

प्रध्यक्ष महोदय : इतने ज्यादा मेम्बर साहिबान क्यों खड़े हो रहे हैं ?

श्री रामेश्वरानन्द : प्रध्यक्ष महोदय मेरा . . . . .

प्रध्यक्ष महोदय : जब तक मैं बुलाऊं नहीं, मेम्बर खड़े तो हो सकते हैं लेकिन बोल नहीं सकते हैं। यह बहुत नावाजिब बात है जो माननीय सदस्य कर रहे हैं। आप यही तो कहना चाहते हैं कि आपका शाट नोसिट स्वेचन था। अगर आपको भाने की फुर्सत नहीं थी तो क्या हाउस बैठा रहता। मैं ने आपको बुलाया था, आप नहीं थे तो मैं क्या करता।

12.29] hrs.

BANARAS HINDU UNIVERSITY  
(AMENDMENT) BILL—Contd.

AS PASSED BY RAJYA SABHA

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shri M. C. Chagla on the 24th November, 1965, namely:—

"That the Bill further to amend the Banaras Hindu University Act, 1915, as passed by Rajya Sabha, be taken into consideration."

Shri P. R. Chakraverti to continue his speech.

Shri P. R. Chakraverti (Dhanbad): Sir, I was pleading yesterday for a realistic consideration of the issues that confront us. It is not a question of throwing a challenge here and then running after it. We have to know that young talents are not so discerning and calculating as we are. They are seized with a form of emotion and passion, unless the matter is made clear to them. I wanted to ask the Government to understand that factor instead of throwing a challenge.

My idea was to emphasise on this aspect that when a particular issue confronts the people at large and specially when young minds are surcharged with emotion, animated as well as agitated the Government has to take a realistic stand. There is a short distance between animation and agitation. Today there is an apprehension that this Bill has come before the Parliament and the other Bill with respect to the deletion of the word 'Muslim' or other denominations which smack of community, caste or any religions appellation may not come. That is an admitted fact. When we in India have formed a particular pattern of life, we cannot also have these religions denominations. It is well and good; I am whole hog with it. I want absolute elimination of all those insignia, bell, book and candle. In this context, unless we have that comprehensive Bill, covering both the Aligarh Muslim University and the Banaras Hindu University, this apprehension will create trouble and unrest. That is obvious. We are throwing a challenge that indiscipline will not be tolerated. We must have that genuine and healthy atmosphere created by a proper understanding. That is what we are called upon to do.

Mr. Dwivedy raised a point of order when I said, I am ready to support Mr. Kamath's proposal. But as you know, when you go with him, you are landed in a quagmire. I know it is a constitutional imbroglio. When I said I am prepared to support Mr. Kamath's proposal that we could review this thing by sitting together, immediately the constitutional question arose. If that is so, my proposal is definite: All denominations, all religious appellations must be deleted. No personal name should be attached to any institution. I would never allow Pandit Madan Mohan Malaviya's name to be reduced to an arithmetic figure—PM<sup>2</sup> KV<sup>2</sup>—Pandit Madan Mohan Malaviya Kashi Vishwa Vidyala. We cannot even pronounce this. It is impossible to pronounce it. If my name cannot be pronounced, how can this big name

[Shri P. R. Chakravarti.]

be pronounced? I am terribly opposed to this idea of associating the name of Pandit Malviyaji with this. As I said, he is one of the greatest nationalists. Some friends were telling me that he was a Hindu. It is a pity that he is so described. He is one of the greatest nationalists. I was a volunteer when he called upon us to face the bullet in this Delhi city. I accepted his command in 1932 and suffered incarceration. Undoubtedly he is a great nationalist. He is the embodiment of the culture and aspirations of India. I will not allow his name to be reduced to an arithmetic figure.

My practical solution, therefore, is this. Now that the people have got grave misapprehensions and there is a lack of understanding, it is quite in the fitness of things that the young minds are stirred to passion and emotion. They are surcharged with the feeling that here is something which stands in the way of their way of life. Immediately they come with a protest, we cannot throw this challenge and say that we are not going to tolerate their opinion. When I was the President of the Students' Union, I challenged the Prime Minister of Bengal, it was a fanatically communal minded Ministry headed by Nazimuddin. For that I lost my Ph.D. It was this challenge that created an atmosphere among the Muslim post-graduates. We cannot forget that aspect.

Now, these young men are not so calculating as we are. They are the embodiment of youth. Our youth has withered away. Their youth is in the offing. They are now in their prime of life. They must give expression to their feelings. When they protest, we, sitting within four walls, throw a challenge to them. Sir, I am terribly opposed to this. I give a warning that it will not end here. You must be reasonable, practical and realistic. You must see that there is a definite proposal. The Government must think judiciously and realistically and this Bill must be withdrawn at this stage.

Some hon. Members: No, no.

Shri Hari Vishnu Kamath (Hoshangabad): Sir, may I make a submission. Believing in the soundness of the motion that I moved yesterday, the old maxim "try, try, try again" and that patient perseverance is the *sine qua non* of parliamentary enterprise, I move that under Rule 109:

"Further debate on the Bill be adjourned."

Shri M. R. Masani (Rajkot): Sir, I rise to a point of order. Mr. Speaker, I think this motion is barred under the rules of this House. Yesterday, when the debate started, the hon. Member made the same motion and the House by an overwhelming majority rejected the motion and decided that the debate must be proceeded with. At that time, the hon. Minister made a very brave appeal to us to vote on the merits of this measure and not be influenced by what is happening outside. Now, Sir, I would like to know what is the new thing that has happened since we discussed this matter yesterday, why our four hours have been wasted and why now we are told, when we are at the fag end of this debate, that we should not further debate this matter?

Now, the rules take care of this situation. In order that the dignity of the House and its steadfastness of purpose may be preserved, there are two rules which say that this kind of motion should not be repeated.

The first rule is Rule 186(6) which says that in order that a motion may be admissible it shall satisfy the following condition, namely: "It shall not revive discussion on a matter which has been discussed in the same session." Yesterday, the House took a decision on a matter which was whether to proceed with the discussion or not. The House gave its decision in that matter and I submit that this repeated motion is, therefore, out of order.

There is another rule, Rule 338 which again deals with the same thing, the repetition of a motion. It says that "a motion shall not raise a question substantially identical with one on which the House has given a decision in the same session." Yesterday, there was a motion for adjournment. Today, again there is a motion for postponement of the debate. It is substantially the same motion. In fact, it is identical. More than substantially, it is hundred per cent the same motion.

Under what rule can this motion be admitted when there are two rules that come clearly in the way. Even Rule 109, on which the hon. Member relies, says that he can only move this motion with your consent. I appeal to you, Sir, first of all, to rule this motion out of order under the two rules that I have cited in this House. I think this House will lower itself if, after having very bravely decided to discuss this matter on merits yesterday, the whole House now runs away from its responsibilities because of what might be happening outside and because the hon. Members opposite do not want to displease somebody or other outside. I think the hon. Minister owes it to this House to oppose this motion. Yesterday he made a very brave statement which we were prepared to reciprocate. We appreciated that the Government were having a free vote on this. Let this House vote on this question of a name and be done with it once for all. Let us not have this issue pestering us from this session to the next session and poisoning the political life of the country simply because the majority do not have the courage to take a decision. I appeal for your ruling, Sir, to bar this motion.

**Shri Frank Anthony** (Nominated—Anglo-Indians): Under rule 109 I was myself going to move a motion for adjournment. It stands by itself. Any Member can move a motion which is not substantive, from time to time, subject to the consent of the Speaker. Rules 186 and 338 stand by them-

selves. Those procedures are related and there notice has to be given. Here, if considerations arise, from time to time you can move for adjournment. I submit with great respect that the debate has shown the intensity of feeling on both sides.

**Mr. Speaker:** It is a matter for the House to decide. So far as the point of order is concerned, I agree with Shri Frank Anthony. So far as rules 186 and 338 are concerned, there has not been any decision on any substantive motion. It has been only procedural. Suppose at this moment we decide that we do not adjourn the debate and after five hours' discussion we find that it must be adjourned to some other day, it can be done. A motion under rule 109 can be moved at any moment when the discussion is going on and it does not debar us from moving another motion in that respect. That is all what I have to say about the point of order. So far as the question itself is concerned, it is for the House to decide.

**Shri H. N. Mukerjee** (Calcutta Central): If I may be permitted to say so, would it be proper in the course of one discussion which has not been interrupted either by efflux of time or any other special consideration, to revive a motion which yesterday was put before the House and rejected? Could we have it again? Quite apart from whatever might be in your discretion, would it be proper? Because, this discussion has gone on uninterruptedly from yesterday, interrupted only by Question Hour and certain other items of to-day's agenda which are there on account of our rules. This has gone on without interruption. I could have understood it if the discussion was interrupted, certain other things intervened and Parliament in its wisdom decided to adjourn it over again. But we are having an uninterrupted discussion and, as Shri Masani has pointed out, it is something which surely goes to the root of the matter, because the Minister has made the position of the Government clear, and I take it that when the Government

[Shri H. N. Mukerjee.]

says something, it means it sincerely, at least to a certain limited extent.

**Shri M. R. Masani:** That is a hope!

**Shri H. N. Mukerjee:** He presumes to be a very courageous gentleman and he even upbraided me when I tried to criticise him by posing as a very generous and liberal-minded person who was leaving the matter for decision by a free vote in this House and he would not use the whip in order to get the Congress to vote one way or the other. The Minister, therefore, posed as a very liberal and generousminded parliamentarian and told us to behave accordingly. We took him at his word. We discussed this matter on merits. We know, at the same time, that this House is being sought to be blackmailed by certain communal elements in this country, on whose corns the Prime Minister dare not tread. Even the Prime Minister, who has got the whole of the treasury bench behind him, does not dare tread on the corns of some communal elements in this country..... (Interruptions). That is exactly what is happening.... (Interruptions).

**Shri Vasudevan Nair (Ambalazupuzha):** The Prime Minister is behind all this.

**Mr. Speaker:** Order order. So far as the propriety is concerned, that is for this House to decide. It may vote any way it likes. Members are free to vote whichever way they like when such a motion is moved, I have to put it to the vote of the House. A point of order was raised as to whether this motion can be raised at this moment or not. I had to decide that. Other things are left to the House. So, I will now put the motion to the vote of the House.

**Shri P. K. Deo (Kalahandi):** Before you put it to the vote, we would like to take part in the discussion on the merits of the motion. We want to oppose it.

**Mr. Speaker:** Perhaps the hon. Member does not remember, but when yesterday Shri Mukerjee wanted permission to speak on the motion I refused it. Now I will put the motion to the vote. The question is:

"That further debate on the Bill be adjourned".

*The Lok Sabha divided:*

**श्री प्रकाशवीर शास्त्री (बिजनौर) :**  
लेकिन साहब बता तो दिया जाय कि प्राइम मिनिस्टर साहब ने क्यों इस बिल को रखवाया और क्यों आज विद्वडा कर रहे हैं।

**अध्यक्ष महोदय :** मैं इस वकत कोई जवानी तो नहीं पूछ रहा हूँ। यह प्रश्न ही है कि किसी तरफ से प्रॉपोज किसी तरफ से नोड।

Order, order, I will call for the division again.

**Shri P. K. Deo:** Why?

**Mr. Speaker:** The machine has failed; what should I do? Now, I am calling for the Division again. The Members should be ready.

**Shri Hari Vishnu Kamath:** Is the machine ready now?

**Mr. Speaker:** I presume so; the light is there.

**Shrimati Renu Chakravarty (Barrackpore):** The machine was shocked at the behaviour of the Congress Party.

**Mr. Speaker:** The question is:

"That further debate on the Bill be adjourned".

*The Lok Sabha divided:*

## AYES

## Division No. 7]

Abdul Rashid, Bakshj  
 Abdul Wahid, Shri T.  
 Alagesan, Shri  
 Alva, Shri A. S.  
 Alva, Shri Joachim  
 Aney, Dr. M. S.  
 Anthony, Shri Frank  
 Azad, Shri Bhagwat Jha  
 Babunath Singh, Shri  
 Bade, Shri  
 Bal Krishna Singh, Shri  
 Barman, Shri P. C.  
 Barua, Shri Hem  
 Baswant, Shri  
 Bhagwati, Shri  
 Bhakt Darshan, Shri  
 Bhanu Prakash Singh, Shri  
 Brijeshwar Prasad, Shri  
 Brij Basi Lal, Shri  
 Chakraverti, Shri P. R.  
 Chandak, Shri  
 Chandrabhan Singh, Shri  
 Chaturvedi, Shri S. N.  
 Chaudhuri, Shrimati Kamala  
 Das, Shri B. K.  
 Deshmukh, Shri B. D.  
 Dhuleshwar Meena, Shri  
 Dighe, Shri  
 Dixit, Shri G. N.  
 Dorsi, Shri Kasinatha  
 Dwivedi, Shri M. L.  
 Ering, Shri D.  
 Ganapati Ram, Shri  
 Gupta, Shri Badabab  
 Gupta, Shri Kashi Ram  
 Hanumanthaiya, Shri  
 Harvani, Shri Anar  
 Hazarika, Shri J. N.  
 Jena, Shri  
 Joshi, Shri A. C.  
 Kachhavaia, Shri Hukam Chand  
 Kamath, Shri Hari Vishnu  
 Kamble, Shri  
 Kanakasabai, Shri  
 Karni Singhji, Shri  
 Kunder Lal, Shri

Kisan Veer, Shri  
 Kutoki, Shri Liladhar  
 Kripa Shankar, Shri  
 Kripalani, Shri J. R.  
 Krishnamachari, Shri T. T.  
 Lakhan Das, Shri  
 Lakshminanthamma, Shrimati  
 Lalit Sen, Shri  
 Laskar, Shri N. R.  
 Laxmi Bai, Shrimati  
 Mahadeva Prasad Dr.  
 Mahida, Shri Narendra Singh  
 Mali Mariyappa, Shri  
 Mansen, Shri  
 Masuriya Din, Shri  
 Mathur, Shri Harish Chandra  
 Mehrotra, Shri Braj Bihari  
 Mehta, Shri Jaahvant  
 Melkote, Dr.  
 Minmata, Shrimati  
 Morarka, Shri  
 Mukerjee, Shrimati Sharda  
 Munzri, Shri David  
 Murthy, Shri B. S.  
 Muthiah, Shri  
 Muzaffer Hussain, Shri  
 Naik, Shri Maheswar  
 Nanda, Shri  
 Navkar, Shri P. S.  
 Niranjan Lal, Shri  
 Oza, Shri  
 Pandey, Shri Vishwa Nath  
 Panna Lal, Shri  
 Parasbar, Shri  
 Patel, Shri N. N.  
 Patel, Shri Rajeshwar  
 Pratap Singh, Shri  
 Raghunath Singh, Shri  
 Raja, Shri C. R.  
 Rajdeo Singh, Shri  
 Ram Swarup, Shri  
 Rampure, Shri M.  
 Ramchekhar Prasad Singh, Shri  
 Ranajai Singh, Shri  
 Raoc, Shri

## NOES

Barkataki, Shrimati Renuka  
 Bhattacharya, Shri Dinen  
 Bheel, Shri P. H.  
 Buta Singh, Shri  
 Chakravarty, Shrimati Renu  
 Dandekar, Shri N.  
 Deo, Shri P. K.  
 Ghosh, Shri P. K.  
 Himmatnibji, Shri  
 Jagivan Ram, Shri

Jha, Shri Yogendra  
 Kakkar, Shri Gauri Shankar  
 Kapur Singh, Shri  
 Kelshing, Shri Risheng  
 Krishnapal Singh, Shri  
 Mahananda, Shri  
 Melaviya, Shri K. D.  
 Masani, Shri M. R.  
 Mohanty, Shri Gokulnanda  
 Mukerjee, Shri H. N.

## 12.51 hrs.

Rao, Shri Hanumanth  
 Rao, Shri Jaganatha  
 Rao, Shri Muthyal  
 Rattan Lal, Shri  
 Reddiar, Shri  
 Reddy, Shri Linga  
 Reddy, Shri R. Surender  
 Roy, Shri Bishwanath  
 Sadhu Ram, Shri  
 Saha, Dr. S. K.  
 Saigal, Shri A. S.  
 Samanta, Shri S. C.  
 Snatak, Shri Nardeo  
 Sarma, Shri A. T.  
 Satyabhama Devi, Shrimati  
 Sen, Shri P. G.  
 Sharma, Shri A. P.  
 Sharma, Shri K. C.  
 Shaahi Ranjan, Shri  
 Shastri, Shri Lal Bahadur  
 Shastri, Shri Ramanand  
 Sheo Narain, Shri  
 Shinde, Shri  
 Shree Narayan Das, Shri  
 Shyam Kumari Devi, Shrimati  
 Singh, Shri A. P.  
 Sinha, Shrimati Ramdulari  
 Sinha, Shri Satya Narayan  
 Sinhasan Singh, Shri  
 Soundaram Ramachandran, Shri  
 mati  
 Subramanyam, Shri T.  
 Sumat Prasad, Shri  
 Swamy, Shri Sivamurthi  
 Tahir, Shri Mohanmad  
 Tiwary, Shri D. N.  
 Tiwary, Shri K. N.  
 Tiwary, Shri R. S.  
 Uikey, Shri  
 Upadhyays, Shri Shiva Dutt  
 Valvi, Shri  
 Verma, Shri Balgovind  
 Vyas, Shri Radhela  
 Wank, Shri Balkrishna  
 Yadav, Shri N. P.  
 Yadav, Shri Ram Harsh  
 Yashpal Singh, Shri

Murmu, Shri Sarkar  
 Naik, Shri D. J.  
 Nair, Shri Vasudevan  
 Neamony, Shri  
 Pandey, Shri Sarjoo  
 Raghavan, Shri A. V.  
 Ram Singh, Shri  
 Ranga, Shri  
 Rao, Shri Ramapathi  
 Reddy, Shri Narain Ba.

Reddy, Shrimati Yashoda  
 Sen, Dr. Ranen  
 Sethiyan, Shri  
 Sharma, Shri D. C.  
 Shashank Manjari, Shrimati  
 Shastri, Shri Prakash Vir  
 Shikre, Shri

Shukla, Shri Vidya Charan  
 Sidheshwar Prasad, Shri  
 Singh, Shri D. N.  
 Singh, Shri S. T.  
 Singha, Shri Y. N.  
 Sonavane, Shri  
 Soy, Shri H. C.

Surya Prasad, Shri  
 Tan Singh, Shri  
 Utiya, Shri  
 Varma, Shri Ravindra  
 Viahram Prasad, Shri  
 Wadiwa, Shri  
 Warior, Shri

**Mr. Speaker:** The result of the Division is: Ayes—137; Noes—51.

*The motion was adopted.*

**Some hon. Member:** Shame; shame!

**Shri Sinhasan Singh (Gorakhpur):** On a point of order, Sir, Shri Raghunath Singh has brought a brick here—a real one.

**Mr. Speaker:** Though that is not usually done, but it might be interesting for the Members to just learn that I got a telephone from Dr. Lohia from Lucknow this morning and he said that every brick in that University bears these three letters, Kashi Vishwa Vidyalaya—crores of them—and then the Viceroy, when he laid the foundation also said the same thing and that stone also bears the same thing. (*Interruption*). I do not know whether it is correct or not.

**Shri Raghunath Singh (Varanasi):** I have brought the brick. It is written there, Kashi Hindu Vishwa-vidyalaya. If you want I can show you.

**Mr. Speaker:** No; we do not want it today.... (*Interruption*).

**Shri Hari Vishnu Kamath:** The brick can be dropped then. We can have the brick then when the further consideration of this Bill is taken up.

**Mr. Speaker:** That is for the Members.

12.53 hrs.

PATENTS BILL—contd.

**Mr. Speaker:** We shall now take up further consideration of the follow-

ing motion for reference of the Patents Bill to a Joint Committee:

"That the Bill to amend and consolidate the law relating to patents, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely: Shri S. V. Krishnamoorthy Rao; Seth Achal Singh; Shri Peter Alvares; Shri Ramachandra Vithal Bade; Shri Panna Lal Barupal; Shri Dinen Bhattacharya; Shri Bibhuti Mishra; Shri P. C. Borooah; Sardar Daljit Singh; Shri Basanta Kumar Das; Shri V. B. Gandhi; Shri H. K. V. Gowdh; Shri Kashi Ram Gupta; Shri Prabhu Dayal Himatsingka; Shri Madhav-rao Laxmanrao Jadhav; Shri Mathew Maniyanganadan; Shri M. R. Masani; Shri Braj Behari Mehrotra; Shri Bibudhendra Mishra; Shri Chhotubhai M. Patel; Shri Naval Prabhakar; Shri R. Ramanathan Chettiar; Shri Sham Lal Saraf; Shri A. T. Sarma; Dr. C. B. Singh; Dr. L. M. Singhvi; Shri P. Venkatasubhaiah; Shri K. K. Warior; Shri Balkrishna Wasnik, and Shri Ram Sewak Yadav and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the second week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations