reduced from 60 to 30; in the case of the Academic Council this number is reduced from 47 to 21. In the case of the Executive Council this number is reduced from 15 to 9.

In addition, this Bill makes provision for some statutes because statutes cannot be passed now as bodies of universities are not functioning. I think that simply by passing of this Bill-I am sure this will be passed-the trouble will not disappear, unless we take immediate measures for improvement. For example, the standards in the universities must be raised. From the reports I find that the graduates of the university cannot get jobs.

Secondly, I wish to point out that the University must be protected from extremist political elements. Some of the hon. Members have spoken about this. Bhubaneswar is the seat of Naxalite activities and the contagion has spread to the University--particularly among students and teachers, with the result that they did not cooperate with the authorities and hence things went from bad to worse. This is the situation.

Various departments were started for which there was no demand. Pandit Nehru tried to enquire whether the starting of ordinary Science courses was in the spirit in which the university was started by Tagore. I think this Act was passed in 1951 or 1952. And even now after 10 years it

is surprising to find that there are no rules regarding the qualifications of the teachers, their promotion and confirmation etc. I would like to ask as to how the Government can be held responsible for this Responsibility falls on those in the management of the university who are in the executive council, etc. They are responsible for this, These are the three things which have to be corrected or attended to.

I hope the Government will pay attention to these important matters so that things improve till it brings forwards permanent measure based on the recommendations of the Gajendragadkar Committee.

PROF. S. NURUL HASAN : I am extremely grateful to the Hon. Members for the support that they have given, I find the hon. Member smiling. I used the word 'support' deliberately for the support that they have been good enough to give to me something was wrong with Visva Bharati and something had to be done. Naturally there is difference of opinion regarding the steps and the measures that are being adopted.

Sir, I must confess my weakness. From my boyhood I have admired Prof. Mukerjee And, I find it a pleasure to listen to him, even when he is angry with me--and the angrier he is, the more brilliant are his words.

He brings to the House and to the academic community the voice of conscience--reminding us of our basic academic goals and aims. Therefore, even if I am unable to accept any specific measure that he may recommend I accept the value of the fundamental argument that he has advanced.

Visva Bharati must be helped to live up to the ideals for which Tagore established it and for which this country--after attaining independence--pledged itself to build it up. Unfortunately, under what was the normal Act, the Visva-Bharati was unable to deal with the situation.

Hon. Members have referred to the command for inquiry. I admit that under certain circumstances, an inquiry is necessary, but an inquiry whenever held is

held by persons appointed by the Visitor and is therefore held by a nominated body usually from outside the university, which then makes recommendations to the Visitor, and the university so to speak is in the dock answering charges. As I have stated just now under certain circumstances, this form of an inquiry is necessary. But then it is also possible to deal with the situation in another way, that is to say, by nominating, a number of distinguished academicians and public men and from outside the university as well as from inside the university and especially senior Professors and asking them to correct where there have been mistakes, and to run the university from inside so that some of the difficulties which have been so ably pointed out disappear.

I would like to make it absolutely clear that Government have no intention of exerting any type of political pressure whatsoever. In fact, the Government were anxious to associate with the executive council some distinguished intellectuals who have been sharply critical of Government. It was not that the Government wanted to put persons belonging to its own political party into positions of authority in the university. This is no time for me to read out the list of members of the executive council who have been nominated by the Visitor. But when hon. Members have a look at that list--I hope it will be published soon--I am sure they will be able to see that these are persons of academic standing or stature in public life and there is no question of their being pressurised by Government, nor does Government want to pressurise them.

DR. RANEN SEN (Barasat) : Could he read out some of the names of the nominees ?

PROF. S. NURUL HASAN : I shall do so in a little while.

A point has been made by my hon. friend Dr Saradish Roy about service rules. Regarding the service rules of the non-teaching employees, the UGC has sent to all Central universities a set of model rules and requested them to frame their own service rules more or less in accordance with the recommendations of the

[Prof. S. Nurul Hasan]

UGC. So far as the terms and conditions of service of teachers are concerned, this matter is before the Gajendragadkar Committee and in the second part of their report we hope that there would be definite recommendations on this account.

There is one point of small fact which I would like to point out. Shri H. N. Mukerjee has referred to the Cabinet having asked my senior colleague to conduct personal investigations. At least so far as I am aware, the Education Minister was not asked to conduct any personal investigations. As far as I am aware, no personal investigations were conducted. The Ministry received a detailed report from the vice-chancellor, and it was on the basis of this and the previous reports which the Ministry had received that the particular action which is now before the House was taken.

I have got here the list of the members of the Executive Council who will now be administering the University in administrative matters. In so far as academic matters are concerned, it is the Academic Council which will exercise authority and the members of the Academic Council are all except two senior professors of the University itself. The names of are : Prof. A. K. Dey, Professor of Chemistry, Visva-Bharati, Prof. R. S. Tomar, Professor of Hindi, Visva-Bharati, Prof. Dinkar R. Kaushik, Professor of Painting, Visva-Bharati, Prof. Biswanath Banerjee, Professor of Sanskrit, Pali and Prakir, Visva-Bharati, Dr. S. Gopal, Professor of History, Jawaharlal Nehru University, Mr. Justice S. A. Masud, Judge of the Calcutta High Court, and Dr. Biren Dey, Professor, Indian Institute of Management, Calcutta. One person will be nominated by the Rector namely, the Governor of West Bengal. In addition to this, the Vice-Chancellor is member *ex-officio*.

As regards the point that the Court will be the supreme Governing Body, I would venture to point to the Report of the Gajendragadkar Committee which has said that in a University it is not desirable to have a hierarchy of bodies, different bodies performing different types of functions.

Therefore, to say that a particular body will be the supreme Governing body is perhaps not in the very best interest of these bodies. Moreover, in the case of Banaras Hindu University, this House is already agreed that the Court shall be an advisory body.

I hope that even though the Executive Council and the Academic Council are nominated bodies, even though they have been constituted only for a short time, pending the constitution of fuller bodies in accordance with the Gajendragadkar Committee's report, these bodies will, never the less, apply their mind to the solution of the problems which have been mentioned by hon. members, in many cases with a great deal of justification.

I move.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill further to amend the Visva-Bharati Act, 1951, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER : We shall now take up clause by clause consideration. There are no amendments to clauses 2-13. The question is :

"That clauses 2 to 13 stand part of the Bill."

The motion was adopted.

Clauses 2 to 13 were added to the Bill.

Clause 14—(*Repeal and savings*)

MR. DEPUTY-SPEAKER: At 2.15 P.M. I got notice of an amendment from the Minister. I would like to know whether there are special reasons for this late notice.

PROF. S. NURUL HASAN: This is really due to my fault. I must accept responsibility for it.

There was a technical confusion noticed in the ordinance ; certain changes had already taken place in the Bill. When this present Bill was drafted, that factor was not fully taken into account, and there would have been, therefore, some confusion in the application of this Bill and in the actions that had been taken by the relevant authorities previously. Therefore, this is a purely technical, legal amendment, and I crave the indulgence of this House and of yourself to move this amendment. (*Interruption*)

SHRI R.V. BADE (Kargone) : What was the action taken ? You said some action was taken, and also you have not taken notice of it.

PROF. S. NURUL HASAN : This is the amendment. I beg to move :
Page 8, for line 48 and 49 substitute

"under the principal Act, as amended by the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act." (1)

This is purely a technical and legal amendment.

MR. DEPUTY-SPEAKER : In view of the special reasons, I admit this amendment. The question is :

Page 8, for lines 48 and 49, substitute

"under the principal Act, as amended by the Ordinance so repealed, shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act." (1)

The motion was adopted.

MR. DEPUTY-SPEAKER : The question is :

"That clause 14, as amended, stand part of the Bill."

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

PROF. S. NURUL HASAN : I beg to move :

"That the Bill, as amended, be passed."

MR. DEPUTY-SPEAKER : The question is :

"That the Bill, as amended, be passed."

The motion was adopted.

====

15.44 hrs.

INDUSTRIAL DISPUTES (AMENDMENT) BILL

THE MINISTER OF LABOUR AND REHABILITATION (SHRI R.K. KHADILKAR) : Sir, I beg to move :*

"That the Bill further to amend the Industrial Disputes Act, 1947, as passed by Rajya Sabha be taken into consideration"

At the outset, I submit that the provisions contained in this Bill are the same as those contained in the two Bills which had been passed by the Rajya Sabha on the 30th November, 1967 and the 26th November, 1968 and pending consideration of the Fourth Lok Sabha. With its dissolution, the Bills stood lapsed. The two Bills have now been consolidated into one to avoid piecemeal legislations and for the sake of convenience and is for consideration of the House.

The important clauses in the Bill are clauses 3 and 4. Clause 3 seeks to add a new Section, namely, Section 11A in the Industrial Disputes Act. As the House knows, the law relating to the Tribunals

*Moved with the recommendation of the President.