

Lakhmu Bhawani, Shri
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Mahtab, Shri
 Mahishi, Dr. Sarojini
 Maimoona Sultan, Shrimati
 Malhotra, Shri Inder J.
 Mantri, Shri D.D.
 Marandi, Shri
 Masuriya Din, Shri
 Mehrotra, Shri Braj Bihari
 Mehta, Shri J.R.
 Mehta, Shri Jaahvant
 Minimata, Shrimati
 Mirza, Shri Bakar Ali
 Mohammad Yusuf, Shri
 Mohany, Shri Gokulananda
 More, Shri K. L.
 More, Shri S.S.
 Mukne, Shri
 Pandey, Shri R.S.

Pandey, Shri Vishwa Nath
 Panna Lal, Shri
 Patel, Shri N.N.
 Patel, Shri P.R.
 Patel, Shri Rajeshwar
 Patil, Shri Vasantrao
 Pratap Singh, Shri
 Raghunath Singh, Shri
 Raj Bahadur, Shri
 Raju, Shri D.B.
 Raju, Dr. D.S.
 Ramanathan Chettiar, Shri R.
 Rane, Shri
 Rao, Shri Thirumala
 Reddy, Shri Linga
 Roy, Shri Bishwanath
 Saha, Dr. S.K.
 Sahu, Shri Rameshwar
 Saigal, Shri A. S.
 Samanta, Shri S.C.
 Sharma, Shri A.P.
 Shashi Ranjan, Shri

Shastri, Shri Lal Bahadur
 Sheo Narain, Shri
 Shree Narayan Das, Shri
 Shukla, Shri Vidya Charan
 Sinha, Shrimati Ramdulari
 Sinhasan Singh, Shri
 Subbaraman, Shri
 Subramanyam, Shri T.
 Sumat Prasad, Shri
 Swamy, Shri M.P.
 Tahir, Shri Mohammad
 Tiwary, Shri K.N.
 Tula Ram, Shri
 Tyagi, Shri
 Ulkey, Shri
 Varma, Shri Ravindra
 Verma, Shri Balgovind
 Virbhadra Singh, Shri
 Vyas, Shri Radhahal
 Wadhwa, Shri
 Yadab, Shri N.P.

NOES

Alvares, Shri
 Bade, Shri
 Badrudduja, Shri
 Barua, Shri Hem
 Bheel, Shri P.H.
 Chakravarty, Shrimati Renu
 Daji, Shri
 Dandekar, Shri N.
 Dwivedy, Shri Surendranath
 Himmatsinhji, Shri

Kapur Singh, Shri
 Koya, Shri
 Krishnapal Singh, Shri
 Mahananda, Shri
 Masani, Shri M.R.
 Mirra, Dr. U.
 Muhammad Ismail, Shri
 Muzaffar Hussain, Shri
 Nair, Shri Vasudevan
 Ram Singh, Shri

Ranga, Shri
 Sen, Dr. Hanen
 Shastri, Shri Prakash Vir
 Singh, Shri Y. D.
 Solanki, Shri
 Tan Singh, Shri
 Trivedi, Shri U.M.
 Uttiya, Shri
 Warior, Shri
 Yashpal Sin

Mr. Deputy-Speaker: The result of the Division is Ayes 101; Noes 30.

The motion was adopted.

Shri Narasimha Reddy (Rajampet): I have committed a mistake. It should be No.

Shri T. T. Krishnamachari: He cannot vote against the Bill. He is a classmate of mine!

Shri Ranga: It shows that the Congress Party itself has disowned it. Only 100 people have vote] for it.

Shri Daji: It does not get the majority of the House.

Shri Ranga: Nor of the ruling party itself. The majority among themselves are not in favour of this Bill.

Mr. Deputy-Speaker: There are 101.

Shri Ranga: But they are 370. Shame on them.

14.40 hrs.

STATUTORY RESOLUTION RE:
 ALIGARH MUSLIM UNIVERSITY
 (AMENDMENT) ORDINANCE AND
 ALIGARH MUSLIM UNIVERSITY
 (AMENDMENT) BILL—contd.

Mr. Deputy-Speaker: Including the time extended, we have got 4 hours and 15 minutes, of which we can have 3 hours for the first reading and the balance for the second and third readings.

The Minister of Education (Shri M. C. Chagla): When would I be expected to reply?

Mr. Deputy-Speaker: Tomorrow.

Shri M. C. Chagla: Tomorrow at 3 O'Clock there is a special discussion on teachers. If I reply at half past two, is that all right?

Mr. Deputy-Speaker: May be earlier.

Shrimati Renu Chakravartty (Barackpore): The events which took place at Aligarh, and out of which arose the ordinance, have been distressing enough. I think there is nobody in the whole of India who was not shocked by the events. But I must say that they were events which could have been foreseen, because this very House had debated what had been going on in the Aligarh University not once, but twice, during the tenure of Dr. Shrimali.

Unfortunately, during that debate there was much acrimony and wild charges of anti-national activities were made as also Pakistani conspiracy which could not be substantiated and were not substantiated. When Dr. Shrimali replied to it, to me it seemed that he had neither the liberal vision nor the academic standing and stature to deal with the situation or to diagnose the extent and depth of the ills. I remember that at that time I spoke very sharply against the sensation mongering and the allegations which had been brought forward by Shri Prakash Vir Shastri and Shri Vajpayee, which were not substantiated by subsequent enquiry committees.

At the same time, during that debate, I remember we heard about certain events that were taking place and certain communal elements, Muslim communal elements, and their activities were highlighted by us, and especially the activities of the Pro-Vice-Chancellor. Fortunately, after so many years he is being asked to go, the entire post is now being eliminated. We had asked for it, and we had argued at that time that most of the universities did not have Pro-Vice-Chancellors, and we brought to his notice communal articles, which

had been written by this gentleman and by Prof. Rashid Siddiqui, Mr. Khaliq Ahmed Nizami etc. We had also pointed out that these were symptomatic of dangerous trends but they were not in the majority in the university. The majority, by and large, remained healthy and the university was producing very excellent graduates who could go out into Indian life and be a matter of pride for us. But there was a small group in the university with strong ideological links, we had mentioned it, with the Jamaat-e-Islami.

I say that for several long years nothing was done either on what was stated in that discussion or to implement many of the very good recommendations which had been made by the G. C. Chatterjee Enquiry Committee, and the inevitable thing has happened, the consequences which we today reap and which we all deplore. The recommendations of that Committee were implemented only in one small sector, that is in reducing the percentage of local admissions to the engineering college. It was brought down from 75 to 50 per cent as had been recommended by that Committee. I think many of the hon. Members who are associated with that University will say that both Hindus and Muslim students combined to attack; it is not only a Muslim attack. In the engineering college out of a total of 1337 students, Muslims are 773 and Hindus are 664; that is almost at par; it is a little less, 46.2 per cent Hindus in the engineering college. Taking advantage of the reduction in the reservation for local students in the engineering college, an agitation was started and an action committee was formed and the leaders of the action committee were Bashir Khan who is said to be under the influence of Jamiat-e-Islami and Bhim Singh who is alleged to have Jan Sangh affiliations. He is supposed to have been arrested in the Praja Parishad agitation in Jammu and has close association with Jan Sangh students in the local Dharamraj col-

lege. The two extreme communal elements merged and the common target of attack was the Vice-Chancellor.

Shri Bade (Khargone): No communist?

Shrimati Renu Chakravarty: It is for you to make that point which you have always done and will continue to do.

The main point is that we are now dealing with the charges that had been brought forward, that this has been done by communal elements. I agree that the Vice-Chancellor is a nationalist Muslim and we all deplore....

Shri Mohammad Koya (Kozhikode): What about the previous Vice-Chancellors?

Shrimati Renu Chakravarty: It is for you to speak.... (Interruptions). I do not know why my hon. friend becomes so excited. The common target was the Vice-Chancellor whom I recognise—maybe my friend may not recognise—as a leading nationalist Muslim, a person who is going a great deal of good for the university. I acknowledge that. But there is no doubt that the events were motivated by reactionary, communal and anti-secular elements, both Hindus and Muslims. The overwhelming majority of students, I hold, remain healthy. The University had appointed a committee to go into the affairs of the University and that committee report says that the disciplinary tone in the student community is fairly high and in this respect the University compares very favourably with many others. I have tried to find out and I know that by and large the great majority of the students did not participate in this vicious attack although there was a good deal of agitation with regard to the lowering of the percentage in the university with regard to the local students' entrance into the engineering college.

The point I would like to make is that the Aligarh University is a University which was looked upon by Muslims with great emotion. After these regrettable incidents had taken place, we should not act in panic. That is my appeal to the hon. Minister. We should not exaggerate out of all proportion the things that have happened and the sources of the evil. The fabric of Aligarh remains essentially fine material in spite of the blots that had been made on it due to the Muslim League politicians. But we are not to forget and as Indians we are proud of it, that out of this University came fine nationalist stalwarts like Maulana Mohammad Ali and Shaukat Ali... (Interruptions).

Dr. M. S. Aney (Nagpur): They created Pakistan.

Shrimati Renu Chakravarty: I do not consider that Shaukat Ali created Pakistan was so; I do not agree with my learned and elderly colleague. A grand company of Muslim leaders like Hakim Ajmal Khan had joined hands with Gandhiji and they were the products of Aligarh. Most of us were children at that time and we looked upon these people as nationalist Muslims and had they remained with us, maybe, the turn of events may not have taken the turn that it did later on. Every Indian, be he a Muslim or Hindu, is proud of Aligarh which was the cradle of two generations of patriots. I do not know whether my friend will call Khan Abdul Ghaflar Khan a patriot or not I remember M. A. Ansari; as a child; I have seen him and he used to come to our house. We respect him as we respect any of our national leaders. There was Raja Mahendra Pratap our old colleague in the old House, Rafi Ahmad Kidwai and Zakir Hussein and so many others. I appeal to the Minister to sift the chaff from the grain. We have to eliminate the divisive, narrow, communal ideas and revivalist theories held by a small coterie which, whether they call it by the name of theology or tradition is stultifying and rigidifying

[Shrimati Renu Chakravartty]

the outlook and creates divisions in our country which gave birth to the two nation theory and which brought about such tragic results in our country. At the same time I feel that we must preserve the traditions of this university in the larger context of a secular democratic State where the students while studying the great contributions made by the thought of Islam towards the development of India's variegated and rich culture, to the world culture, must also inculcate a responsibility to the community at large and loyalty to the country. I feel that this is the outlook which we have to keep. We are one with all on the other side and the Minister regarding permitting all castes and communities to enter Aligarh University. It was brought about by an amendment of the Act of 1920 in 1951.

Shri Frank Anthony (Nominated)—Anglo-Indians): It is always there.

Shrimati Renu Chakravartty: It was an amendment of 1951. Having said that, I would like to make it clear that my party respects the feelings of the Muslim community who look upon this university with emotion as a centre of Muslim learning. It is not enough to say that we shall teach oriental and Islamic studies and promote instruction in Muslim theology. Not just dropping the award 'Muslim' can solve the ills of this University . . .

Mr. Deputy-Speaker: The hon. Member's time is up; she has taken fifteen minutes. I have got 27 names to be called.

Shrimati Renu Chakravartty: You must give us some time; we have to deal with a very sensitive and important subject. I would plead with you to extend the time; there are other people also who could not complete their speeches in this time; it is not possible. It is an explosive matter and it has to be discussed.

I would like to point out the history of this university from this report. At first it was a school; then it became a college and then it became a university. It was to be a progressive Islamic University for young Muslims to be brought up in a liberal atmosphere where they would be able to receive education in western literature and science along with instruction in their own religion and traditions. When it was established, it was clearly stated:

" . . . this College may expand into a University whose sons shall go forth throughout the length and breadth of the land to preach the gospel of free enquiry, of large-hearted toleration and of pure morality."

We have made it into a Muslim University. The community feels that it is not only a University where we teach Muslim culture and Muslim history or theology but it is also a minority institution. It is a minority institution, and as such, the Aligarh Muslim University should be looked upon as one in which we allow them to feel that they may not be mulcted down by a big majority. We the Hindus are a big majority in this country. We have seen what has been happening in Osmania University. If we feel that the Muslims are worried about it, then we must be very careful as to how we are going to deal with the constitution of the court, of the executive council, etc. Keeping all this in view, keeping in view the larger feelings we have in this House, that it should be a centre where Muslim language, literature and theology are taught in the broad context of Indian nationalism. I feel that this feeling should be respected. I would say that the Government has done nothing in this ordinance to ensure this. As a matter of fact, when I was listening to the speech of Shri Chagla, I felt that he was inspired with good intentions, but what do I find when I look at the ordinance as a person

who has been a university teacher? I could not accept any one of the clauses which he has sought to put in this ordinance. What is the crux of the question?

15.00 hrs.

In this Bill, as it has been brought forward, it is stated that we are trying to bring order out of chaos. Now, if that is our opinion, surely I must say that it is absolutely wrong for us to take away all the supreme powers of the court and vest all authority,—if I may say so, autocratic authority—with the Visitor. I say this has not correctly diagnosed the ills.

As a matter of fact, just a little while ago, in answer to the question on the Inter-University Board of India and Ceylon as to why membership was refused in the case of Bhagalpur and Ranchi universities in Bihar, it was said that it was due to inadequate representation of university teachers on the syndicate which is the chief executive body of the university and so on. But here, what has happened? Here, the executive council has been given all the powers; and it is a fully nominated council. And on it, there is not a single educationist represented. It is not only a nominated body, but it is a body consisting of all people, except the people who should be there, that is, the academic people, the people who are most concerned with the university.

What has happened with regard to the court? I was shocked to find that all the powers of the supreme body of the university have been taken away and all the powers have been given to the Visitor. Regarding nominated members, the Inter-University Board of India and Ceylon says that it could not give Magadh University and Ranchi University recognition because of the wide powers exercised over the university by the State University Grants Commission which consists of a large number of nomi-

nated members. That means they are against the principle of nomination. And yet, when we come to this ordinance, I find that 30 persons are going to be nominated in the court.

Shri M. C. Chagla: I am sorry it is a serious misapprehension. While paying regard to the hon. Member's advocacy, I would like to point out that the Inter-University Board was dealing with a permanent constitution of the universities; this is a temporary emergency legislation, and I would be the last person, when we bring a permanent, substantive legislation, to have a nominated court or a nominated executive council.

Shri Mohammad Tahir (Kishanganj) When are we having it?

Shrimati Renu Chakravartty: I am quite prepared to accept that Shri Chagla does not want a nominated court, but we who have been associated with the educational institutions and with universities cannot, even, for a short period, accept a Bill which takes away the fundamental rights of the supreme academic bodies, bodies like the court and the executive council. In the place of these rights which are to be given, you have reduced even the representation for teachers and professors, and on top of that, 30 people are to be nominated and put in. I grant that as long as Shri Chagla stays there, we shall have people who are worthy to be represented on the court and the executive council of the university—worthy people will be represented there—but why should we legislate with the understanding that Shri Chagla will always be there or Mr. Ali Yavar Jung will always be there? I should say that we must legislate and give statutory powers on the principles to which we adhere. On the other hand, if we once adhere to the principle of nomination even for a short period, I am afraid we shall have to give such wide powers in future also to meet other circumstances.

[Shrimati Renu Chakravartty]

That is why I say this is a bad precedent. I have thought over it very deep y and I am afraid I cannot accept these wide powers even for a short time, and the principle of nomination, the principle of giving powers, supreme powers, to the Visitor and to autocratic authorities is something that I cannot accept. If it be that we have not diagnosed the case properly, I would rather that the Minister should try to apply some of the principles which were applied by the G. C. Chatterji Committee. They were very circumpet and they tried to say that changes of a far-reaching character must not only be good but that they must appear to be good to the people for whom you are doing good. The principles which are good for other universities must also prevail in the case of the Aligarh Muslim University. There should be no steamrolling. Shri Chagla wants that the Aligarh Muslim University should develop as a centre of learning, making a special study of the contribution that the Muslim community has made to the composite pattern of our national culture. We want it to be so; we want it to be an agency for welding all our people together a place which will unify and not divide.

If that is so, we can never do it by giving autocratic powers to the visitor and stifling representation and authority to academic persons who will develop the university on healthy, academic lines.

Therefore, as far as the constitution of the executive council, as envisaged by Shri Chagla, is concerned, at least representation to academic persons—teachers and professors—should be given. It cannot be in the form in which it has been envisaged now. We can never do any good by proceeding in a manner whereby the minorities will feel that the university will not remain theirs, while remaining as a university, a Muslim university. We have to make them feel that what we are doing is to

really wipe out those evils that are there, and bring to bear a larger, humane, liberal outlook on the basis of the study of Muslim culture. Therefore, I would again urge upon the Minister to look upon this aspect in the way in which it should be looked upon, and not as a measure in which we try to steamroll all the criticisms that are coming from the other side; nor should we be panicky, because I feel that the evils are not so widespread as one is made to believe, although I do agree that the incidents that have taken place have been very serious. But I would also plead, in view of the reasons that the Government have given so far—that a small coterie of people should have acted in the manner they did—that these things should have been dealt with much earlier, and all this harm would not have been there if we had acted wisely and quickly a long time ago.

Shri Ansar Harvani (Bisauli): Mr. Deputy-Speaker, Sir, I have been associated with the Aligarh Muslim University for the last 35 years, eleven years of my life as a child, and then when I was a young man, I spent my life there. I am proud of that heritage. I hang my head in shame for the incidents that took place there. But I would like to say that the Aligarh Muslim University from the beginning till today has been sound; there have been attacks on Aligarh Muslim University from various quarters, but its heritage has been a great heritage. In entering the portals of the Aligarh Muslim University, you enter the heart of Muslim India. In the whole length and breadth of India, there is no institution which is dearer to the Muslims than the Aligarh Muslim University.

An impression has been created that Aligarh Muslim University has been a citadel of communalism; an impression has been created that Aligarh Muslim University produces communalists. I know it very well that President Ayub, under whose heels Pakistan is groaning today, was a pro-

duct of Aligarh. At the same time, I cannot forget that Khan Abdull Ghaffar Khan, who is still suffering under the heels of Pakistan, also is a proud product of Aligarh. As some non. friends may remember, Aligarh Muslim University gave the first Prime Minister of Pakistan,—Liaquat Ali Khan—and hon. friends evidently forget that Aligarh Muslim University also gave the most brilliant Food Minister of this country, the late Rafi Ahmed Kidwai. Many hon. Members may remember that Shri Ram Pal Singh, who was the President of the Hindu Maha Sabha, was the product of Aligarh Muslim University. But they conveniently forget that it was the proud son of Aligarh, Raja Mahendra Pratap Singh, who went up the hills and down the dales for the freedom of the country and formed the first national government of this country. The Aligarh University was conceived by the late Sir Syed Ahmed Khan. When the Britishers came, the Hindus and Muslims in this country were hiding themselves in their sheds to save their cultural heritage and their traditions. Revivalist tendencies were taking place and they were going backward. Then there appeared Raja Ram Mohan Roy, a great Hindu, a great Indian, who threw up the Bramha Samaj, to save the Hindu culture of the country. There appeared Sir Syed Ahmed Khan who threw up the Aligarh movement to save the Muslim culture and Muslim civilisation of this country. These two Ganges and Jumna—the Hindu culture and Muslim culture—enriched this country in the days of British imperialism. I am sure these two movements will continue to enrich this country in the future.

We should not be led away by what happened on that dark day, the 25th of April, 1965. A mad crowd of students attacked the Vice-Chancellor. It was a shameless thing. But to say that the Aligarh University has only harboured communalists is wrong. Is there any university in the length and breadth of the country where there

are no elements of the R.S.S.? Is there any university in the length and breadth of the country where the Sakas of this communal organisation do not take place? If those universities cannot be hanged for these faults, I do not know how the Aligarh University can be hanged, because a small minority of that university belong to that hideous organisation Jamiat Islami and a small minority belong to the RSS also? When we consider this Bill and talk about Aligarh, we should remember these factors.

I am personally not very happy about this Bill. In fact, as an exponent of academic freedom, I would not like to have a court which is nominated by the Visitor, however eminent he may be. I would not like to have a court which is absolutely subservient to the Vice-Chancellor, however nationalist, secular and progressive he may be. But I know it very well that this is a temporary measure. The Education Minister, Shri Chagla, has already assured us that as soon as possible, he will bring a comprehensive Bill, which will keep the character of this university. In view of this assurance, we should have no objection in supporting this Bill. So, without taking any further time of the House, I support it.

श्री रघुनाथ सिंह (वाराणसी)

उपाध्यक्ष महोदय, मुझे बहुत ताज्जुब हुआ कि आज स्वतंत्र पार्टी प्राविशकार विश्वास किस में करती है ? स्वतंत्र पार्टी के महानुभाव श्री मसानी ने कहा :—

“There is nothing secular about the Constitution of India”.

हम लोग सेक्यूलर नहीं हैं यह स्वतंत्र पार्टी की नयी ध्योरी है । धागे चल कर वह कहते हैं :—

“Ours is not a secular State. I reject that proposition.”

[श्री रघुनाथ सिंह]

मालूम पड़ता है कि श्री राजगोपालाचार्य और स्वतंत्र पार्टी के दिमाग में एक नई बात आई है कि हिन्दुस्तान सैक्यूलर स्टेट नहीं है। लेकिन मैं उनको कहना चाहूंगा कि हिन्दुस्तान कोई रिपब्लिकन स्टेट भी नहीं है थाइलैंड की तरह से या बर्मा की तरह से। हिन्दुस्तान ने न अपने आपको बौद्ध स्टेट डिक्लेयर किया न तो हिन्दुस्तान ने अपने आप को हिन्दु स्टेट डिक्लेयर किया और न ही हिन्दुस्तान ने अपने को इस्लामी स्टेट डिक्लेयर किया। आखिरकार हिन्दुस्तान का कांस्टीट्यूशन क्या है? सिवाय सैक्यूलर स्टेट के हिन्दुस्तान का और कोई कांस्टीट्यूशन नहीं हो सकता है।

मसानी साहब ने एक छोटी डिक्शनरी जो कि शायद जेबी डिक्शनरी थी उसको लेकर पढ़ना शुरू किया कि सैक्यूलर की कोई डेफिनीशन नहीं है। चागला साहब ने उस पर बहुत अच्छा रिमार्क किया कि अगर वे इस पॉइंट डिक्शनरी के बजाय बड़ी डिक्शनरी कंसल्ट करें तो अच्छा रहेगा। मैंने कल जब वह बोल रहे थे तब उनकी स्पीच को सुना। मालूम ऐसा पड़ता है कि मसानी साहब और स्वतंत्र पार्टी के दिमाग में आजकल यही बात आई है कि सैक्यूलरिज्म को अपोज किया जाय। कल फाईनेन्स बिल पर बोलते हुए उन्होंने सैक्यूलरिज्म को बहुत ज्यादा अपोज किया। मैंने कल भी उन से कहा था कि सैक्यूलरिज्म एक मवमेंट है। एक आन्दोलन है। एक अभिनव प्रयोग है। जिस प्रयोग को कि हिन्दुस्तान कर रहा है। हमारे देश के लिए सिवाय सैक्यूलरिज्म के दूसरा कोई चारा नहीं है। दूसरा कोई रास्ता नहीं है। चाहे हिन्दु हों, चाहे मुसलमान हों, चाहे ब्राह्मण हों, चाहे क्षत्री हों या वैश्य हों। यह सैक्यूलरिज्म केवल मुसलमान या ईसाई के लिए ही नहीं है बल्कि यह हिन्दु के लिए भी उतनी ही आवश्यक है? अगर हिन्दुस्तान को हमें एक रखना है। आज हिन्दु-मुस्लिम का सवाल है। कल जेबी

ब्राह्मण का सवाल पैदा होगा, फिर हरिजन आदि का सवाल पैदा होगा और इनका कहीं भ्रंत नहीं होगा। ऐसा हुआ तो परिणाम यह होगा कि हमारी मोती की माला के दाने भ्रगल भ्रगल बिखर जायेंगे। अगर इन मोती के छोटे छोटे दानों को एक में पिरो कर रखना है तो पिरोने वाला जो एक छोटा सूत्र होता है उसको हमें उन दानों में डाले रखना है। एक माला में 108 दाने होते हैं लेकिन उनको गूथता कौन है? उनको एक कच्चा धागा इकट्ठा रखता है। अगर धाग उस कच्चे धागे को निकाल देते हैं तो सारे दाने बिखर जायेंगे। फिर वह माला नहीं रह जायगी। वही दाने भ्रगल भ्रगल बिखर जायेंगे। जो काम वह कच्चा धागा माला के मोतियों को एक बनाये रखने में करता है उसी तरीके से सैक्यूलरिज्म उस एकता रूपी माला को उस तम्बूह का एक छोटा सा सूत्र है।

मैं सैक्यूलरिज्म के बारे में कुछ और कहना चाहता हूँ। कल वह सैक्यूलरिज्म की डेफिनीशन डिक्शनरी में न होने के बारे में कह रहे थे तो मैंने कल ही कहा था और आज फिर कहना चाहता हूँ कि सन् 1946 में पहले पहल सैक्यूलरिज्म का मूवमेंट इंग्लैंड में स्वर्गीय श्री होर्ली आर्क ने प्रारंभ किया। उन्होंने कहा कि गवर्नमेंट को सैक्यूलर होना चाहिए। चाहे जो भी किसी का धर्म हो, धर्म अपने स्थान पर है। उसका सम्बन्ध व्यक्ति के जीवन से है। लेकिन जहाँ तक गवर्नमेंट का सम्बन्ध है पालिटिक्स का सम्बन्ध है उसका सम्बन्ध राजनीति से नहीं है। जो कुछ उन्होंने डेफिनीशन दी है मैं उस डेफिनीशन को इन्साईक्लोपीडिया ब्रिटानिका से देना चाहता हूँ :—

"Secularism was a movement which was started in Britain by Holy Oak. He defines secularism as a term applied in general to the separation of State politics or administration from religion or

church matters. This term is applied specially to the system of social ethics associated with the name of Holy Oak. As the word implies, secularism is based solely on consideration of practical morality akin to physical, social and moral improvement of society."

इस प्रकार अगर हमारी स्टेट सैकुलर नहीं है तो हमारी स्टेट है क्या ? इस सम्बन्ध में मैं स्वर्गीय पंडित जवाहरलाल नेहरू जी के शब्दों को पढ़ कर सुनाना चाहूंगा ।

"हमारे कांस्टीट्यूशन में सैकुलरिज्म शब्द का प्रयोग नहीं किया गया है लेकिन अगर कोई धार्मिक सत्य बोले, उसका सत्य धारण हो तो उस को क्या कहा जायेगा ? उस को सत्यवादी कहा जायेगा या झूठा कहा जायेगा ? हमारे कांस्टीट्यूशन का जितना प्रेम वर्क है, जितना डांचा है जितना बांगमय है और जितना शरीर है उसका धारण और उसकी आत्मा सैकुलर है । इसलिए चाहे हमारे कांस्टीट्यूशन में सैकुलर शब्द न भी हो लेकिन हमारा कांस्टीट्यूशन सैकुलर है ।"

पंडित जी ने कहा था:—

"मैं फिर यह बतला देना चाहता हूँ कि इस का मतलब यह नहीं है कि हम उसे या मजहब को बिल्कुल छोड़ ही दें बल्कि धर्म को हम अपने रोजमर्रा के राजनीतिक और समाजिक जीवन से अलग स्तर पर रखें । अगर अपने देश में हम किसी और तरह से काम चलाना चाहेंगे तो हम टुकड़े टुकड़े हो जायेंगे ।"

यह शब्द पंडित जी ने कहे थे जो कि प्राईम मिनिस्टर थे और हमारी कांग्रेस पार्टी के और गवर्नमेंट के चीफ़ म्योक्समैन थे । मैं उन्हीं के कथन को दुहराते हुये कहना चाहता हूँ कि अगर हम सैक्यूलरिज्म को छोड़ेंगे तो पंडित जी के शब्दों में हम टुकड़े टुकड़े हो जायेंगे सैक्यूलरिज्म पर मजबूती के साथ चलते रहने के अलावा हमारे सामने और कोई रास्ता

नहीं है । लेकिन मुसीबत यह है कि स्वतंत्र पार्टी के सोचने का ढंग दूसरा है । अपने दर्शन को स्वयं वही समझ सकते हैं । उनके दर्शन को हम समझने में अपने को असमर्थ पा रहे हैं ।

इस के बाद मैं दो शब्द श्री यशपाल सिंह के बारे में कहना चाहता हूँ । श्री यशपाल सिंह ने बड़े जोरों के साथ कहा कि जो धाडिनेन्स लाया गया है यह धाडिनेन्स कानूनन लागू नहीं होता है । श्री अंसार हरवानी ने जो कहा है उसका मैं पूरा समर्थन करता हूँ । श्री यशपाल सिंह ने धाटिकल 30 कोट किया है । लेकिन मैं उनको बतलाना चाहता हूँ कि धाटिकल 30 का इसमें ऐप्लीकेशन नहीं होता है । बल्कि धाटिकल 28 का इसमें ऐप्लीकेशन होता है । धाटिकल 28 अगर प्राप देंगे तो प्राप पायेंगे कि वह एजुकेशन से डील करता है जबकि धाटिकल 30 डील करता है माईनारिटी से । यहां माईनारिटी का मवाल नहीं है । यहां तो एजुकेशन का मवाल है । अब धाटिकल 28 में एजुकेशनल इन्स्टीट्यूशन के तीन डिवीजन्स किये गये हैं । क्लॉज 1 जो कि धाटिकल 28 का है वह ऐसे इन्स्टीट्यूशन से डील करता है जिनमें कि पूरा रुपया गवर्नमेंट का लगा हो । उसका दूसरा हिस्सा जो कि धाटिकल 28 का क्लॉज (2) है वह ऐसे एजुकेशनल इन्स्टीट्यूशन से सम्बन्धित है जो कि किसी इनडाउमेन्ट या ट्रस्ट द्वारा चलाये जाते हैं । क्लॉज (3) धाटिकल 28 का उन इन्स्टीट्यूशन से सम्बन्ध रखता है जो कि स्टेट फंड से एड पा रहे हैं । यह कांस्टीट्यूशन में तीन प्रकार के एजुकेशनल इन्स्टीट्यूशन की व्यवस्था धाटिकल 28 में रखी गयी है । मैं समझता हूँ कि इस सम्बन्ध में धाटिकल 30 अर्पनाई नहीं होता है, बल्कि धाटिकल 28 अर्पनाई होता है । हमारे कांस्टीट्यूशन में साल्वें शिड्यून में जो यूनिवर्सिटी है, उस के प्राईटम 63 में चार इन्स्टीट्यूशन—अलीगढ़

[श्री रघुनाथ सिंह]

मुस्लिम यूनिवर्सिटी, बनारस हिन्दू यूनिवर्सिटी, दिल्ली यूनिवर्सिटी और शान्ति निकेतन—को नेशनल इम्पार्टेंस को इस्टीमेटेशन कहा गया है। उनको मुस्लिम इस्टीमेटेशन या हिन्दू इस्टीमेटेशन नहीं कहा गया है।

चागला साहब को मालूम है कि बनारस हिन्दू यूनिवर्सिटी बिल को सिलेक्ट कमेटी में हमने यह प्रोपोजीशन दी थी कि "हिन्दू" शब्द को हटा दिया जाये, हालांकि हम उसमें हार गए। लेकिन मैं समझता हूँ कि इस शब्द को हटा देना चाहिये। अब समय आ गया है कि हम एक नई दिशा की तरफ जाएं। हमारे यहाँ हिन्दू कल्चर, मुस्लिम कल्चर, वैदिक कल्चर और पौराणिक कल्चर हैं, लेकिन आखिर हमारा कोई इंडियन कल्चर है। हिन्दुस्तानी कल्चर या भारतीय कल्चर भी तो है।

श्री मजकूर हुसैन : (मुरादाबाद) हमारा इस्लामिक कल्चर है। एक हिन्दुस्तानी होने के नाते हमारा यूनिवर्सिटी कल्चर हो सकता है, इंडियन कल्चर हो सकता है, लेकिन जहाँ तक इस यूनिवर्सिटी का ताल्लुक है, हमारा इस्लामिक कल्चर है।

Mr. Deputy-Speaker: The hon. Member cannot go on speaking without being identified.

श्री रघुनाथ सिंह : मैं ने अपनी बात पूरी नहीं की है। अगर माननीय सदस्य का मुस्लिम कल्चर है—या किसी दूसरे साहब का हिन्दू कल्चर है—, तो वे एनडाउमेंट बनायें, रुपया लें और उससे अपनी कल्चर की तालीम दें, चाहे वह हिन्दू कल्चर हो, स्लामिक कल्चर हो, वैदिक कल्चर हो या पौराणिक कल्चर हो। लेकिन जहाँ प्राटिकल 28 (1) का अप्लीकेशन होता है,

जहाँ पब्लिक मनी खर्च किया जाता है यहाँ सिर्फ एक ही कल्चर हो सकता है और वह है इंडियन कल्चर।

अलीगढ़ यूनिवर्सिटी और बनारस यूनिवर्सिटी और इन दोनों पर करीब 95 परसेंट रुपया यह पानियामेन्ट ग्रान्ट करती है। यह रुपया न हिन्दुओं का है, न मुगल-मानों का है, और न ईसाइयों का है, और न पारसियों का है—यह रुपया सब हिन्दु-स्तानियों का है, यह पब्लिक का रुपया है। चूंकि उन संस्थाओं पर पब्लिक का रुपया खर्च किया जाता है, इसलिए इन पर कांस्टीट्यूशन का आर्टिकल 28 (1) अप्लाई करेगा।

आर्टिकल 28 (1) में कहा गया है

"No religious instruction shall be provided in any educational institution wholly maintained out of State funds."

इसमें "होलनी" कहा गया है, "फुली" नहीं। "होलनी" और "फुली" में फर्क है। "फुली" के माने हैं पूरा पूरा और "होलनी" के माने हैं करीब करीब पूरा।

मैं आपको बताना चाहता हूँ कि अलीगढ़ यूनिवर्सिटी के पास कहां से किस तरह रुपया आता है। सेंट्रल ग्रान्ट : 79,34,500 रुपये, यू० पी० गवर्नमेन्ट ग्रान्ट 68,400 रुपये, रामपुर स्टेट ग्रान्ट : 6,000 रुपये फीस फ्रॉम स्टूडेंट्स : 5,43,600 रुपये इन्स्ट्रस्ट ग्रान्ट ईन्वैस्टमेंट्स : 1,77,900 रुपये, इन्कम फ्रॉम बक्सफ : 2,800 रुपये। अगर इन फिजर्ज को एनालाईज किया जाए तो क्या मालूम होता है? इस से मालूम होता कि इन यूनिवर्सिटी पर खर्च किया जाने वाला 95 परसेंट रुपया पब्लिक फंड से आता है। जब 95 परसेंट रुपया पब्लिक फंड से आता है, तो इस पर आर्टिकल 28(1),

का एप्लीकेशन होगा। और जब इस पर आर्टिकल 28(1) का एप्लीकेशन है, तब नैटव नवर्नमेंट को मारली— और कांस्टी—ट्यूशनली भी—इन बात का पूरा पूरा अधिकार है कि वह प्राइनेन्स जारी करे और उस को इस हाउस में पास कराये।

माननीय सदस्य श्री मुजफ्फर हुसैन, को मैंने जवाब दे दिया है कि वह आर्टिकल 28(2) के अनुसार बड़ी खुशी के साथ रुपया लगायें। और इस्लामिक कल्चर की टीचिंग करें, इस्लाम धर्म की टीचिंग करें। इसी तरह हिन्दू साहब खूब रुपया लगा कर हिन्दू धर्म और कल्चर की टीचिंग करें। लेकिन जब 95 परसेंट रुपया किसी संस्था को यह पालियामेंट ग्रान्ट करती है, वह रुपया पब्लिक फंड से जाता है, तो आर्टिकल 28(2) का एप्लीकेशन नहीं होगा, बल्कि आर्टिकल 28(1) का एप्लीकेशन होगा। इस लिए इस पालियामेंट को पूरा अधिकार है कि वह इस प्राइनेन्स को पास करे।

मैं समझता हूँ कि इस बारे में पीछे की तरफ देखने की जरूरत नहीं है। जो बात पीछे हो गई, वह हो गई। पहले हिन्दू यूनिवर्सिटी हिन्दुओं का गढ़ रही हो या प्रलीगढ़ यूनिवर्सिटी मुसलमानों का गढ़ रही हो, आज हमें इस बात को भूल जाना चाहिये। आज हमको एक नई तरफ देखना है, भागे बढ़ना है। हमें यह फौसला करना है कि भागे एजुकेशन के बारे में हमारा विचार क्या होगा? हम अपने बच्चों को किस वुनियट पर तैयार करना चाहते हैं—सैक्यूलरिज्म की वुनियट पर या धर्म के आधार पर? अगर हम अपने बच्चों को धर्म के आधार पर तैयार करना चाहते हैं तो उस का जो फल होता है, वह सारी दुनिया के सामने है। उस फल को कोई रोक नहीं सकता है।

इस लिए मैं समझता हूँ कि इस पालियामेंट को यह प्राइनेन्स पास करने का पूरा अधिकार

है। जो प्राइनेन्स आया है, वह बिलकूल जानूनी और जायज है। इसको लान के लिए मैं चागला साहब को धन्यवाद देता हूँ। मैं उनकी इस घोषणा का भी अभिनन्दन करता हूँ कि वह इस बारे में जल्दी से जल्दी एक बिल लायेंगे। बनारस हिन्दू यूनिवर्सिटी का बिल पास हो चुका है। वह बिल उनके सामने है। वह उस बिल को देखें जल्दी से जल्दी इस प्राइनेन्स को हटा कर एक बिल इस सदन के सामने लायें, क्योंकि प्राइनेन्स अभी बाँज नहीं है।

Shri Vasudevan Nair (Ambalapuruzha): Is it a fact that meat and fish are not allowed in the Banaras Hindu University?

Shri Raghunath Singh: No. I have been a student of the Banaras Hindu University from the eighth class up to the M.A. degree course and law course. Gomas is not allowed there. There are foreign students, there are Christian students, and some students from Thailand are also, and they do take meat, but in the vegetarian hostel these things are not allowed.

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ और आप को धन्यवाद देता हूँ।

Shri Frank Anthony: Mr. Deputy-Speaker, Sir, I have made it a practice, when I appear in a matter in my professional capacity, not to participate in this House if that matter should come up for discussion. As it happens, I appeared on behalf of the petitioners who sought to strike down this ordinance passed on the 20th May. After I had argued for a few hours, the Chief Justice of India made an appeal to me, not as a lawyer but in my capacity as a person of some standing in public life, to withdraw the petition, as he felt that it had serious overtones for the country, and to await the Bill which might well be different. Although my clients were very reluctant to withdraw,—I

[Shri Frank Anthony]

might mention here incidentally that I had to abandon by fee—I withdrew, for, I was more concerned with the repercussions for the country.

I feel that the repercussions of this Bill will be widespread for the country, and that is one of the reasons why I have sought to participate. Another powerful reason why I am participating is this. I do not want Shri M. C. Chagla to misunderstand what I am going to say. But I shall read very briefly from the affidavit of the Education Ministry. The whole answer of the Education Ministry there was to deny repeatedly that the Muslim community had any fundamental right at all, and that article 30 was in no way attracted, but in their seeking to defeat the claim of the Muslim community, the tragedy was this; they were seeking to get from the Supreme Court a restrictive interpretation of article 30; if that interpretation, God forbid, if they were to go back again—I do not want the Muslims to go to court, because the Muslim case is a hard case, and hard cases make bad law—if the Muslims go and lose, they may lose the Muslim university, but the educational institutions of the Sikhs, the Parsis, the Anglo-Indians, the Christians etc. because of this restrictive interpretation that Shri M. C. Chagla is now seeking, will be placed in great danger. Let me try to explain the position.

I am not going to try and teach my hon. friend Shri Raghunath Singh law. But I think that he has completely misunderstood the Constitution.

Our principal ground for attack in the Supreme Court was that this ordinance was clearly violative of article 30 (1) of the Constitution. Article 30 says this broadly that all minorities, whether based on language or religion, shall have the right to esta-

blish and administer educational institutions of their choice. Now so far as this case was concerned, it turned on the interpretation of the expression 'establish and administer'. In the Kerala Education Bill reference, a case in which I had argued, I had got not a dictum but an expression of opinion from the Supreme Court—it was not directly in issue. They said that 'establish and administer' meant two rights, right to establish, and the right *aliunde* to administer.

Now Shri Chagla says, in trying to resist the Muslim claim, 'no, a minority must first establish, then only it can administer'. Because, he could not repeat the Muslim claim that beyond peradventure, upto 1951, it was administered exclusively by the Muslims—I hope you will give me a little time; I am not even going to read the law, but I feel I must explain this before the House because there is a great deal that is involved.

Shri Chagla seemed a little vehemently to affirm his desire not to change the character of this institution. Yet in this Supreme Court he took the position—or his Ministry took the position—of denying at every step, of using every legal device in order to deny the right of the Muslim community. Let me read only three brief extracts.

Page 5:

"Act No. 40 of 1920 which clearly said that the said Muslim University was not one for the Muslim community alone....."—

that is not necessary; I need not go into it—

"nor was it based on religion"—
even that is not necessary—

"..it was a University established by the Government, open to all, as aforesaid, irrespective of considerations of religion and

language, did not have any characteristic of religious denomination of any nature so as to attract the provisions of articles 26, 29 and 30'.

Then he went on, at page 8:

"I say that the Aligarh Muslim University is an institution established not by the minority community so as to attract the provisions of articles 26 or 30"—

We were not worrying about 26 or religion, but—by the Central Government.

Then he affirms finally at page 13:

"I deny that the said University was established by the minority community or that the said community has the right to administer".

Throughout, his case was posited on repeated denials that the Muslims Community had established this that they had any fundamental right, that art. 30 was attracted.

Now, I say this. To compare the Muslim University, as my hon. friend, Shri Raghunath Singh, has done, with the Banaras Hindu University, is with great respect, utterly irrelevant. In law it is complete non-sequitur. As I said to the Supreme Court, it was an utter non-sequitur. The Constitution—my hon. friend, Shri Raghunath Singh, has forgotten the Constitution—in art. 30 gives the fundamental right not to the State, but as Justice Vivian Bose said, to the minorities. When I was arguing a case, he said that. Not to the State. Fundamental right to whom? To the minority. No fundamental right was given to the Hindus. It is not only irrelevant; it is a non-sequitur to compare the Banaras Hindu University with a Muslim University. The Muslims, the Anglo-Indians, Sikhs, Parsis, and any other linguistic or religious minorities have been given this fundamental right. Why do you compare it with the Banaras

Hindu University? Advisedly, the Hindus have not been given a fundamental right, for the simple reason that by sheer weight of numbers, the Hindus must, and do, control, in fact every institution in this country. They do. Do we say they are communal? The Government is Hindu; the House is Hindu, but as soon as... (Interruptions).

Some hon. Members: No, no.

Shri Frank Anthony: I am talking about a majority. I am not saying it. The term 'communal' has been twisted.

As soon as a minority, in terms of its fundamental right, not given to the Hindus, administers its own institution, it becomes communal! When the Hindus, by sheer weight of numbers—I am not complaining—control every university, every school except the minority schools, they are not communal. But as soon as we, in the exercise of our fundamental right, do this, we are communal institutions! I take offence at this suggestion that a minority cannot run a national institution. I am associated with almost 300 educational institutions run by my community. What is Shri Raghunath Singh talking about? An institution can get complete aid and still be a minority institution. I argued that. Why should I put up with this? In the Kerala case, the Anglo-Indian schools won completely because as I said they were getting aid under art. 337. It was not aid *ex gratia*; Government could not even regulate. So far as the Roman Catholic schools were concerned, they got cent per cent aid, not 95 per cent as Shri Raghunath Singh said. What did the Supreme Court strike down? They struck down Clauses 14 and 15. They said that even if Government gave cent per cent aid to a minority institution, two things you could not do: under Clause 15 they could not expropriate—you were expropriating this University and under Clause 14 Government could not even takeover the management. All that you can do

[Shri Frank Anthony]

is to withdraw your cent per cent aid. If you do not like the management, de-recognise it, but you cannot expropriate, you cannot take over the management even if you are giving them cent per cent aid.

So far as religion is concerned, it is quite true that if you take aid, you will not be able to teach Muslim religion there—in the Anglo-Indian schools we cannot and we do not wish to teach religion—but all the other attributes of the minority administration are there, and they have to be there.

So far as numbers are concerned—my hon. friend Shrimati Renu Chakravarty was a little mistaken—section 8 was always there, namely that this university shall be open to persons irrespective of caste, creed or community, a very good thing. When the Constitution was being framed, when I got from the framers of the Constitution a special provision on behalf of Anglo-Indian schools put in article 337, I insisted on a pre-condition that at least 40 per cent of the children in my schools shall be non-Anglo-Indian. So, you can admit others, you can do it. If you give aid to a Muslim university, you can say that at least 49 per cent of the students shall be non-Muslims. If you give aid, they cannot teach religion, but all the other attributes of the minority administration will be there.

I do not know why, apart from this, the book has been thrown in this petition at the Muslim community. Shri Chagla was very vehement. He said he denied the fact that he had ever suggested that they were Pakistani or pro-Pakistani elements in the University. When I read the minister's reply to petition I thought, and the Supreme Court must have come to the same conclusion, that the communal, reactionary, Fascist elements must have been only Mus-

lims, but I hear here for the first time that not only Muslims were involved. I am a little surprised that the Education Ministry should put in a tendentious suggestion that there were only Muslims who were communal, Fascist, reactionary. Shri Chagla should realise that in the context of today to say that a Muslim is communal or reactionary or Fascist is synonymous with saying that he is not only pro-Pakistani, but a Pakistani agent.

Shri M. C. Chagla: That is entirely wrong.

Shri Frank Anthony: That is the unfortunate atmosphere.

Shri M. C. Chagla: This is liable to be repeated, it has been repeated long enough. I have made it perfectly clear that there is all the difference in the world between a person being communal and a person being pro-Pakistani. You may be loyal to this country and yet you may be communal. "Communal" means you are not a nationalist, you are not a secularist; you can be reactionary, you can be obscurantist, and yet you may not be pro-Pakistani. Surely Shri Anthony should understand this distinction.

Shri Frank Anthony: I understand the distinction very well. Let us be quite frank. Does Shri Chagla want me to be brutally frank with him? Let me be quite frank. Today, in the atmosphere or suspicion and hostility to his community, when a person says that a Muslim is a reactionary, he is immediately thought of as a potential quisling. I say that.

Shri M. C. Chagla: Certainly not.

Some hon. Members: No.

Shri Frank Anthony: What is the good of shouting "No". This is unfortunate but true.

I say to Shri Chagla, as my hon. friend Shrimati Renu Chakravarty

said, you find this violence not only in the Aligarh Muslim case. Is it peculiar to the Aligarh Muslim University case? Nobody has condemned it more than I do. Ali Yavar Jung is one of my oldest friends. You find it generally in the country, except perhaps in the institutions that I run. Indiscipline, loot, arson—*which university has not got it?* Not only Muslims. In Bihar, what happened?—students of one Hindu caste assaulting students and girls of another Hindu caste, desecrating assemblies, doing all sorts of things. Does he think that because of this we should throw out the baby with the bath water, because this is happening in a Hindi institution, the Anglo-Indians should take it over? It may be a good thing. Here you want to drive the Muslims out. I shall finish. What I am saying is this.

Shri M. C. Chagla: How are Muslims being driven out?.... (*Interruptions*).

Shri Frank Anthony: I will show how the Muslims are driven out. There is the factual and the legal background. Give me a few minutes. Sir, I cannot deal all these issues with that here. People have said this. This was the dream, the vision of Sir Syed Ahmed Khan. Largely because of his initiative, money was collected and three Muslim societies were formed. There was the nucleus of a University in 1920. There was a college, a high school. How can you deny its Muslim character? Government undertook not only an act of faith to the Muslims; it undertook a contract of faith to the Muslim community. Here is the preamble to the 1920 Act; let me read it.

"Where as it is expedient to establish and incorporate a teaching and residential Muslim University at Aligarh, and to dissolve the Societies registered under the Societies' Registration Act, 1860, which are respectively known as the Muhammadan Anglo-Oriental

College, Aligarh, and the Muslim University Association, and to transfer to and vest in the said University all properties and rights of the said Societies, and of the Muslim University Foundation Committee...."

Section 4 says:

"The Societies known as the Muhammadan Anglo-Oriental College, Aligarh and the Muslim University Association shall be dissolved, and all property, moveable and immovable, and all rights powers and privileges of the said Societies and all property moveable, and immovable, and all rights powers and privileges of the Muslim University Foundation Committee shall be transferred to and vest in the University and shall be applied to the objects and purposes for which the University is incorporated.

All these rights and privileges were sanctified by legislation; it was a statutory contract. Section 23 deals with the supreme governing body which could consist only of Muslims. That continued right down to 1951. As soon as the Constitution came into being, this legislative sanctification was elevated to a fundamental right. After 1950, this institution founded with all the moneys of the Muslims and which had taken over all their rights and privileges was elevated to the Fundamental Right and exclusively administered by the Muslims. After that the powers of this legislature or of any other legislature had to yield before what was elevated to a Fundamental Right. (*Interruptions*.) He asks me: how is the Bill effacing it? First of all, I do not understand this position which Mr. Chagla has taken. We are bringing in substantive legislation; this is substantive legislation.

Shri M. C. Chagla: It is not.

Shri Frank Anthony: This is not substantive legislation? As soon as

[Shri Frank Anthony]

we put it on the statute book, it will be substantive in every sense of the word. What does this Bill do? I say it completely annihilates the Fundamental Right of the Muslims. Mr. Chagla had been at pains to deny that there was any Fundamental Right. Here is the supreme governing body. Even after the 1951 amendment—and you took out the provision that only Muslims could be there—the original founding statute was there which ensured that at least 80-90 per cent would be Muslims on the supreme body. Today you are making it an exclusively nominated body; it has been completely emasculated as it is purely advisory, and only on matters on which the Visitor may seek their advice. Not a single Member need be a Muslim. Mr. Chagla may out of goodness of his heart, *ex-gratia* offer crumbs or the Visitor may offer crumbs and he may put in Muslims. But if we go to the courts—I am trying to beg of the Muslims not to go to the court in this matter—but if we go to the court, the court will say: we do not care about Mr. Chagla's assurance; you know Mr. Anthony, we only look at the phraseology; can you suggest here that there is any glimmering of an obligation that a single nominee should be a Muslim? What is there to prevent the Visitor from nominating only Hindus? Finished. You have destroyed, annihilated and extinguished the right of the Muslims in law. There need not be a single Muslim on the University Court under this provision. And that is why I am begging of Shri Chagla, make some concessions to the right of the Muslims. I have asked for reference to the Select Committee, but Shri Chagla impugns everyone's motives, except his own. I deliberately put it in: 10th of September. I do not want a vacuum. But he said he cannot do it. All right: you cannot do it, but make some concession. Do not tell the Muslims: "I am as ardent as you are; I am as ardent as you are to keep this, your cultural, your linguistic and other things intact; but let

me wipe it out in this Bill; let it become an Act." And then later on, we do not know how long it will take—one year, two years, or three years; but in the meantime, every semblance of right stifle. I say this.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri Frank Anthony: I will finish. I say, today, it is tragic. Today, as the leader of a minority Community, I know the position of the minorities. Thank God, my community is not in the difficult position of Shri Chagla's community; thank God. His position is peculiarly difficult, and I do not envy him. But today, let us assume; there are people who say that—I am sorry to say it, and it was said to the Prime Minister and Shrimati Renu Chakravartty was there—that none of the Muslims can be trusted, and I immediately objected to it. Today, India cannot survive, secularism cannot survive. Let us accept that there is a dichotomy with some of our Muslims. But aren't there some good Muslims? Aren't there reliable Muslims? (*Interruption*).

Some hon. Members: No, no.

Mr. Deputy-Speaker: Order, order.

Shri Frank Anthony: Why these protestations? And then, Shri Chagla asked this question, and that is what I am asking. He asked this question: Why are the Muslims joining on a single platform? Why have Congressmen come to me? Why are some of them, these petitioners—is it because they have suddenly become communal—Congress MLAs? (*Interruption*). Because this touches them in their hearts.

Mr. Deputy-Speaker: The hon. Member should finish now.

Shri Frank Anthony: I will finish. This issue transcends all their political differences. That is why I say this: talk to any Muslim privately—Congressmen have come to me with

tears in their eyes; it touches them in their hearts. (*Interruption*).

Some hon. Members: No.

An hon. Member: You are the saviour.

Shri Frank Anthony: Yes; Yes; I can understand it. I know what is hypocrisy. And I say this: the University is a cherished symbol for them. What I say finally is this: you have all the regulatory powers; keep the regulatory powers; keep the emergency powers; clean the University up. But make one concession to their rights; say that the majority shall be Muslim; do not efface their right by law.

Shri P. R. Chakraverti (Dhanbad): Mr. Deputy-Speaker, Sir, we are in a strange world. Let me point out what has been laid down in the Statement of Objects and Reasons in the Bill—

“Enquiries revealed that the disturbances were too well organised to be sporadic and seemed to flow from certain unhealthy influences which for some time had been adversely influencing the efficiency and the academic purposes of the University.”

Here, I find that Shri Anthony and other hon. friends who have practically associated themselves with academic institutions all over India, for years and decades together, have not mentioned one vital thing: no-body has come out condemning this outrageous, reprehensible and murderous assault on the Vice-Chancellor of the Aligarh Muslim University. This is a rare occasion in the history of communalism. The very day this university, namely, the Aligarh Muslim University was started, there was started another university in the eastern region namely, Dacca University with which I was connected for 25 years, successively as a member of the syndicate, as a member of the court of the university; earlier, I was

a graduate there and then I was connected as a lecturer. I can understand that when Dacca university was set up there with its own character, Aligarh Muslim University had its own image and its own character. It was set up as a university in the year 1920. Fanned by communalism, this very question was mooted before us in Dacca: what will be the chances of the Muslims to grow up? It was said that they should enjoy special privileges indeed, they had all the privileges which the new university had given them when it was introduced in Dacca, to see that 70 per cent of the population, which had been illiterate, get a chance to have access to all the possibilities of growth. An engineering college, an agricultural college, a medical college, law and science colleges were all started with the money and goodwill of the majority community and also of the minority Community. That minority community today has faded out from East Pakistan. For the edification of Mr. Anthony, I would say that when the question whether Bengali should be the State language of East Pakistan was mooted there after partition was accepted, the boys of the Dacca University, who have been nurtured in an academic atmosphere, not surcharged with this sort of communalism, marched in procession only to demand that Bengali should be the State language of East Pakistan. Over the seven dead bodies of Muslim students of Dacca, Bengali was accepted as the State language of East Pakistan. How? It was because this sort of communalism was condemned outright there.

You must condemn all these outrageous activities and that is what Mr. Chagla has attempted to do by the introduction of this ordinance. I do not understand the philosophy of our turbaned friend, Shri Yashpal Singh, who condemns this ordinance. This measure is to deal sternly with perverse and demeaning elements, trying to obliterate all sense of decency, justice and decorum in an

[Shri P. R. Chakraverti]

academic atmosphere, Mr. Ali Yawar Jung speaking the other day said that even the teachers and students were party to some of these nefarious activities. Should we not condemn it? It is not a question of minority's rights, but a question of humanity, of civilisation, of a cultured way of living and that is what Mr. Chagla stands for. That is why this Bill has been introduced here. It has nothing to do with the dismantling minority interests.

I say, Aligarh has a mission to fulfil. It has its own image, just as Dacca had its own image. Brilliant scholars have come out of Dacca University. I am a product of that university and I am proud of it, where we, Hindus and Muslims, lived together. Even in the midst of fanatical communalism, running amuck, when the whole of Dacca city was surcharged with communalism, not a single boy or girl was molested within the precincts of the university. As the President of the University Students' Union, elected by Hindus and Muslims unanimously, I stood guarantee for the rights and liberties of every human being within the campus of the Dacca University. Why? It was because we stood for courage, for character, for culture; and anything that militated against it was unnecessarily condemned. That is why I expected from Mr. Anthony, to condemn outright the murderous assault on the Vice-Chancellor. It is a strange chapter in the history of India and we must hang our head in shame. This Bill does not question the retention of the character of the university. The question relates to the monstrosity in all its hideousness that we witnessed in April. When Mr. Chagla has come forward with a challenge, the fanatical, Communal-minded people are trying to denounce him with all fevour and gusto. Why? Mr. Chagla stand for an ordered way of society, for a way of life that denounces communalism and perverse way of thinking.

In the name of culture, in the name of what we have stood for, with my past experience of 25 years as a teacher, academician and also a member of the highest body of more than one university, I would appeal to the friends on the other side to understand the implications of this Bill, which is being put forward only to usher in a new form of treatment to the students and teachers alike, so that they might take caution. Here it has been pointed out that it is the result of organised plan. These disturbances are symptoms of a deep-rooted malady and we want to uproot that malady. It is an attempt in a practical way to weed it out and every one should give hearty co-operation to the same. That is why I congratulate Shri Chagla in spite of all these vehement protests for his critics. People who do not know what is culture, who do not know what education should be, how to create the atmosphere congenial for education at every stage, these are the people who are denouncing Shri Chagla as if they alone are the champions of Islamic culture. That is not so. Then the charge, that people who by chance belong to the majority community in India today, are trying to thwart the advancement of the minority is baseless. I do not understand it. The mere fact that Hindus are in a majority, does that give the Hindus the right to denounce what the other communities or people belonging to other religions stand for? As a student of culture, I can say this much that instead of being swayed by passions of communalism or bigotry, we stand for culture and that is what has been introduced by Shri Chagla through this Bill. So far as we are concerned, I mean the Congress Party, we have taken the vow and pledge to stand for certain fundamental principles for which Mahatma Gandhi and Jawaharlal Nehru worked till the end of their lives, and that is what Shri Chagla, as spokesman of the Congress Party is trying to do. He must ex-

pect whole-hearted support from all peoples in the House and outside who stand for culture.

Shri Hem Barua (Gauhati): I have gone through the Aligarh Muslim University Amendment Bill with due care and caution for nothing in our recent educational history has raised so much of controversy as this Ordinance. As a man connected with education, temperamentally I am opposed to all encroachment on the autonomy of universities. May I take you a little back and say that since the emergence of universities, in the modern sense, in Europe, in the post-medieval period, autonomy, that is, freedom from the State and the church has constituted the life-spring of universities? But, in the case of the Aligarh Muslim university it will be utterly foolish to apply this theory without taking in to account the objective conditions obtaining in that university, the objective conditions that culminated in the nefarious activities of April 25th. I would say that April 25th is the blackest day in the annals of the university. In fact, it has sullied the fair name of the Aligarh university beyond redemption. But, then, I would also say that this is the culmination of certain forces that have accumulated in the portals of the university for long.

15-58 hrs.

[MR. SPEAKER in the Chair]

The Aligarh Muslim university was established for our certain high principles and traditions. But, unfortunately, with years the university lost much of its idealism and became a vicious cockpit of power politics, administrative inefficiency and corruption. There are serious allegations against the Aligarh Muslim University. The report of the Accountant-General of Uttar Pradesh (1961) on the university finances is a shocking revelation, I would say. May I quote

1073 (A) L.S.D.—3,

from page 49 of the Report? This is what the report says:

“The alleged irregularities are of a serious character and related almost to every aspect of financial management in the university. More serious audit objections related to embezzlement and misappropriation of funds, defalcation and tampering with the records, unauthorised revision of estimates in respect of sanctions by Government, complete mismanagement of large construction projects, non-observance of financial procedure and inefficient and tardy collection of dues from students.”

I would say that this is sufficient, this is enough to make even a dead man's bones quiver. Even a dead man's bones would quiver. When I read this, my blood started boiling. I do not understand why the Government allowed the things to deteriorate to such an extent. I would say, these things happen in a citadel of our culture, in a citadel of our education, in a citadel that manufactures, produces and inspires our coming generations. The Universities are the salt of our national life. If the salt loses its savour, wherewith will it be salted?

16 hrs.

It is also true that students' indiscipline has become today a massive factor confronting our Education. Without trying to probe into the causes of students' indiscipline, may I say that, according to official statistics, there were as many as 1237 students' strikes during the last 7 years and 1964 has the highest number of students' strikes, that is, 261 as against an annual average of 177. But I would say that the agitation that was instituted by the Aligarh Muslim University students on the 25th April was the worst of all the agitations, the worst of all the movements, ever launched by the students community.

[Shri Hem Barua]

Now, it has almost become a fashion to accuse politicians whenever there is any incident of students' indiscipline anywhere. I just want to know whether the Aligarh incident was the handiwork of any politician. If it is not a handiwork of the politician, I would say that there is something rotten in the state of Denmark and it is high time for our Government to find out what is rotten there, if needs be, through an enquiry committee.

Sir, in the meanwhile, I have discussed the problem of the Aligarh Muslim University with so many friends with a view to finding out the truth. But, unfortunately, their opinions are so much in conflict with one another that in spite of the series of discussions, I have not in the least wised up. Last night, as a matter of fact, I thought, I mused, over the problem very deeply and then came to a very awkward conclusion. The affairs of the Aligarh Muslim University are like a glass of foaming beer for you do not know where the foam ends and where the beer begins. Likewise, the affairs of the Aligarh Muslim University are so confusing and conflicting that you do not know when nonsense ends and sense begins.

Since the declaration by the Government of the decision to suspend the Aligarh Muslim constitution, there has been a storm of protest from certain quarters. I want to ask them: Is it for the first time that the constitution of the Aligarh Muslim University has been suspended? Why do you forget that during the late twenties, when Sir Ross Masood, the Director or Public Instruction of Hyderabad, was appointed the Vice-Chancellor of the Aligarh Muslim University, the University constitution was suspended entirely and it was a triumvirate consisting of the Vice-Chancellor, the Pro Vice-Chancellor and the Treasurer who administered the affairs of the Uni-

versity? Was Islamic culture destroyed then? Can any of our friends tell us whether Islamic culture was destroyed when Sir Ross Masood was the Vice-Chancellor who ruled in co-operation with the Pro Vice-Chancellor and the Treasurer? It was not destroyed. If Islamic culture was not destroyed then, how can you say that Islamic culture is going to be destroyed today when the measures proposed by the Government are much less stringent? I was very happy to hear the other day the assurance given by Shri M. C. Chagla that these measures were only temporary and they were going to be withdrawn as soon as the university was restored to health again. I hope and trust that he will do it as soon as possible, because this must be an emergency measure only and there should be no encroachment on the autonomy of universities but at the same time, the university people should also try to behave well or else they do not have the right to criticise the Congress Government for their failures. If I am rotten I do not have the right to point out what is rotten in you, and that is how I feel.

I do believe that culture cannot be compartmentalised, and if India has any culture, then it is Indian culture. I would say at the same time that no culture, if it is truly virile and dynamic, can ever be destroyed. I know that Islamic culture is truly virile and dynamic. And may I say, since a tirade of late has been directed most vociferously and vigorously and vehemently against Shri M. C. Chagla that not to speak of one Chagla, even a whole race of Chaglas, even thousands of them can ever destroy Islamic culture? That is not possible. Islamic culture, in order to be meaningful and significant, must contribute to the broad stream of Indian culture and world culture, and that is the great role that the Aligarh Muslim University is destined to play.

I do not agree with these people who want to describe the Aligarh Muslim University as an arsenal of Pakistan. If Shri M. C. Chagla has done that, I am afraid I would not agree with him in that. What is happening in the university is this. There is a conflict. The conflict is a conflict between traditional hide-bound conservative morals on the one hand and progressive ideals on the other. Whatever disorder has resulted is due to this strife. I know that the university is at present experiencing the agonies of a rebirth in the direction of liberalisation of thought and ideals. True it is that after graduation, some students of the Aligarh Muslim University migrate to Pakistan. In this connection, why do you forget that some students of other Indian universities also migrate to foreign countries, and even students who have gone there on Government stipends? And wherefrom do Government get the money? The money is collected from the poor Indian tax-payers' revenues. There are some students belonging to other Indian universities who have migrated to foreign countries, and they do not want to come back, because life in the foreign countries is more exhilarating, more inspiring and more comfortable and more alluring also...

Shri Mahatab (Angul): And more foaming too.

Shri Hem Barua: Yes, more foaming too. My hon. friend is right in saying that.

Shri Alvares (Panjim): But how does a Congressman know about it?

Shri Hem Barua: But how does a congressman know about foaming?

Mr. Speaker: Only those persons know who have been associated some time or the other with the hon. Member.

Shri Hem Barua: I would say that extreme individualism is middle-class morality. I learnt something about it from the picture 'My Fair

Lady'. Extreme individualism is middle-class morality. If it is so, how can you apply two sets of principles to judge two sets of students, the students of the Aligarh Muslim University and the students of the other Indian universities who have migrated? That would be an anachronism, in fact.

But then, a pamphlet has been issued by the Aligarh Muslim University Old Boys' Association...

Shri Ansar Harvani: By a section of the old boys.

Shri Hem Barua: There it has been said that the Aligarh Muslim University is a university of the Muslims, for the Muslims, to be administered by Muslims. I do not understand this psychology. This is a very dangerous proposition. I know Indian universities are modelled on the British pattern, except two of them, one the Banaras Hindu University and the other, the Aligarh Muslim University. These universities were originally established with a view to teach people, train up people, in certain philosophies. If these philosophies create a separatist psychology, it is a very dangerous thing.

But then I would say—and I hope Shri Chagla would take note of it—that it is Shri Chagla's Government, it is the Congress Government, that is also responsible for creating a sort of non-secular psychology in the minds of the people. What happens? When President Nasser of the UAR comes, he is rushed down to Aligarh Muslim University for a doctorate *honoris causa*, and when the King of Nepal comes, he is rushed down to Banaras Hindu University for a doctorate *honoris causa*. Why should it happen like that? It is you people who are maintaining this barrier. All barriers must go. All barriers preventing a secular communion as between one section of the Indian people and another must go. All barriers between Hindus and Muslims must go. All barriers between the sexes

[Shri Hem Barua]

must also go; all barriers between men and women must go.

Shri Raghunath Singh: Start from your house.

Mr. Speaker: If that be the hon. Member's desire, why should others object?

Shri Hem Barua: What happens in this University? The boys are not allowed to mix with the girls, the girls are not allowed to mix with the boys. The girls were segregated from the boys whenever there was any musical conference, musical presentation, drama and all that. It is the new Vice-Chancellor who tried to destroy that barrier. I must wholeheartedly congratulate him on trying to destroy that barrier. All barriers between the sexes must go. All barriers between communities must drop off, must be removed. I think you agree with me in that.

Mr. Speaker: I cannot but agree. I was waiting only for him to sit down.

Shri Hem Barua: Since the measures proposed by Government in this Bill are only temporary and since these proposals are calculated to bring about administrative efficiency in the University, I on behalf of our party support this Bill.

श्रीमती मंमूना सुल्तान (भोपाल) : जनाब स्पीकर साहिब मैं प्राप की बहुत मशकूर हूँ कि प्राप ने मुझे इस प्राडिनेन्स पर जो कि अलीगढ़ यूनिवर्सिटी से मुताबिक है, बोलने का मौका दिया। लेकिन इस के पहले कि मैं इस प्राडिनेन्स के ऊपर कुछ प्रार्थ कर्कू, मैं प्राप की इजाजत से कहना चाहूंगी कि अब तक मैंने सुना था कि चाहे किसी शक्स का मुकदमा कितना ही क्यों न हो इस तरह से उसके जीतने के इमकानात भी काफी हों, गवाहियां प्रच्छी हों, वाक्यात भी सही हों, लेकिन अगर वह मुकदमा किसी ऐसे शक्स के हाथ में पड़ जाय

जो या तो अपने काम में होशियार न हो या उस में कामन सैन्स न हो तो उस मुकदमे के हारने के इमकानात कवी हो जाते हैं और वह मुकदमा कमजोर हो जाता है और उलझन में पड़ जाता है। लेकिन इस लोक सभा में मुझे यह मालूम हुआ कि एक ऐसा शक्स भी जिस में इलमी काबिलियत हो, जो जज रह चुका हो, जिस शक्स का कई लिहाज से कंट्री-ब्यूशन है, वह शक्स जैसे कि श्री चागला है, उधर उधर की बहस में पड़ कर मुकदमे को उलझा सकता है और कमजोर कर सकता है।

जहाँ तक अलीगढ़ यूनिवर्सिटी के मकासिद का ताल्लुक है, जहाँ तक उस के प्रोजेक्टिब्ज का सवाल है, अलीगढ़ यूनिवर्सिटी में और दूसरी यूनिवर्सिटी में, चाहे वह सेंट्रल यूनिवर्सिटी हो या न हो, किसी किस्म का फर्क मैं नहीं समझती, कोई इमतियाज उनमें नहीं करती हूँ। अगर कोई यूनिवर्सिटी जो अपने मकासिद को अपने प्रोजेक्टिब्ज को, पूरा नहीं करती है, तो गवर्नमेंट को इस बात का पूरा मजाज है, उसे इस बात का हक है कि वह उस में दखल दे जैसा कि श्री चागला ने अलीगढ़ यूनिवर्सिटी के बारे में किया और मुझे इस के बारे में उन से कोई खास शिकायत नहीं है। लेकिन इस बात की शिकायत जरूर है कि एक एक ऐसे मामले में, जो कि बेसिक तौर से स्टूडेन्ट्स की भलाई का मसला है, जो बेसिक तौर से उन की बहतरी का मसला है, उन से जिस जुडिशस एप्रॉच की और जिस में ऑरिटी की तबक्को धी उस में मुझ मायूसी हुई है।

इतना कहने के बाद मैं प्राप से प्रार्थ करूंगी कि मैं इस प्राडिनेन्स की हिमायत करती हूँ और श्री चागला की पूरी ताईद में हूँ। जहाँतक इस प्राडिनेन्स का सवाल है, हमको यह मालूम है कि अलीगढ़ यूनिवर्सिटी प्राडिनेन्स बहुत ही एक्स्ट्राप्राडिनेरी सर्कमस्टान्सेज में सायद

गया जब कि वहां का इन्डिस्प्लिन एक एक्स्ट्रीम हद तक पहुंच गया कि यहा तक कि वाइस चांसलर पर भी हमला हुआ और हो सकता था कि उससे उनकी मौत हो जाती । जब वहां पर डिस्प्लिन इस हद तक खराब हो गया तो सरकार के लिये कोई दूसरा रास्ता नही रह गया था सिवा इसके कि वह उस यूनिवर्सिटी में इंटरक्रिपर करे और उसमें सुधार करे ।

इसके अलावा दूसरी बात यह भी बताई गई है कि यह जो प्राइनेन्स लाया गया है वह कयामत तक के लिये नही लाया गया है कि भव शरू हो गया तो उम्र भर, हमेशा के लिये कायम रहेगा । यह बिल्कुल बक्ती तौर पर लाया गया है और जल्द से जल्द दूसरा बिल धाया जायेगा । मेरा खयाल है कि वह सेलेक्ट कमेटी को भी जायेगा और लोगों को इस बात का मोका मिलेगा कि इस पर अपनी राय पेश करें और इसमें तरमीम कर सकें, और उसको बहुत बना सकें । इन तमाम हालात को देखते हुए और यह जानते हुए कि मुल्क में ऐसे हालात हैं जब इस बात को जरूरत है कि हम अपनी एनर्जीज को फिटर भवे न करें बल्कि एक बड़े मकसद के लिये इन्वर्ट करें मैं इन प्राइनेन्स पर बोलते हुए हाउस से दक्वांस्त करूंगा कि वह इन बातों का लिहाज रखे ।

लेकिन इसके साथ साथ मैं इन प्राइनेन्स के मुताल्लिक दो तीन बातों की तरफ हाउस की तवज्जह दिवाना चाहूंगा । पहली चीज जो है वह अलीगढ़ के वाकयात की एन्क्वायरी के मुताल्लिक है । इस एन्क्वायरी के बारे में श्री चागला जवाब दे चुके हैं । मैं इस सवाल को दुबारा हाउस के सामने पेश करूंगा और चाहूंगा कि वह इस पर पूरी तौर से गौर करे । जहां तक एन्क्वायरी का सवाल है अलीगढ़ के मामलात में एक हद तक मैं श्री चागला के साथ हूँ और काफी हद तक उनसे इस्तसाफ रखती हूँ । जहां तक इस बाज का सवाल है कि अलीगढ़ जंगसाहब

पर हमला हुआ या नहीं, जहां तक इसका सवाल है कि उनको सोडा वाटर की बोतल से मारा गया वार जकमी किया गया या नहीं, मैं इसको बिल्कुल सही मानती हूँ उन्होंने सही कहा कि किस चीज की एन्क्वायरी कराये । तमाम वाकयात मौजूद है, पूरी घहादत मौजूद है, प्राई विटनेस मौजूद हैं तब मौजूद एन्क्वायरी को जरूरत बाकी नहीं रहती है । जहां तक कि इस वाकये की तहकीकात कराये जाने का सवाल है, कि अलीगढ़ जंग साहब पर हमला हुआ या नहीं, उस की कोई जरूरत बाकी नहीं रहती है क्योंकि यह एक मानी हुई चीज है । और अगर जरूरत भी है तो यू० पी० की पुलिस इन्क्वायरी कराये और अदालत फैसला दे कि यह कल की साजिश थी या नहीं, यह डेलिबरेट कोशिश थी या नहीं । जहां तक साजिश का सवाल है मैं कम्प्रीट है कि मैं यह कह सकूँ कि यह कल की साजिश थी या नहीं, लेकिन श्री चागला नहीं कह सकते कि यह डेलिबरेट प्रटेन्ट थी या जो कुछ हुआ वह मात्र साईक्लाजी के नतीजे के तौर पर हुआ । इसका फैसला अदालत करेगी, न हम कर सकते हैं और न प्राप कर सकते हैं ।

लेकिन इस के साथ ही जो दूसरा सवाल है उस के लिये मैं इन्क्वायरी को जरूरत समझती हूँ । पहले भी समझती थी और अब भी समझती हूँ और प्रागे भी समझती हूँ, और वह प्राप के स्टेटमेंट के दूसरे हिस्से के सिनिगिले में है । प्राप ने कटेगोरिकल तरीके से, प्रेसाइज तरीके से इन बात को हाउस के सामने रखना कि अलीगढ़ जंग साहब पर इन्क्वायरी हमला हुआ क्योंकि यह एक तरह का नैचुरल स्टैंडर्ड कायम करना चाहते थे, एक नेचुरल स्टैंडर्ड बनाना चाहते थे और वहां पर एक सेवशन ऐसा है जो इन्क्वायरी है । कम्प्लन है । फासिस्ट है, और न जाने

[श्रीमती मैमूना सुल्तान]

क्या दुनिया भर की चीजें धापने कहीं । आपने कहा है कि इसकी वजह से हमला नहीं हुआ कि उन्होंने एडमिशन पालिसी को बदला । बल्कि श्री चागला ने कहा कि एडमिशन पालिसी को तो उन्होंने एक पर्दा बनाया । बात दरअसल यह थी कि भलीयावर जंग साहब एक सैकुलर क्यालात के धादमी हैं, नेशनलिस्ट हैं, और इस लिये उन पर हमला हुआ । जहाँ तक इस चीज का सवाल है मैं चाहूँगी कि इसकी इन्क्वायरी की जाये कि अगर हमला हुआ तो इस वजह से हुआ कि भलीयावर जंग साहब एक नेशनल धाउटलूक के धादमी हैं और वहाँ के लोगों को यह वर्दाशत नहीं हुआ । जब तक इस बात को पूरी इन्क्वायरी नहीं हो जाती तब तक यह कहने में श्री चागला जस्टिफाई नहीं हैं । इसकी वजह मैं प्रश्न करूँ । कम्यूनलिज्म के बारे में आपने कहा कि भलीयावड़ का कम्यूनलिज्म इस तरह का नहीं है कि हिन्दु मुसलमान के खिलाफ हो या मुसलमान हिन्दु के खिलाफ हो, लेकिन एंटीनेशनल होने का जो धापने काज लगाया है, वह इससे भी ज्यादा सीरियस है । एक शब्द कम्यूनल होते हुए भी नेशनल हो सकता है, लेकिन अगर यह कहा जाय कि वह एंटी नेशनल है और नेशनल धाउटलूक को वर्दाशत नहीं करता, तो यह बहुत संगीन धाज होता है ।

धापने बनारस युनिवर्सिटी में, जबकि इससे बहुत हल्के बाकयात हुए तो भी इन्क्वायरी कराई थी लेकिन जब यह बाकिया इतना संगीन है तो इसकी धाप इन्क्वायरी नहीं करते । इस लिहाज से मैं समझती हूँ कि चागला साहब इसकी इन्क्वायरी करायें और इस बात का मौका दे कि जो बात है वह सामने धा सके ।

दूसरी चीज मुझे यह कहना है कि धापने कहा कि एक सेक्शन बहा ऐसा है जो कि रिएक्शनरी है, बाकी लोगों के बारे में धापने

कहा कि धाप ऐसा नहीं समझते । लेकिन ऐसे लड़के जिन्होंने हमला किया 1500 या 1600 थे । पूरी युनिवर्सिटी में तुलवा की तादाद चार पांच हजार है । तो इसका मतलब यह हुआ कि एक बड़ी तादाद इन के कहने में भी और उनको यह धुप बहका सकता था । इतनी बड़ी तादाद खुद एक धलार्निंग चीज है । इसलिए भी इसकी इन्क्वायरी करानी चाहिए । धाप यह कहते हैं कि वह इन्क्वायरी की जरूरत नहीं समझते इसलिये कि उनके पास एबीडैस मौजूद है, उनके पास धाई विटनेस है और उनके पास धाईस चांसलर का खत है । जहाँ तक धाई विटनेस का सवाल है, मैं प्रश्न करूँ कि इसबात की कोई ऐनी शहादत नहीं हो सकती कि कोई शब्द कम्यूनल है या रिएक्शनरी है । इसका पता तो पूरे रिकार्ड से हो सकता है । धापको यह बात पुराने धाईस चांसलर से मालूम हो सकती है, रिकार्ड से धापको मालूम हो सकती है, लेकिन ऐनी शहादत से इसका कोई वास्ता नहीं है । चागला साहब सिक्पूलर धादमी हैं या वह डिमाक्रेसी में यकीन करते हैं, यह बात मैं उनको देख कर नहीं कह सकती । मैं उनको देख कर तो सिर्फ यह कह सकती हूँ कि वह ऐनक लगाते हैं या नहीं लगाते, वह सिगरेट पीते हैं या सिगार पीते हैं । लेकिन वह सिक्पूलर हैं इसके लिए दूसरी एबीडैस की जरूरत होगी । वह एबीडैस उनके जजमेंट से ही मिलता है, जो धापने दिये हैं उनकी स्पीच और उनकी स्टेटमेंट से मिलता है । इसी तरह से जब तक हमारे पास दूसरी एबीडैस नहीं आ जा ती जो कि रिकार्ड्स से मुताल्लिक है, उनका यह स्टेटमेंट इन्कम्पलीट है । मैं प्रश्न करूँगी कि उनका यह बयान कैंटोगिकल है कि बहाँ यह वाक्या एक खास वजह से हुआ, उनका एबीडैस भी बिल्कुल खुना हुआ होना चाहिए, डेफिनेट होना चाहिए, प्रिसाईज होना चाहिए । इसके लिए मैं

जकरत ममझनी हूँ कि इसकी एन्वयारी कराएँ ।

एक दूसरे मसले के बारे में भ्रम कलंगी । मुझे इसमें कोई शक नहीं है कि चागला साहब भर्लागढ़ यूनिवर्सिटी का कलेक्टर नहीं बदलना चाहते हैं । आपने कहा है कि इस बात की मेरी जिम्मेवारी है कि वहाँ भरबी और फारसी पढ़ाई जायगी और मैं इसको प्रलम्ब बनाना दूंगा । मैं उनसे सिर्फ यह भ्रम करना चाहती हूँ कि महज भरबी पढ़ाने से या महज फारसी पढ़ाने से मुस्लिम कल्चर नहीं हो जाता । यह कल्चर की डेफिनीशन में नहीं आता । जहाँ तक कल्चर का सवाल है, यह तो मूलक की जमीन से पैदा होता है । मूलक से हट कर वह कोई प्रसंग चीज नहीं है । मुस्लिम कल्चर हिन्दुस्तान से हट कर कोई मानी नहीं रखता । मुसलमानों का जो कल्चर इरान में है या जो मुसलमानों का कल्चर अरब में है वह हमारे कल्चर से मुक्तलिफ है, गॉकि हम मजहबी प्रकाईड के लिहाज से एक हैं । कल्चर का वास्ता उस सरजमीन से है जहाँ वह पैदा हुआ है । एक चीज और है, हो सकता है कि और मूलकों में कल्चर में मजहबी तालीम शामिल न की जाती हो, लेकिन हिन्दुस्तान में तो इसके वगैर कल्चर इनकम्पलीट है । और मैं इसको मानती हूँ कि जिस तरह से एक हिन्दु कल्चर का कन्सेप्ट उस वकत तक पूरा नहीं हो सकता जब तक कि बड़ बदान्त न पड़े या हिन्दु फिनामकी न पड़े, इसी तरह से मुस्लिम कल्चर भी कुरान और दूसरी मजहबी किताबों की स्टडी के वगैर इनकम्पलीट है । ऐसा मेरा यमान है । दूसरे लोगों की दूसरी राय हो सकती है । इसलिए जहाँ हमारे कांस्टीट्यूशन में माईनारिटीज का सवाल आया है, कांस्टीट्यूशन में उसको मेरे या आप के ऊपर नहीं छोड़ा है । उनके बारे में चागला साहब की इलिंग भी है । मैं यहाँ इस पर बहस नहीं कर रही कि अलीगढ़ यूनिवर्सिटी कांस्टीट्यूशन के प्रॉटिकल 30 का एड्रिक्ट करती है कि नहीं । अगर वह यह मान लें

कि यह एक माईनारिटी इन्सटीट्यूशन है और यह मान लें कि इसे अपना एडमिनिस्ट्रेशन करने का हक है, तो दूसरी चीज को फालो करनी है, वह यह चागला साहब की इलिंग है :-

"It is not open to the State to dictate to a minority what the nature of the educational institutions should be."

इसका मतलब यह है कि न सिर्फ माईनारिटी के हक को सेफनगैड किया गया है, लेकिन यह भी माना गया है कि माईनारिटी ही यह डिसाईड करेगी कि वह किस तरह का अपना कल्चर लाना चाहती है । मैं चाहूंगी कि चागला साहब जब जवाब दें तो इन चीजों का क्या रखें ।

मुझे मौका मिलता और और भी कुछ कहना था । ये बेसिक चीजें हैं जिनकी तरफ मैं हाउस की तवज्जह दिलाना चाहती हूँ ।

Shri G. N. Dixit (Etawah): Mr Speaker, Sir, I rise to oppose the resolution moved by my hon. friend Shri Yashpal Singh, and I rise to support the Bill moved by the Minister of Education. I was in the House on the day the Education Minister apprised this House about the happenings in Aligarh and also intimated what steps he proposed to take in the matter. I fully remember the whole House giving him the fullest ovation.

I have not heard from any hon. Member anything being said against Shri Ali Yavar Jung. Every Member has conceded that Shri Ali Yavar Jung is a patriot, and that he is a competent person. Nobody has denied that he was assaulted. Shri Ali Yavar Jung comes, after such a big assault on him, to Delhi, makes a report, and so it was the duty of Shri Chagla to lend him the fullest support. He was the man on the spot and it was for him to say what was the remedy. "Either you remove him from the post on which the Gov-

[Shri G. N. Dixit]

ernment has put him or you support him. No allegation has been made that Shri Ali Yavar Jung made a report on the basis of any malice or on account of any animosity against any person. In such circumstances, are you going to judge from what one man comes and tells you here or from what the other man goes and tells others? It was the duty of the Education Minister to have done what he has done. Had he not done this, then, a charge of dereliction of duty would have been made against him. It was only his duty to have done what he has done.

Sir, so many things had been said in this House. Out of all that has been said, I fully endorse every word which was said by my hon. friend Shri Raghunath Singh; for once he has made a learned speech. (Interruption). Of course, it was not he alone who did that. There was another good speaker, Shri Hem Barua. From the arguments that Shri Raghunath Singh and Shri Barua adduced, you might have found how much pains they had taken in studying this matter. After such a deep study, they have put the case in brief and have supported the Education Minister. I think we here owe a duty to support the measure. This is a very important matter, and as far as such important matters are concerned, which touch the very vitals of the nation, we should consider the problems a little coolly, and with a view to see that the ideals and aims which were propagated by Gandhiji and supported by Jawaharlalji for the building up of this country are adumbrated and consolidated in this country. If you feel that that is the thing which is wanted, then we have to consider everything in that context.

I have not agreed with one point which the Education Minister made. I do not agree that the Aligarh University needs to be the place where Muslim culture is to be propagated. I have every respect for the Muslim re-

ligion, but is there a different culture in this country to be propagated? Is there a Hindu culture, a Muslim culture, a Sikh culture and a Christian culture? There is only one culture in this country of India and that is Indian culture. And all other cultures have to be brought together under it. I remember this was possible only under the leadership of Gandhiji.

I shall give you an anecdote. I know, my hon. friend Shri Yashpal Singh said that so many things were bad amongst the Hindus. They are bad amongst the Hindus. They are. But by a gradual reformation, all these evils have been going away, and things have been improving. I remember that in 1930, when I was released from prison, the late Rafi Ahmed Kidwai was our leader in Uttar Pradesh. I had to go to Masauli to meet him. I went in an *Ikke* and reached his place. Mr. Kidwai offered me tea and sweets and asked me to take them, because I had come such a long way. I, a Brahmin, had never touched water from the hand of a Muslim, not to talk of eating sweetmeats. I was thinking within myself, how can I eat it? If I eat it, I will vomit. But then I thought of what Mr. Kidwai would think if I refused to take it. He would think, here is a Congressman who has gone to jail, but he is so much prejudiced that he cannot eat in a Muslim's house. So, I took the sweets and tea and when I was coming back, I actually vomited.

But these 30 years have revolutionised this country. Now the biggest of Brahmins washes the thali and *Katori* in which a Muslim or a Chamar has eaten. This is the Indian culture produced under the leadership of Mahatma Gandhi. We do not want to go back. What is all this Hindu culture, Muslim culture and Christian culture? Is it that if a man puts a churut in his mouth, it is Christian culture? If somebody

puts on a fez cap, is that Muslim culture? You cannot say what is Muslim culture or Hindu culture. There should be one Indian culture. That is what has come out of Gandhiji's leadership.

I could not follow what Mr. Masani said. He said that some special status should be given to Aligarh Muslim University, because it is a minority institution. This will be also against all our tenets. Very good support should be given to the Aligarh University, but if you give a better status to minorities, you will be again bringing in the same questions which were witnessed before 1947. Therefore, I beseech you, all these discussions here are not conducive to good results.

My friend, Mr. Harvani, has given some very fine names. He said, Khan Abdul Gaffar Khan is a product of the Aligarh University. I respect Khan Abdul Gaffar Khan more than anybody in this country. If we invite him and make him the chancellor and the dictator of Aligarh University, I know he will give the best results that any Indian wants.

Shri Hem Barua: There is no place for a dictator in a university.

Shri G. N. Dixit: Some of my friends want that somebody who is the product of Aligarh should be put in charge of it. You cannot bring back Mr. Kidwai. So, I made this suggestion.

Aligarh University is a good institution. It should be brought to the level of other Indian universities. Whether it is Banaras University or Aligarh University, all universities should be at par. They should be given the same consideration, so that they will produce the best Indian patriotic citizens. The atmosphere that prevailed before 1947, which was responsible for the division of the country, shall not be allowed to be repeated in this country.

Shri Badrudduja (Murshidabad): Mr. Speaker, Sir, I rise to support the

Resolution moved by my hon. friend, Shri Yashpal Singh, and oppose the Bill introduced by the Education Minister. I am extremely grateful to Shri Yashpal for his genuine sympathies for the cause of the Muslim minority in India. I have nothing but grateful appreciation also for the support extended to us by various leaders of the opposition. At the outset, I would appeal to all sections of this House, particularly to the Treasury Benches, to take a calm and objective view of the problem of this university, around which have gathered the hopes and aspirations of millions of Muslims for half a century.

We all deplore the incidents that occurred on the 25th of April 1965 in the campus of the Aligarh Muslim University. I also add my feeble voice to the chorus of condemnation of the brutal attack on the Vice-Chancellor of the Aligarh University. Our sympathies go to him. We have nothing but condemnation of the dastardly attack on the Vice-Chancellor of the University. The law must be no respecter of persons. The criminally-minded students, who precipitated events, and took the law into their own hands, must be dealt with severely. Irrespective of whether the students are Hindus or Muslims, the law must be allowed to take its own course.

The Education Minister, instead of allowing the law to take its own course, instead of instituting a judicial inquiry for probing into the matter for studying the pre-disposing causes and conditions which led to this unfortunate development in the university of Aligarh, tried to pre-judge the whole issue. It is really very unfortunate. Both on the floor of the House and outside, he has made certain observations which are not very happy, which are unwarranted, unjustified, uncalled for and not worthy of the position he holds. Certain other statements and assertions made by the Ministry of Education completely distorts the picture and

[Shri Badrudduja]

poison, springs of life and vitiates and corrupts the whole atmosphere and prejudices the minds of the majority against Muslims.

Among those rowdies in the University there are both Muslims and Hindus. There is nothing communal about it and yet the Education Minister comes forward with the charge of obscurantism, fanaticism, reactionarism, all sorts of isms liable to interpretations or misinterpretations in responsible or irresponsible quarters. The Aligarh University has a history of its own. The Education Minister, with his judicial mind and with his judicial background, should have a judicial approach to the problem in all its bearings, implications and repercussions on the course of events. Instead of that, he wanted to rush in which ultimately had more serious repercussions. On the top of it, he comes forward with an Ordinance, gets it promulgated immediately after the session is over, on the 20th of May 1965. Even after the incident, the Parliament was in session from the 25th April to the middle of May. If any changes were called for he could have introduced a Bill in the House and taken it into confidence. He however, considered discretion to be the better part of valour and on the 25th of May he brought forward an Ordinance which was the most reactionary, the most undemocratic, the most unconstitutional Ordinance ever promulgated. More serious things have happened in Orissa and Madras. But he had not the courage to risk an experiment with those universities. In Orissa the students forced the hands of the Chief Minister and asked him to submit his resignation in their hands. In Madras also there was a horrible holocaust, loot, plunder and massacre of innocents and various other things of terrible significance. But nothing of this nature was done there.

It is because the Muslim minorities throughout India have no sanction be-

hind them; they cannot forge any sanction to enforce their demand. Their rights can be easily brushed aside. By sheer force of numbers, the majority can impose their will on the minority. Any legislation can be passed that is not in the interests of the minority . . . (Interruptions) No, I am not yielding. We are in a helpless position.

Shri Pallwal (Hindaun): You forget the Banaras Hindu University.

Shri Badrudduja: I do not forget it. . . . (Interruption).

Shri Kapur Singh (Ludhiana): The hon. Member has every right to be heard without interruptions.

Shri Badrudduja: I am not casting any reflection. . . . (Interruption).

Mr. Speaker: Order, order.

Shri Badrudduja: I am in your hands, Sir. I seek your protection.

Mr. Speaker: I would make one request to the hon. Member that he should address me and that he should not look to that side.

Shri Badrudduja: I bow to your direction, Sir.

My hon. friend, Shri Frank Anthony, has dealt with the legal aspect of the question. There is no denying the fact that the Education Ministry swore on oath before the Judges of the Supreme Court that the Aligarh Muslim University is not a minority institution and my hon. friend, Shri Raghunath Singh, has just now tried to wriggle out of this desperate situation by referring to article 28 that this is an institution on the model of the Banaras Hindu University, the Delhi University and Shantiniketan.

Sir, there is a history behind this University. After the Sepoy Mutiny, Muslims were completely crushed,

paralysed and sucked dry and bled white. In the midst of that gloom and frustration, all along the line, Muslims were being pursued to the bitter and at that critical juncture. Even Sir William Hunter observed in the memorable lines of that famous book entitled, "The Indian Mussalman" "We people who got our footing in this land as the servants of the Mohammedan empire are today kicking our previous masters into the mire with the insolence of upstarts.

In the midst of that gloom, of disappointment and despair that great leader of the Muslim community, Sir Sayed Ahmed Khan, conceived of a scheme by which Muslims might avail of the modern education. With that object in view, he established the M. A. O. College at Aligarh and ultimately it was from that the M.A.O. College from that the Aligarh Muslim University sprang.

It had been specifically laid down in the Act of 1920 that Muslims would have the administrative control and management of the University. I am not against any Hindus being in the Executive Council or on the Court. There are non-Muslims, Hindus, Sikhs and Christians who stood by us in the hour of our greatest need in 1964. Members of the Hindu community both in this House and outside, sympathised with us in our deep distress. We do not for a single moment suggest that Hindus should not be in the Executive council or on the Court and that Hindus should not be allowed to cooperate with us and share in the life currents of the Aligarh Muslim University.

The Aligarh Muslim University has already been thrown open to Hindu students. This University contains Hindu students who constitute 35 per cent of that total number. No other University contains this percentage of students belonging to other communities. There are Hindus like Jaya Prakash Narayans, Nab Kishore Choudhurys; Hindus like Hiren

Mukerjees, Miss Subhadra Joshi and persons like Masanis, who enjoy great confidence of the Muslim community. Men like Shri Gulzarilal Nanda and the hon. Prime Minister today enjoy greater confidence of the Muslim minority than half a dozen of Chaglas put together. He has insulted the feelings of the Muslim community and has estranged their sympathies and that is why there is a wave of agitation all over the country. He calls it vicious. But this agitation is not vicious. The agitation has behind it men like Dr. Syed Mahmood, and Maulana Mohammed Ismail.

I would now refer to the history and background of the university. A memorandum was submitted to the Government of India in 1911 for the establishment of a Muslim University. The Government of India wanted that in pursuance of that objective, enough fund should be raised by the community, and the Muslims secured the funds under the guidance of the Aga Khan and the Ali Brothers. They raised funds to the tune of Rs. 30 lakhs and they had formerly set up a trust in favour of the establishment of, of the Anglo-Mohammedan Oriental College. Later on that developed, and all the assets of the trust were transferred to the Aligarh University. The Aligarh University came into being in 1920. In the 1920 Act, it was clearly and specifically laid down that the management of the university, the control of the university, the administration of the university would be left in the hands of the Muslims, and the governing body like the court would be supreme and that the doors of the university would be open to students of all communities. It was further provided that with the imparting of secular education, scientific training, there must be arrangements for, Islamic education, study of Islamic history, culture, and theology. We today hear of a new definition of culture. To my mind culture is a peculiar term which can be interpreted in any way. The definition of culture, given by Imam Jeffer-

[Shri Badrudduja]

Us-Sadiq is the finest Enenlightenment of the heart; is its essence, truth its principal object; inspiration its guide: God its unspirer; reason its acceptor and the words of man are its utterer. In other words, your heart must be chastened and purified, purged of all dross and accretions that have gathered round it so that the stream of love, of justice, of fellow-feeling, of brotherhood, of amity and fraternity may flow in its pristine purity.

The hon. Education Minister while speaking on Friday last observed that it must be remembered that culture, cultural heritage, traditions and the eternal values which we all represent must also be fitted into the scheme of secularism. My hon. friend Shri Kapur Singh raised the point whether religion also should be fitted into the scheme of secularism. I can assure him, I want to make it abundantly clear that Shri Lal Bahadur Shastri, the hon. Prime Minister of India, can demand my allegiance today, and the allegiance of 50 to 60 millions of Muslims to the State, and call for any sacrifices; we are capable of, in defence of the country, for the integrity, for the solidarity, for the cohesion of the motherland, and for the maintenance of the sovereignty of India, regardless of consequences. But short of that, I am not prepared to sacrifice anything, my culture and cultural heritage. We are one of those people who have a culture of our own. Our forbears contributed so magnificently to art, architecture, music, painting, philosophy and polity of Hindustan. We held aloft the torch of civilisation and culture for centuries from the shores of the Atlantic eastward to the Indian Ocean, far beyond the Pacific. We want to maintain our traditions, the integrity of our culture, as individuality of our religion, our sacred and precious possession. We are not to be stampeded into any inconvenient position. So long as we are Muslims, we must have a religion

and a culture of our own. The Sikhs, the Christians and the Parsis also have their religion, culture and cultural traditions. I cannot for a single moment persuade myself to believe that there is anything wrong in this, anything wrong in this which you can call reactionary?

We are today having a new concept of secularism and neo-nationalism. My great leader Mr. Fazlul Huq used to observe that we could all become heroes without going to the battle-field. Nationalism postulates that you must face the storm, you must brave the dangers, you must pass through crises, through sufferings and miseries. You cannot talk of nationalism from a cosy and comfortable chair.

As regards secularism, the less said the better. I shall give you an example of the secular mind of my beloved friend Shri Chagla. In the year 1964, when the Muslims were passing through the darkest period of their lives, my hon. friend was on his way to New York. His secular mind suddenly discovered that Muslims were oppressing the Hindus in East Pakistan. We also discovered it, we had the courage to condemn in no uncertain terms the madness, frenzies and inhuman atrocities perpetrated on Hindus in East Pakistan. But what is sauce for the goose must be sauce for the gander as well. But his secular mind never discovered that atrocities were being perpetrated on the Muslims in India. When Rome was burning, Nero was fiddling. When Muslim India was burning, our beloved friend, Shri Chagla, was fiddling and dancing to the tune played by others because he has no tune of his own to play. I say this Ordinance is an encroachment on the fundamental rights of the Muslim minorities. I quote art. 28. My friend Shri Raghunath Singh has referred to that article. But he has, very conveniently omitted clause (2)

of that article. The article says in clause (1):

"No religious instruction shall be provided in any educational institution wholly maintained out of State funds".

Then there is (2):

"Nothing in clause (1) shall apply to an educational institution which is administered by State but has been established under any endowment or trust which requires that religious instruction shall be imparted in such institution".

This was laid down by the framers of the Constitution. They in their wisdom anticipated this development in this multi-national, multi-communal, multi-lingual, multi-religious State. They discussed it and considered it necessary to have some sort of provision like that; otherwise, in a democratic set-up, by sheer force of numbers—I do not mean the Hindus only; it may be the Christians, the Buddhists, any majority political linguistic, cultural or religious—by sheer weight of numbers, will swamp over board the majority.

I am not believer in the theory of quantitative determination of human destiny. I can never persuade myself to believe that that arithmetical calculation or mathematical computation will determine human culture, human civilisation, human tradition, human ideals, thoughts and aspirations. I submit that our culture, our tradition and our spiritual and moral progress shall not be determined by numbers.

Therefore, the framers of the Constitution must be congratulated for having made a salutary provision in article 30 of the Constitution:

"All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice".

And further:

"The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on religion or language".

Shri Frank Anthony just now observed that his community is managing 300 institutions. We are managing our own institutions. Our Sikh brethren have their own institutions. In Calcutta, even the members of the majority Community are managing Hindu schools and Colleges. There is the Sanskrit College there is the Vidyasagar College with no Muslim member on the governing body. Providence has placed you at the helm of affairs. I do not for a single moment grudge it. I have no hunger or appetite for power and position I have reached the evening of life. The shadows of the evening are fast closing in upon me. I wish you godspeed. Providence has placed you at the helm of affairs. I appeal to you for your advice and guidance

On a memorable occasion in 1964, on the eve of the sad demise of Pandit Jawaharlal Nehru, when Muslim India was passing through a crisis, I appealed to him to take courage in both hands, rise to the occasion and put his foot down upon the reactionary forces that were fast raising their head and go down to history like a faithful mariner who steered his ship, across the raging waves of discontent and despair to a safe and hospitable shores. In all humility, I appeal to the hon. Prime Minister, Shri Lal Bahadur Shastri, noted to his sanity of outlook sobriety of judgement, serenity of temperament to his sweet reasonableness, also to take courage in both hands and counteract this dangerous move to finish the Muslim institutions by means of a legislation.

[Shri Badrudduja]

"Kustegan-e
Khanjar-e
Taslimara
Har Zaman
Az Ghaeb Jam-e
Digar Ast".

Those who submit to God and suffer and bleed unto death for the cause of righteousness, truth and justice, for the unfortunate millions that knock about the streets, for the maintenance and preservation of their rights and privileges, never die, never perish; they live a newer life, a fresher life, a surer life, a nobler life, a higher life, a sublimer life in the life of the community and the nation, I would, therefore, appeal to him to emulate the example of that great son of Bengal, Deshbandhu Chitta Ranjan Das of revered memory. When he discussed the Hindu-Muslim question, he cared not if Hindus got more and Muslims less or Muslims more and Hindus less, when he discussed this question, he grew higher and higher till he rose to the full stature of manhood, and we in the meantime looked smaller and smaller till one sank behind that great personality.

With these few words I support the resolution and oppose the Bill moved by the hon. Minister.

Mr. Speaker: Will the hon. Members agree to sit up to 6 o'clock?

Hon. Members: No, no.

Mr. Speaker: I wanted to give another hour for this discussion.

Shrimati Renu Chakravartty: Tomorrow.

Shri D. C. Sharma: Tomorrow we will sit.

Mr. Speaker: Tomorrow I do not promise.

Shri Swell (Assam—Autonomous Districts): Some of us would also like to say something. I would request for another hour tomorrow.

Mr. Speaker: Tomorrow I will see, I cannot promise.

Shri Prakash Vir Shastri.

श्री प्रकाशवीर शास्त्री (बिजनौर) :
अध्यक्ष महोदय, विश्वविद्यालय बनारस का हो या अलीगढ़ का, कहीं अगर साम्प्रदायिकता और राष्ट्रीयता पनप रही हो तो उसे बिना किसी सोच विचार के साफ करना चाहिये। अलीगढ़ मुस्लिम विश्वविद्यालय के साथ चूँकि मुस्लिम शब्द लगा हुआ है इसलिये उस की बुराई बुराई है और बनारस हिन्दू विश्वविद्यालय के साथ चूँकि हिन्दू शब्द लगा हुआ है इस लिये उस की बुराई भलाई है इस बात में मैं भारतभर से विश्वास नहीं करता। बुराई कहीं हो, वह बुराई है। शिक्षण संस्थायें विद्या का मदिनर हैं और उन में जितनी पावित्रता होनी चाहिये वह बनारस में भी अर्पेक्षित है और अलीगढ़ में भी अर्पेक्षित है।

संविधान में अल्पसंख्यकों की सुरक्षा के लिये और उन की शिक्षण संस्थाओं में उन की शिक्षा की व्यवस्था की गई लेकिन जहाँ हमारे देश में अल्पसंख्यकों के लिये शिक्षा संबंधी या शिक्षा संस्थाओं सम्बन्धी संरक्षण अर्पेक्षित है वहाँ इस प्रकार के विद्यालय भी चलते हैं जैसे कि देवबन्द में अरबी मदर्स है और हैदराबाद में कुछ इन्स्टिट्यूशन्स हैं, उन में भारत सरकार किसी प्रकार का हस्तक्षेप नहीं कर सकती, लेकिन जो चार केन्द्रीय विश्वविद्यालय हैं अर्थात् अलीगढ़, बनारस, दिल्ली और आन्तनिकेतन, उन की स्थिति देवबन्द और हैदराबाद की तरह नहीं रखी जा सकती। चूँकि इन चारों संस्थाओं में देश के सभी टैक्स देने वालों का पैसा लगता है इस लिए उनके द्वार सब के लिये समान रूप से खुले रहने चाहिये। इस स्थिति में उन के सम्बन्ध में कोई विचार नहीं किया जा सकता।

शिक्षा मंत्री श्री चागला ने इस विधेयक के सम्बन्ध में अपने भाषण को प्रारम्भ करते हुए कहा कि अलीगढ़ मुस्लिम विश्वविद्यालय के मुसलिम कैरेक्टर को इस विधेयक के पास होने के बाद भी सुरक्षित रखा जायेगा अगर उन का अभिप्राय यह था कि इस्लामी संस्कृति की विश्व को क्या देन है, उस के ऊपर जो अनुसन्धान हो वह चलता रहना चाहिये, इस्लामी इतिहास की खोज के सम्बन्ध में वहाँ अधिक से अधिक सुविधायें देनी चाहियें, इस्लाम का भारत की जो सम्प्रदाय निरपेक्ष नीति है उस के साथ कैसे समन्वय हो सकता है, इस का नाम मुसलिम कैरेक्टर हैं और वह अलीगढ़ मुसलिम यूनिवर्सिटी में रहे तो किसी को कोई आपत्ति नहीं हो सकती। लेकिन अगर मुसलिम कैरेक्टर का यह अभिप्राय है कि अलीगढ़ विश्वविद्यालय प्रामाण्यता का

गढ़ बन जाये अलीगढ़ मुसलिम विश्वविद्यालय मजहब की छात्रों में भारत विरोधी योजनाओं को प्रश्रय देता रहे, अलीगढ़ मुसलिम विश्वविद्यालय में छात्रों का अधिकांश प्रतिशत मुसलमान छात्रों के लिये निर्धारित कर दिया जाये, अलीगढ़ मुसलिम विश्वविद्यालय कोर्ट और एग्जिक्यूटिव कौंसिल में धर्म के आधार पर सदस्यों की संख्या निर्धारित कर दी जाये, तो भारतीय संविधान के अन्तर्गत इसे कोई स्वीकार नहीं कर सकता।

Mr. Speaker: The hon. Member may continue his speech tomorrow.

17 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, September 2, 1965 Bhadra 11, 1887 (Saka).