

(i) the Private Members' Business on Friday, the 16th December, 1955 shall not be dispensed with,

(ii) the two and half hours thus lost from the total time of 54 hours allotted for the discussion of the States Re-organisation Commission's Report shall be made up by the House sitting for longer hours on certain days to be announced by the Speaker from time to time.

Hon. Members: Yes.

Mr. Speaker: The question is:

"That this House agrees with the Twenty-seventh Report of the Business Advisory Committee presented to the House on the 24th November, 1955, with the following modifications:

(i) that the Private Members' Business on Friday, the 16th December, 1955 shall not be dispensed with;

(ii) that the two and a half hours thus lost from the total time of 54 hours allotted for the discussion of the States Reorganisation Commission's Report shall be made up by the House sitting for longer hours on certain days to be announced by the Speaker from time to time".

The motion was adopted.

UNIVERSITY GRANTS COMMISSION BILL—contd.

Mr. Speaker: The House will now resume further clause by clause consideration of the University Grants Commission Bill. Out of 13 hours allotted for this Bill, about 10 hours already been availed of till yesterday in the general discussion and the clause by clause consideration of the Bill. A balance of about 3 hours now remains. As one hour has been agreed to for the third reading of the Bill, the clause by clause—consideration of the Bill will continue up to 2 p. m. today when the third reading will be taken up. At 2-30 p.m., the House will take up Private Members' Resolutions.

Shri T. S. A. Chettiar (Tiruppur): We are beginning at 12.15.

Mr. Speaker: Whatever it may be, we go up to 2-30.

Clause 6— *Terms and conditions of service of members*).

Mr. Speaker: Clause 6. As regards the amendments, I am calling the names of hon. Members who have tabled amendments to this. **Shri M. S. Gurupadaswamy:** absent. That is amendment No. 39. Amendment No. 8 **Shri Shree Narayan Das.**

Shri Shree Narayan Das (Darbhangha Central): I beg to move:

Page 3, line 9—

for "six years" substitute "four years".

Mr. Speaker: Amendment No. 40 is the same as amendment No. 8. It need not be called again. Amendment No. 41: **Shri V. P. Nayar.**

Shri V. P. Nayar (Chirayinkil):

I beg to move:

Page 3—

for lines 10 to 15 substitute:

"Provided that out of the members functioning in the Commission for the first time, as nearly as possible, one-third of the members shall retire as soon as may be on the expiry of the second year, in accordance with such procedure as may be prescribed by the regulations under this Act."

Mr. Speaker: Amendment No. 42: not moving. Amendment No. 9: **Shri Shree Narayan Das.**

Shri Shree Narayan Das: I beg to move:

Page 3, line 21—

add at the end:

"and a member so appointed shall hold office for the remaining period for which the member in whose place he is appointed would have held office."

Shri V. P. Nayar: I beg to move:
Page 3—

- (i) line 22—
for "chairman" substitute
"Secretary".
(ii) line 24—
for "Chairman" substitute
"Secretary".

Shri T. S. A. Chettiar: I beg to move:

Page 3, line 22—
after "shall be a" insert "whole-time and".

Mr. Speaker: Amendment No. 68 is the same as No. 10.

Shri Matthen (Thiruvellah): No. 30.

Mr. Speaker: So, the following amendments are there: 8, 41, 9, 43 and 10. These are the amendments.

Shri Matthen: My amendment.

Mr. Speaker: I am sorry, Hon. Members must be careful to see that they are present when their number comes in. I called the names of the hon. Members and I also called the numbers.

Shri Matthen: I was here.

Mr. Speaker: But when I called it.....

Shri Matthen: My name was not called.

Shri M. S. Gurupadaswamy (Mysore) rose—

Mr. Speaker: I called the name, I am quite sure about it, but in view of the fact that this is perhaps the first occasion I will say that I may permit them as a special case, but hereafter Members have to be careful to see that they remain present in the House. It is not as if they may come when they choose to come and say this amendment is there or that amendment is there. So, I am allowing both now. **Shri Gurupadaswamy's** amendment No. 39 and **Shri Matthen's**—what is the number?

Shri Matthen: 30, 33 and 38.

Mr. Speaker: What clause is he referring to? We are taking up clause 6.

Shri Matthen: Clause 5

Pandit Thakur Das Bhargava (Gurgaon): Amendment Nos. 30, 33 and 38 have been disposed of yesterday.

Shri M. S. Gurupadaswamy: I beg to move:

Page 3, line 9,—
for "six years" substitute "three years".

Mr. Speaker: These amendments are now before the House.

Shri Shree Narayan Das: My first amendment to clause 6 is No. 8 which reads as follows:

Page 3 line 9—
for "six years" substitute "four years".

Sub-clause (1) of clause 6 reads:

"Every member shall, unless he becomes disqualified for continuing as such under the rules that may be made under this Act, hold office for a period of six years."

[**MR. DEPUTY-SPEAKER** in the Chair]

The simple purpose of the amendment is that the term of office or the period should be four years instead of six years. I think six years is a very long time for a person to continue as a member of this Commission. I suggest that instead of six years this be made four years so that fresh talent may be given an opportunity to work on this Commission. Otherwise, the work may not proceed as it should.

Shri T. S. A. Chettiar: My amendment is a very simple one, and it says:

Page 3, line 22—
after "shall be a" insert "whole-time and".

The original clause was that a whole-time officer must be appointed, but it seems to me that somehow we have omitted the word "whole-time". Today the Bill says it must be only a salaried officer. In the British University Grants Commission there are more than one whole-time officers and if I remember aright, there are three or four. Perhaps the work in India does not warrant the appointment of many whole-time officers, but as the work progresses it may be necessary

for this Commission also to appoint more than one whole-time officer. But we think that at least the Chairman should be a whole-time salaried officer. I feel that it is absolutely essential for the good working of this Commission that at least the Chairman should be a full-time officer. The word "salaried" is there, but "whole-time" is not there. I wish to make it "a whole-time and salaried" officer. That is the amendment.

Shri M. S. Gurupadaswamy: My amendment is very simple and says that the period of membership in the Commission should not be six years, and instead should be only three years.

The simple reason why I have suggested this amendment is that if you give too long a period of membership in the Commission there is one danger, that it may be very difficult for the Government during that period to terminate the period of membership unless they become disqualified during that period. And once you appoint the Commission you have to keep quite, and whether they do their work well or not, you have to put up with it. There is no other alternative.

We know how the Union Public Service Commission and other Public Service Commissions are working. The period given to them is long enough, but they are statutory bodies. They are bodies constituted under the provisions of the Constitution and the period also is fixed. The age limit is fixed. But due to the long period given to the Public Service Commissions we have been faced with certain difficulties. One difficulty is that though certain members of the Public Service Commission are incompetent, or are proved incompetent during the course of work, the Government has no alternative to change the membership or the composition of the Commission. So, they have to wait till the whole period is over. So, I feel a shorter period will be better and it will be in conformity.....

Mr. Deputy-Speaker: Order, order. There are statutory bodies as the hon. Member observed—the Public Service Commission, other commissions, the

Election Commission, High Courts, the Supreme Court. Now, is it right for the hon. Member to say indirectly that some of them have proved incompetent and we are helpless?

Shri M. S. Gurupadaswamy: They are human.

Mr. Deputy-Speaker: It is not right. They can be impeached and sent out only in a particular manner. Therefore, to put forward such an argument as if it is admitted is not right. Is it open to the hon. Member to say that some of the Judges have been appointed and they have proved incompetent, we are unable to remove them?

Shri V. P. Nayar: Why not?

Mr. Deputy-Speaker: It is not right by way of analogy to bring in such an argument. So far as those high dignitaries are concerned, indirectly you cannot say: "This Judge has proved incompetent, remove him." It is not right. One can easily bring in the analogy of others and say that the Government is incompetent, everybody is incompetent, and therefore have one year or three years. Is this an occasion for just going into the conduct or the affairs of any particular statutory body, as if it is admitted and it has been proved, the guilt has been established and somebody has been dismissed or impeached. The other side can say: "No, no. It is wrong". Aspersions ought not to be cast. So far as statutory bodies are concerned, there is a particular way in which their administration could be brought before the House. They could be removed, punished for misconduct and so on. But indirectly it is not right to draw them here by way of analogy as if their guilt and incompetence is established. The hon. Member can say certainly that three years is better since six years is too long, but not quote some others as if it has been established.

Shri M. S. Gurupadaswamy: My point is not to cast any slur or aspersion against the Public Service Commission.

Mr. Deputy-Speaker: No, no. It is not right. Hon. Member has already

[Mr. Deputy-Speaker]

said that some of them have proved to be incompetent. Where have they proved to be incompetent?

Shri V. P. Nayar: He said only Public Service Commission. He did not refer to either the State Public Service Commission or the Union Public Service Commission.

Mr. Deputy-Speaker: Where is the Public Service Commission? In the air? In the United Kingdom?

Shri V. P. Nayar: There are so many.

Mr. Deputy-Speaker: If it is the Union Public Service Commission, there is a procedure. If it is that of a State we have no jurisdiction. In either case he is in the wrong.

Shri M. S. Gurupadaswamy: I do not want to pursue that matter. I thought that would be a case and justification for my argument.

Mr. Deputy-Speaker: Absolutely not.

Shri M. S. Gurupadaswamy: Because you took exception to it, I do not want to pursue this matter. My simple suggestion is that it would be better in the context of things that we fix a lower period, a short period for the Commission. The provision made in the Bill is six years which is too long a period, and I would appeal to the hon. Members of this House to consider this matter in a dispassionate spirit, and appeal to them again that my amendment may be accepted.

Shri V. P. Nayar: My amendment is amendment No. 41, wherein I have suggested that instead of the first batch of one-half of the members retiring at the end of the third year, one-third of the members may retire at the end of the second year. In substance that is what my amendment seeks to provide. But I want to say something as to why I have tabled this amendment.

As far as we are concerned, there is nothing in the Bill to guarantee that the proper persons will be selected for this Commission, because it is to consist of persons who will be nominated by Government on certain terms which have been kept very beautifully vague.

Shri T. N. Singh (Banaras Distt.—East): Vagueness is always beautiful.

Shri V. P. Nayar: We find that there are going to be three vice-chancellors nominated by Government. I do not want to refer to any institution or to any name; I do not want to refer also to any particular vice-chancellor of this university or that university. But from the records available with the Government of India it will be found that there are vice-chancellors, who, for instance, at the time when India was declaring her independence, had declared their independence and sought to take up arms against the Government, and had even gone to the extent of trying to send plenipotentiaries and ambassadors to foreign countries like France and Belgium. There happen to be some vice-chancellors like that. There also happen to be a few vice-chancellors, who, as I said yesterday when you were not present in the House, are having two wholetime jobs. For example, the vice-chancellor of a university may be taking up a full-time job elsewhere also. As I was pointing out yesterday, there are certain vice-chancellors in the Parliament also. You yourself would find very little time for any activity outside the Parliament, but there happen to be vice-chancellors who are Members of Parliament.

So, my amendment seeks to reduce at least the period of office of the retiring members. So long as we know that in this body,—however laudable the personal intentions of Dr. M. M. Das may be,—constituted as it is, the selection is going to be in some cases at least, of very wrong persons who ought not to find a place therein, and who ought to have been kicked out from everything connected with Government a long time ago. If the period at least is reduced from three to two years, we would be choosing a lesser evil. The evil is there anyway. I do not doubt it at all. But if, as I suggest, one-third of the members retire at the end of every second year, I for one believe that there will be a lesser impact of the evil which will necessarily come out of the wrong selection which is bound to be made by Government.

There is also one other small point in regard to this matter. In the proviso to sub-clause (1) of clause 6, we find the phrase:

".....in accordance with such procedure as may be prescribed.....".

The word 'prescribed' as defined in the definition clause means 'prescribed by rules made under this Act'. Here, I want to make a slight change. Instead of having the words 'rules made under this Act', Government may have the words 'regulations made under this Act'. And I hope Government could possibly have no serious objection to this.

I therefore commend my amendment for the acceptance of Government. I can assure them that they also will be benefited if one-third of the members retire at the end of the second year, for they can find out more suitable and more competent men and substitute them in their place. Especially, in view of the present context, when everything is in a nebulous state and there is no fixed thought about the future of education, I would suggest accepting the amendment. Let us try to choose the members only for a period of two years.

Shri D. C. Sharma (Hoshiarpur): I know that the speeches that we are making in regard to amending this Bill are going to be a cry in the wilderness. All the same, I would submit that the term of six years is too long, and will not conduce to the efficient working of this great body. As has already been suggested by some of my hon. friends, the term should be only four years. I cannot understand by what kind of arithmetic, by what kind of logic or by what kind of educational foresight, the term of six years has been arrived at. Even five years would have been a very good term. In this case, I think, four years would be enough, for if it is more than four years, then the Commission will become a body of vested interests, especially when there is no principle of election at work. That is my first suggestion.

My second suggestion is that it is not necessary that you should retire one-half of the members at the end of three years. I think you should take into account the fact that there are only nine members, of whom one is the Chairman. I would suggest that about one-third of the members should retire after the expiry of two years, assuming the term is four years.

Again, I would say that the Chairman of the Commission should be a whole-time man. I do not know if the hon. Parliamentary Secretary agreed to this suggestion yesterday.

The Parliamentary Secretary to the Minister of Education (Dr. M. M. Das): I have made it plain in my speech about this point.

Shri D. C. Sharma: My feeling is that if he has not agreed to it already, he should agree to it at least now, and see that the Chairman is a whole-time salaried man. I would also say that the terms and conditions of service of the Chairman and other members should be defined under the rules. I hope they will be defined under the rules, and they will be placed on the Table of the House.

My main point is that the term of six years is too long, and it would lead to the stereotyping of the methods and the approach of the Commission. That is something which we have to avoid.

Dr. M. M. Das: I am sorry I cannot accept amendment No. 8 of my hon. friend Shri Shree Narayan Das, which says that instead of six years, the term of office of the members will be four years. My hon. friend's argument is that new talents should be allowed to come in. But our concern is the continuity of experience in this matter. So, all the amendments, the purport of which is to lessen the period of office.....

Shri V. P. Nayar: If that is the point, then why not make it permanent and say that a member will be there until he dies? In that case, he could have more continuity.

Dr. M. M. Das: I am sorry I cannot agree to the suggestions of hon. Members in this regard, and therefore, I cannot accept those amendments.

So far as amendment No. 9 is concerned, we are going to accept it. As for this amendment, it seeks to make only a verbal change.

So far as amendment No. 10 tabled by Shri T. S. A. Chettiar is concerned, I have already stated in my speech that Government are accepting it.

Mr. Deputy-Speaker: What number?

Dr. M. M. Das: We accept amendments Nos. 9 and 10.

Mr. Deputy-Speaker: I will now put the amendments to the vote of the House.

The question is:

Page 3, line 9—

for "six years" substitute "four years".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3, line 21—

add at the end:

"and a member so appointed shall hold office for the remaining period for which the member in whose place he is appointed would have held office".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

Page 3, line 22—

after "shall be a" insert "whole-time and".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

Page 3, line 9—

for "six years" substitute:

"three years".

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 3—

for lines 10 to 15 substitute:

"Provided that out of the members functioning in the Commis-

sion for the first time, as nearly as possible, one-third of the members shall retire as soon as may be on the expiry of the second year, in accordance with such procedure as may be prescribed by the regulations under this Act".

The motion was negatived.

Mr. Deputy-Speaker: I shall now put clause 6, as amended, to the vote of the House.

Shri Meghnad Saha (Calcutta—North-West): I wish to speak on sub-clause (4) of clause 6.

Mr. Deputy-Speaker: We did not take up any particular sub-clause separately. I placed all the amendments to the sub-clauses and the clause before the House. Then the hon. Member might have taken an opportunity to speak. If only he had stood up then, I would have allowed him to speak. Hereafter, let this be the practice. Unless there is any sub-clause of a clause which is of such great importance and there are a number of amendments moved to it and therefore, it should be taken up separately, I will allow all the amendments to all the sub-clauses or the clause to be moved together and once for all put them to the vote of the House. This will speed up the discussion. Since Shri Meghnad Saha has not spoken already on this and wants to speak now, I have no objection to allowing him to speak.

Shri Ramachandra Reddi (Nellore): He wanted to speak on the entire clause with special reference to sub-clause (4).

Mr. Deputy-Speaker: He could have done that earlier. I did not want to prevent him from speaking. Anyway, I will allow him to participate now.

Shri Ramachandra Reddi: He was under the impression that after the amendments are disposed of, general discussion on the clause itself would start.

Mr. Deputy-Speaker: For the benefit of all Members, and lest there

be any misunderstanding about this matter, I propose following this procedure. With respect to the clauses, a clause will be taken up. All amendments to the clause,—except where an hon. Member says that a particular sub-clause is of such great importance and there are a number of amendments to it that it should be taken up first separately and disposed of, in which case I will take it up first and then go to the other sub-clauses,—will be moved together and disposed of together. I think that will give an opportunity for all to speak.

Shri Meghnad Saha: Sub-clause (4) says:

“The office of the Chairman shall be a salaried one and subject thereto, the terms and conditions of service of the Chairman and other members shall be such as may be prescribed”.

I consider that this sub-clause is very vague.

Mr. Deputy-Speaker: It was to this sub-clause that Shri T. S. A. Chettiar moved an amendment that the office of the Chairman should be whole-time.

Shri Meghnad Saha: I understand that the Government have accepted the suggestion that the office of the Chairman should be a whole-time one, and salaried one. Is that correct or not?

Mr. Deputy-Speaker: That was what he said.

Dr. M. M. Das: The office of the Chairman will be full-time. In my reply, I had indicated that Government were going to accept that amendment. Now, that amendment has been accepted.

Shri Meghnad Saha: I am glad the Government have accepted the suggestion that the Chairman should be a whole-time salaried officer and he should be the principal executive officer of the University Grants Commission.

Then there is a phrase “and other members shall be such as may be

prescribed”. We do not say what other members we require. I think it should be stated in the Bill what other members you require; and of what status they ought to be and what salaries should be given to them, that may be decided by the rules. But I think, as it stands, this clause is extremely vague. I suggest that in place of this you should have something more definite.

I am returning to a suggestion which I already made. The functions of the University Grants Commission are described in clause 12. If you read through that clause, you will find that it prescribes for the University Grants Commission a host of duties. And the Bill nowhere says how these duties are going to be carried out. You have to study the state of education in the Universities in different branches.

Mr. Deputy-Speaker: I think it is not relevant to this clause. We are not on clause 12 now.

Shri Meghnad Shah: I am referring to clause 12 in connection with my speech on sub-clause (4) of clause 6. Here in sub-clause (4) it is said: “other members that may be prescribed”. But what are the other members? Who shall prescribe? This is very vague. This does not give any direction to the rule-making body and, therefore, we should try to elucidate it.

Mr. Deputy-Speaker: Here the terms and conditions of service are to be prescribed. ‘Prescribed’ applies to terms and conditions of service.

Shri Meghnad Saha: By whom and in what way?

Mr. Deputy-Speaker: By rules under the Act.

Shri Meghnad Saha: In order to give some guidance in framing the rules, I have stood up. If you want the University Grants Commission really to do work, it will not only have to be an official body, but it will have to be a body which will have to study all aspects of education in this country—such aspects of education which are covered by university edu-

[Shri Meghnad Saha]

cation. it will be a body which will be continuously studying all aspects of education in this country. The University generally carries on higher teaching work in science, in arts, in humanities, in medicine etc.

Mr. Deputy-Speaker: That relates to functions of the Commission. The terms and conditions of services of whosoever is appointed is one and the functions and duties of the Commission is another. I understand the hon. Member to say that it ought not to be a merely co-ordinating or inspecting body but it should have, as he suggested, some other members who are qualified as scientists and so on. That is what he has in view. He wants to give effect to that by introducing suitable provisions in some clause of the Bill. But, this does not seem to be the appropriate place.

Shri T. S. A. Chettiar: If I may point out, there is no specific amendment to this clause, saying that there must be some other members who must be full-time servants. But the point of Dr. Saha is that considering the work of the Commission, some more members will have to be appointed full-time, and that he wants to do by sub-clause (4). It does not bar other full-time people being appointed. It only says that the Chairman should be full-time. It also says that the terms and conditions of service of the Chairman and other members shall be such as may be prescribed. They may be prescribed by rules. The rules may provide that some of the other members can also be full-time. He seeks to bring it to the notice of Government that when it comes to the matter of framing the rules they should say that when it is necessary some members may be appointed full-time. He wants that they should say that they would appoint some more members full-time in view of the work of the Commission under clause 12. That seems to be the idea of the distinguished Doctor and that requires consideration from the Government.

Shri Meghnad Saha: I think Mr. Chettiar has explained the point very finely and I have nothing to add to that except that I should say that it should state what should be the qualifications of these members.

Shri T. S. A. Chettiar: That will also come under the rules.

Pandit Thakur Das Bhargava: Yesterday, we discussed clause 5 and there was an amendment by Dr. Saha to that clause. But that clause was disposed of at the fag end of the day in the absence of Dr. Saha. As a matter of fact, the reply given by the hon. Minister was not quite satisfactory. He only stated that, as a matter of fact, the Government wanted to have only one whole-time man and wanted to pay him as they pleased. So far as payment and conditions and terms of service are concerned, they arise incidentally. If there are many whole-time paid people and experts as suggested by Dr. Saha, it is quite clear that they shall have to be paid on the same scale as the chief man because they will all be of equal rank and they will be doing executive work. Where the difference arises between those who think like Dr. Saha—for instance, myself—and the hon. Minister is this. We want that this should be an executive body and should consist of a Chairman and at least 4 experts and other people who will do executive work. They will roam about and find out what are the necessities in the country and then those persons will do something so far as higher education is concerned. Whereas the idea of Government seems to be that there will be one Chairman and 8 or 9 other people, 3 vice-chancellors and so on who will sit round a table like ordinary directors in a company and will not do any executive work. They will transact whatever business is placed before them by the office. There was one redeeming feature and that was the hon. Minister said yesterday that after getting some experience they will consider the suggestions of Dr. Saha. According to me and Dr. Saha no experience need be gained. If you mean

business then appoint such people who will do the work assigned to them under clause 12. The Government is not accepting that. What is the use in mincing matters? If you do not select the proper men, how will it serve the country if the conditions and terms of service are favourable to them capacity, authority, or otherwise. We want such people to be fully capable of delivering goods in whose hands the destinies of the country will be placed. As a matter of fact, they will be persons who will do much executive work. Government's idea of the Grants Commission is absolutely different from what Dr. Saha thinks and I think it is a question of principle. If Government mean business they should have more whole-time people, say 4 or 5 at least. When we discussed this yesterday in connection with clause 5, the suggestion was not accepted. Now, all that we can do is to cut out some of the matters mentioned in clause 12 and make the Commission a debating society and not an executive body which will do something good to the country. I do not know how to incorporate Dr. Saha's suggestions at this stage even if the hon. Minister agreed to do so. He will have to bring in some amendment and see that clause 5 is changed if he means business. We are not as much concerned with the terms and conditions of service as with the functions, as you have been pleased to remark. The Government's idea is that they will not behave in the manner in which Dr. Saha wants them to behave. Therefore, I would respectfully submit that, according to Dr. Saha and some Members of this House who think like him, the Government must change their entire outlook so far as the work is concerned. According to clause 12, these persons have been charged with a very high duty and unless that duty is done in a proper manner it is useless to have this Commission at all.

Shri Meghnad Saha: Pandit Thakur Das Bhargava has clearly stated the point. I would like to go further and say this. There is need for more engineers and technicians in this country.

The standard of the Universities in engineering and technology is very low. Engineering has so many branches today. Twenty-five years ago, there was no communications engineering, no radio engineering.....

Mr. Deputy-Speaker: Order, order. The hon. Member will kindly resume his seat. Now, with all respect, I think it is foreign to the scope of this particular clause or even sub-clause (4). With regard to the terms and conditions of service, there is no intention to say it shall be Rs. 3,000, Rs. 4,000 or Rs. 5,000 or how long they will work. So far as qualifications and functions are concerned, they are in clause 12. Some suggestion has been made. The Government feels that this would restrict the scope of the Commission. There are various items mentioned by Dr. Radha Kumud Mukerjee in his minute of dissent; the important things for which the amount should be distributed and so on. If that is to be undertaken they will think of adding some Professors and others. All that I can say is that whatever has to be said has been said on clause 5 and the House voted against it. When we come to clause 12, if functions are imposed on the Commission they will be obliged to appoint other members from among the categories of persons mentioned in clause 5. There will be enough opportunity for the hon. Member in discussing clause 12 and not now. There is no use pursuing the matter further.

Now, there is one amendment of **Shri V. P. Nayar**, which has not been put to the House.

The question is:

Page 3—

(i) line 22—

for "Chairman" substitute "Secretary".

(ii) line 24—

for "Chairman" substitute "Secretary."

The motion was negatived.

Mr. Deputy-Speaker: Now, the question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clauses 7 to 11 were added to the Bill.

Clause 12—(Functions of the Commission).

1 P.M.

Mr. Deputy-Speaker: What are the amendments to this clause? Is Government moving its amendment No. 69?

Shri T. S. A. Chettiar: Government amendment is No. 1.

Mr. Deputy-Speaker: Let me have a list of all those amendments which hon. Members want to move and then I will give opportunity for hon. Members to move them.

Shri Ramachandra Reddy: Regarding the admissibility of amendment No. 1, I have to raise a point of order.

Mr. Deputy-Speaker: I will come to it later.

Shri T. S. A. Chettiar: My amendment is No. 12.

Shri K. C. Sodhia (Sagar): My amendment is No. 3.

Shri Shree Narayan Das: I wish to move No. 13 in some amended form and also No. 70 and No. 11.

Shri B. K. Das (Contai): My amendment is No. 46. I have also another amendment No. 71, notice of which I have given today.

Mr. Deputy-Speaker: Is the Government accepting it? I am not willing to admit an amendment which is sprung up on this House like this unless the Mover of the Bill is willing to accept it. Then it is placed before the House under those exceptional circumstances. Once bitten twice shy. Last time I gave permission to Dr. Lanka Sundaram to move his amendment and I know what happened. Hereafter no permission will be given

by me whatever others may do. Does the hon. Minister accept Shri B. K. Das's amendment No. 71?

Dr. M. M. Das: Government is willing to accept amendment No. 71.

Shri V. P. Nayar: My amendment is No. 69.

Mr. Deputy-Speaker: The House will take up these amendments along with clause 12 and discussion will proceed on these amendments, on all the sub-clauses and on the clause as a whole. Ultimately the amendments will be put to the vote of the House. If any hon. Member wants any particular sub-clause to be put separately from the other sub-clauses, I have no objection, and in the end the clause as amended or not amended will be put to the House. That is the procedure.

Shri Shree Narayan Das: Would you please permit me to move my amendment No. 13 in some slightly different form?

Mr. Deputy-Speaker: When he is allowed to stand up and move his amendment, we will think of that.

Let amendment No. 1 be moved now.

Dr. M. M. Das: I beg to move:

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for lines 23 to 29, substitute:

"(b) allocate and disburse, out of the Fund of the Commission, grants to Universities established or incorporated by or under a Central Act for the maintenance and development of such Universities or for any other general or specified purpose;

(bb) allocate and disburse, out of the Fund of the Commission, such grants to other Universities as it may deem necessary for the development of such Universities or for any other general or specified purpose:

Provided that in making any grant to any such University,

the Commission shall give due consideration to the development of the University concerned, its financial needs, the standard attained by it and the national purposes which it may serve."

The provision is the same as it exists in the Bill. May I speak on this amendment, Sir?

Mr. Deputy-Speaker: What is the objection? A point of order is raised and so I am merely asking for a statement of facts.

Shri Ramachandra Reddi: A substantially identical amendment was brought forward before the Joint Committee and the Chairman of the Committee ruled it out as beyond the scope of the Bill itself. On page 25 of the Joint Committee Report, we find:

"A Government amendment proposing a new sub-clause (b) in substitution of the existing sub-clause was ruled out of order by the Chairman inasmuch as the same provided for grants to be made by the University Grants Commission for the maintenance of Universities established under a Central Act. The amendment was considered to be beyond the scope of the Bill."

The Bill in the preamble suggests only to make provision for the co-ordination and determination of standards in Universities. The same thing was followed by the Joint Committee also and the Committee repeated the same thing, namely, "to make provision for the co-ordination and determination of standards in Universities and for that purpose,....." But now Government wants to include the maintenance also under this Act—the maintenance of Universities that have been established or incorporated by or under a Central Act. The original Bill and the Bill as it emerged out of the Joint Committee were specific in their view that the amount of money that is already spent by the Central Government to

maintain some of those Universities that are centrally administered should not be covered by this Bill. Now maintenance grants are not being given or going to be given to any University and the Bill did not contemplate maintenance grants to be given to these four or five Universities that are administered by the Centre. So, this is a new idea and it should not be brought by way of an amendment into this Bill.

As regards the merits of the case, I will take it up later.

Mr. Deputy-Speaker: If I understand him correctly, what he says is that the centrally administered Universities established at Banaras, Delhi, Aligarh and Viswa Bharati do not come within the scope of the existing Bill. Is it so?

Shri Ramachandra Reddi: Yes, Sir.

Mr. Deputy-Speaker: Is it not for all the Universities established or incorporated by or under a Central Act or a Provincial Act? The definition of a University is.....

Shri Ramachandra Reddi: The question of co-ordination and determination of standards only is considered in this Bill, not the maintenance of any University. If the Universities administered by the Centre can be maintained, then I think the State Universities also may have to be maintained at the cost of the Central Government.

Mr. Deputy-Speaker: If it is mere co-ordination, where does money come in?

Shri Ramachandra Reddi: Money is given only for the purpose of co-ordination and determination of standards and not for the purpose of maintenance of any Universities.

Mr. Deputy-Speaker: What was the amendment that was ruled out?

Shri Ramachandra Reddi: The very same amendment.

Shri V. P. Nayar: The same amendment was brought by Government.

[Shri V. P. Nayar]

before the Joint Committee and was ruled out by the Chairman of the Committee there.

Mr. Deputy-Speaker: On the ground that it is beyond the scope of the Bill?

Shri Ramachandra Reddi: Yes, Sir. I would only refer you to page 25 of the Joint Committee Report, paragraph 3 of the minutes.

Dr. M. M. Das rose—

Mr. Deputy-Speaker: Why is the hon. Member in a hurry? Let me hear the hon. Member who is in possession of the House now. I am not going to come to a conclusion without hearing the hon. Member who is in charge of the Bill.

Shri Ramachandra Reddi: It is in paragraph 3 of the Minutes—page 25: "A Government amendment proposing a new sub-clause (b) in substitution of the existing sub-clause was ruled out of order by the Chairman inasmuch as the same provided for grants to be made by the University Grants Commission for the maintenance of universities established under Central Act. The amendment was considered to be beyond the scope of the Bill." The same amendment has been brought before the House now except for the omission of four words in the last paragraph of this amendment.

Dr. M. M. Das: Sir, may I speak a word?

Mr. Deputy-Speaker: Order, order. I will not allow the hon. Member to interrupt. What is this impatience? I am only asking the hon. Member to be somewhat patient; I will give him his chance.

Shri Ramachandra Reddi: If you want me to read that amendment, I shall do so. It is the same, word for word except for four words in the last line; almost an identical amendment is there.

Mr. Deputy-Speaker: What has the hon. Member to say?

Dr. M. M. Das: I wanted to draw your attention to the fact that the Chairman of the Committee has also opined this way. He says: "The Committee, however, feel that the matter should be left to be decided by the House." The hon. Member did not mention it.

Mr. Deputy-Speaker: Where is it?

Dr. M. M. Das: It is on page vi of the Joint Committee's report under the heading: 'Report of the Joint Committee'.

Mr. Deputy-Speaker: I am not able to locate it.

Dr. M. M. Das: It is on page vi—Roman characters.

Mr. Deputy-Speaker: Page vi, para 21, clause 22. But that is different.

Dr. M. M. Das: I am sorry, Sir. I have confused.

Mr. Deputy-Speaker: Therefore, we do not have any such opinion from the Chairman.

The Deputy Minister of Education (Dr. K. L. Shrivallabhi): May I explain the actual position with regard to this clause? This amendment was moved at the Joint Committee and the Chairman ruled it out of order. I argued with him and discussed the matter with him; he was good enough to allow this discussion in the Committee. But the Members were not willing to accept this amendment and therefore by sheer majority this was not accepted. Later on the Chairman gave permission that if the Government liked they could move an amendment in the House and therefore this amendment has been moved.

May I have our permission to explain the purpose of this amendment? It does not go beyond the scope of this Bill. The main purpose of this Bill is to make provision for the co-ordination and determination of standards in universities and for that purpose to establish a University Grants Commission. The functions of

the Commission have been described as to allocate and disburse, out of the fund of the Commission, grants to universities for any general or specified purpose. So, the grants may be given for the maintenance of universities; grants may be given for the promotion and development of universities. So, I do not think that the maintenance of the Central universities is beyond the scope of this Bill.

Mr. Deputy-Speaker: What is the need for this amendment?

Dr. K. L. Shrimali: Since a doubt was raised by some Members, I thought it necessary to clarify the whole position. It is with that purpose that this amendment has been brought forward.

Mr. Deputy-Speaker: Then why was an amendment tabled before the Joint Committee? Was a doubt raised before it?

Dr. K. L. Shrimali: Yes, Sir.

Shri T. S. A. Chettiar: On the point of order and on the matter of substance, I wish to say a few words. The point of order is that this Bill authorises the University Grants Commission to pay grants to universities for specified or general purposes. But the amendment which is sought to be moved wants to give grants for maintenance purposes also. The facts placed before the House by Shri Ramachandra Reddi are substantially true. It is true that this amendment was moved and it was also true that the Chairman ruled it out of order as being beyond the scope of the Bill. Today the point is whether the new idea that is being imported is beyond the scope of the Bill.

According to the clause as it stands, it does not provide for maintenance grants. It simply says: "to allocate and disburse out of the fund of the Commission grants to universities for any general or specified purpose". This amendment seeks to give an example of a particular or specific purpose and that is the maintenance grant. The point of view before the

Joint Committee was this. There are only four Central universities while all the rest are State universities. By means of this provision, it may be that the Government of India may make use of the funds of this Commission to give their support to the Central universities. We thought that it would be better, if it was possible, to separate these two things. Moneys can be given by the Government direct, taking into consideration other matters. But the Government's point of view has been that since the university grants are to be dealt with by this Commission this matter of maintenance grants also may be left to them. If I can read from the Statement of Objects and Reasons, it says:

"It is therefore proposed to establish a University Grants Commission as a corporate body which will inquire into the financial needs of Universities and allocate and disburse grants to Universities for any general or specified purpose."

'Maintenance grant' is a specified purpose. I do not think that it is beyond the scope of the Bill.

It appears to my mind that the objection that was raised was two-fold—on substance as well as on a point of order. If we go through the Statement of Objects and Reasons, I do not see there is any difficulty with regard to the scope of the Bill.

With regard to the merits of the case, whether maintenance grants should be included and whether they should be given separately by the Government of India to these Central universities, it is a different matter. But with regard to the point of order, I think that there is no substance. If any specified grant can be given under the Bill as envisaged now and also in the original Bill, I do not think there should be any objection to incorporate any specific purpose and this matter of maintenance grants is only a specified purpose. I do not think it is a matter which is beyond the scope of this Bill.

[Shri T. S. A. Chettiar]

With regard to the substance if it is not the time to talk about substance.

Shri K. C. Sodhia: "Specific purpose" does not mean "maintenance". "Specific purpose" means some work which is specified and not for a maintenance grant which is an ordinary thing.

Mr. Deputy-Speaker: Then, what is "general"? It is said here: "general or specific purpose". Will not the word "general" include maintenance?

Shri K. C. Sodhia: The word "general" includes maintenance also; but, all the universities require to have maintenance.

Mr. Deputy-Speaker: There are State universities and there are also Central Universities. The Commission is to regulate the moneys put into use by the Central Universities. If anybody is prepared to give some more funds, it may be taken. Therefore does not the term 'general purpose' include this?

Shri T. S. A. Chettiar: If I may clarify, "specific purpose" means; supposing a grant is given to the Madras Government.....

Mr. Deputy-Speaker: Scientific laboratories, engineering implements, opening an engineering college and so on.

Pandit Thakur Das Bhargava: Sir, you may kindly see clause 12 and then the point of order will be still more clear. If says:

"...all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching, examination and research in Universities, and for purpose of performing its functions under this Act, etc."

These are the general duties and what follow are only specific instances of duties and how they are to be performed. In the present amendment instead of the words "maintenance of standards" the words

are "maintenance and development of such universities". Maintenance of universities is quite different from maintenance of standards. Here the emphasis seems to be more so far as the Central universities are concerned whereas in clause 12 the maintenance of standards in all the universities is mentioned. These Central universities being those which are financed by the Government of India it is apprehended that most of the money will go to them for their maintenance and when that is exhausted then the balance money will be distributed for the general purpose of maintenance of standards etc. in other universities. According to the statement of Objects' and Reasons as well as clause 12 the idea was that all the universities were to be treated alike and what was to be encouraged was the maintenance of standards of teaching etc. in all the universities. If you allow this amendment to be made that means that the specific purpose of the University Grants Commission will be to start with the maintenance and development of these Central universities and, subsequently, whatever is left may be divided for other purposes. It is not a question of merely a point of order, it is a question of very great substance. They are really changing the very basis on which the University Grants Commission is being appointed. Therefore, I support the point of order and I beg of you kindly to disallow this amendment.

Shri V. P. Nayar: Sir, I support the point of order but on a different basis I am not going into the substance of the amendment. I raise an objection based on the rules of procedure. I find that in the general rules of procedure there is a particular provision which would make it impossible to accept this amendment or to take a decision apart from what was decided in the Joint Committee. For your information, Sir, I will read out the relevant portion. It is rule 326 sub-rule (3) which says:

"An amendment on a question shall not be inconsistent with the

previous decision on the same question."

Here it is a decision made by the Chairman of a Joint Committee. A Chairman who functions in a Joint Committee almost exercises powers which the Speaker would have exercised had he been present in the Joint Committee. It is very clearly stated here on page 25 of the Report of the Joint Committee, which was pointed out by my hon. friend Shri Ramachandra Reddi, that the Chairman disallowed the amendment. Therefore, this is a matter which has been decided by a Committee of the Parliament appointed by a motion of this House the Chairman of which is supposed to have exercised powers and functions similar to those of the Speaker if the Speaker was present.

Shri T. S. A. Chettiar: There is no *res judicata*. The Speaker can change the Chairman's ruling.

Shri V. P. Nayar: I know what is *res judicata*. Unfortunately there is a rule in the rules of procedure which says that an amendment on a question shall not be inconsistent with the previous decision on the same question.

An Hon. Member: It was decided by a different House.

Shri V. P. Nayar: There is no distinction between this House and a Committee. The House is not capable of discussing it in its entirety and therefore the House appoints a Committee.

Mr. Deputy-Speaker: Does it not say: "decision made in the same session"?

Shri V. P. Nayar: No mention is made like that.

Pandit Thakur Das Bhargava: Sir, a Select Committee consists of only 40 persons whereas the House consists of 500 Members and the Speaker is the supreme authority.

Shri V. P. Nayar: If the Chairman of a Joint Committee does not exercise the same powers and functions as

delegated by the Speaker then the argument has force. What is the position of the Speaker.....

Mr. Deputy-Speaker: Hon. Members on a point of order will kindly state the reasons for or against it. Elaborate discussions are not necessary unless I am unable to understand the arguments.

Shri V. P. Nayar: I did not think so. My only objection is that this amendment is inconsistent with the previous decision and therefore it is not admissible under the rules.

Shri Syamnandan Sahaya (Muzafarpur Central): I think the whole question boils down to this, as to whether maintenance would be covered by the term "general purpose". Sub-clause (b) of clause 12 says:

"allocate and disburse, out of the Fund of the Commission, grants to Universities for any general or specified purpose".

Technically speaking the whole question boils down to this, whether maintenance of a university will be covered by the words "general purpose" or not. If it is covered then there can be no technical objection. The amendment could be ruled out on other grounds saying that it is not right, it is not proper or it is not feasible. You can even say that these universities will get most of the money and so on. But the question as to whether the whole amendment should be ruled out as not being within the scope of the Bill should and could be decided only on these two words "general purpose". My own feeling is: "general purpose" is a wide term and does cover maintenance of universities also. That is one point.

Pandit Thakur Das Bhargava: It is only maintenance of specified universities and not general maintenance.

Shri Syamnandan Sahaya: It is said: "for any general or specific purpose". The term "general purpose" will include everything. First of all

[Shri Syamnandan Sahaya]

the question is whether you agree to maintenance and secondly the question is whether you are to name the universities and say that their general maintenance will be covered. That is a different point. There cannot be any question of point of order on that. You can only say that in your speech to show that the amendment is wrong and it should not be accepted. You can argue as to why these universities should get prior consideration but you cannot rule out an amendment on that ground. That is my contention.

My second contention is whether it would be proper to rule out maintenance entirely. All the time that we have been discussing this Bill in this House, both when the Bill was introduced and for the last two days, great stress has been laid by all Members from all sections of this House that the less the interference or the power of the Central Government the better. In fact the charge has been that the University Grants Commission, as now likely to be formed under the recommendations of the Joint Committee, must also be quite above the interference by the Central Government. This is what we have been arguing all through at the time of sending the Bill to a Joint Committee and also during the debate on the Report of the Joint Committee. Now, if we say: "No, so far as these universities are concerned let the Central Government have the power of interference by making maintenance grant directly and let other universities be kept out of it". I submit it will not be proper. Once you accept a principle that there should be no interference from the Central Government let not the normal theory "He who pays for the piper calls for the tune" be applied in the case of universities even though they may receive grants. Then, my own opinion is that it will not be consistent—to put it very mildly—to say that these three or four universities should not be covered by this general principle. So far as they are concerned, let the

Central Government's interference be there," but let not their maintenance be taken over by the Universities Grants Commission. That is the second point which I submit.

The last point which I desire to submit in this connection is that considering the trend of conditions, mostly financial, in this country, and if we are willing to take a little long-range view of things, with our socialistic pattern, it would be exceedingly difficult for universities, even within the next two or three years, to secure much of the help which they are now receiving from the propertied classes, if I may venture to use that term here. The universities will have to depend on them more and more, I say that even for the purposes of maintenance they must depend upon the public exchequer. That being so, even from the point of view of what ought to be in the larger interests of the universities, themselves, it would not be wise for this House to lay down that the functions of the University Grants Commission and its power to disburse funds should be limited to this, namely, that they shall not make any maintenance allowance. So, from these three considerations—the consideration as to whether it is technically correct, the consideration that we should leave these three or four Central Universities at the mercy of the Central Government and last but not the least, the consideration that maintenance grants also should be within the functions and powers of the University Grants Commission, and also considering what is likely to happen in the future and in the light of the expanding and progressively increasing needs of the universities, I think it would be desirable not only to allow this amendment to be moved but to give it a careful and sympathetic consideration.

Pandit Thakur Das Bhargava: I think you would allow us to speak on the merits. Only the constitutional issue is being considered now.

Mr. Deputy-Speaker: So far as it is right or wrong—in the sense that it is desirable or not—it is not for me to decide. To allow this or not is not within my jurisdiction. The only point is whether it is beyond the scope of the Bill, and if it is so, what is to be done. This is the simple point. The hon. Member who was just now speaking wanted to reinforce the argument for saying that it is within the scope of the Bill. He need not have made an elaborate argument. The simple point is, whether it is within the scope of the Bill or not. Of course, assuming that the powers are enlarged, it has to be considered whether they are so bad or inconsistent that it will become a new Bill that may have to be introduced within two or three years. It may also arise for consideration. There may be some ancillary or auxiliary or consequential points arising, but if those considerations are to be borne upon this, that is another matter.

Shri H. N. Mukerjee (Calcutta North-East): If you permit me to say, my submission will be that this amendment is definitely beyond the scope of the Bill and I support the point of order that has been raised. I intervene because I happened to be present at meetings of the Joint Committee, when after the Chairman had ruled a very similar amendment out of order, after some discussion, Government tried to reopen it and the Joint Committee, by a very large majority, refused permission for that matter to be reopened, because, to the Members of the Joint Committee, the question, was very plain. I need not take the time of the House because it has already been pointed out that we are going to have this Bill for certain very definite and specific purposes. As far as the central universities are concerned, their maintenance is a headache of Government in terms of certain statutory provisions which are already there. I do not see why in a roundabout fashion the question of expenses in regard to the maintenance of central universities, which is the responsibility of the Government to maintain, is being

brought in. The object of this legislation is, very obviously, to see that there is co-ordination and determination of standards in universities and for that purpose, Government is supposed to be generously allocating certain funds for certain very specified purposes—for laboratories, for equipment, for libraries, for hostels, for play-grounds and for Heaven knows what other educational amenities. Therefore, this way of introducing the question of the central universities appears to me to be extremely improper and particularly in view of the decision of the Joint Committee, the way in which Government has come forward somewhat surreptitiously appears to me to suggest also that something is wrong as far as this particular amendment is concerned. I feel, therefore, that in view of the very specific formulation of the purposes of this Bill and in view of what has happened in the Joint Committee, this amendment should be ruled out of order by the Chair.

Shri Altekar (North Satara) rose—

Mr. Deputy-Speaker: How many Members am I going to hear on this point of order?

Shri T. S. A. Chettiar: It is a simple matter.

Shri Altekar: I rose once.

Mr. Deputy-Speaker: As soon as a point is raised, I note down all those hon. Members who want to speak. Of course, as discussion goes on, some doubts and differences arise to everyone.

Shri Altekar: I only want to speak on the amendment and not on the point of order.

Mr. Deputy-Speaker: Then, he will have the opportunity to speak later.

Shri Mulchand Dube (Farrukhabad Distt.—North): I may draw your attention to line 3 of clause 12. In that line, the word "promotion" occurs. The clause says:

"It shall be the general duty of the Commission to take, in consultation with the Universities or

[Shri Mulchand Dube]

other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education,” etc.

If the word “promotion” is there, I suppose it will include maintenance.

Mr. Deputy-Speaker: Amendment No. 1 stands in the name of Government. The point that has been raised is that it is beyond the scope of the Bill in that the Bill is intended to establish a Commission for the purpose of allocation and distribution of funds for the purpose of bringing about a uniform standard or co-ordinating the efforts of the universities, and that this amendment relates to the day-to-day maintenance of the centrally administered universities. It was said in support of the point of order that this amendment ought not to have been allowed and it should be ruled out of order and that while this Bill was before the Joint Committee the same amendment was brought in to clause 12. It was sought to be introduced by the Government, and an objection was taken, and the Chairman ruled it out as it being beyond the scope of the Bill, as would appear from the printed copy of the report of the Joint Committee at page 25. It has also been stated that the Chairman of the Joint Committee is clothed with all the powers of the Chairman or the Speaker presiding over the deliberations of this Parliament in respect of the matter that comes up for discussion, and that the ruling of the Chairman of the Joint Committee is binding upon this House.

It was also stated that a decision taken at one stage—and that relates to an amendment and no such decision is conclusive—regarding the admissibility of an amendment is not open to revision at another stage.

So far as these two objections are concerned, I do not agree that the Chairman of a Joint Committee can block out his ruling on admitting or non-admitting an amendment, and I do not think he can prevent this House to go into this matter. It is

open to the House to come to a different conclusion, and even if that matter has been gone into by the Joint Committee, it is open to this House to send it back to the Joint Committee if it involves a consideration of facts and figures and various other considerations which could not be easily brought before this House. If the House thinks it advisable to refer the matter back to the Joint Committee, it will do so. The decision of the Chairman of the Joint Committee or even the decision of the Joint Committee as a whole is not binding on this House. Of course, the House proceeds with the proposals of the Joint Committee as the basis and then it comes to a conclusion of its own. Thus, whatever powers the Joint Committee may have, even if the Deputy-Speaker happens to be the Chairman of that Committee and if he gives a ruling there, sitting here it is open to him to say that that ruling is not binding on the House. Therefore, so far as that objection is concerned, that is a matter which can be taken into consideration, here, not for the purpose of blocking further proceedings in this House, but if the House as a whole takes a different view. I come to the other point, namely, whether a decision given at one stage ought not to be interfered with and is binding at another stage. If this House rejects one amendment, the hon. Member cannot bring in an amendment of the same kind in another clause of this Bill. That is what it relates to and nothing more than that. So far as these objections are concerned, I do not think there is any force and these cannot stand in the way of this amendment being allowed. But independently, this House can go into this question as to whether this is within the scope of the Bill or not. We have to bring to bear our own independent judgment. I have got some doubts. This is, in my opinion, an absolutely a different matter that is sought to be introduced by this amendment. If hon. Members will kindly refer to the Seventh Schedule of the Constitution, they will find that there are two

different entries under which power is given to the Central Government. Entry No. 63 says:

"The institutions known at the commencement of this Constitution as the Benares Hindu University, the Aligarh Muslim University and the Delhi University, and any other institution declared by Parliament by law to be an institution of national importance."

That is, the day to day maintenance of these institutions entirely depends on the Central Government, just as the State Universities are directly managed through the Syndicate, Vice-Chancellors etc. Whatever powers are exercised by the State Governments over the State Universities, similar powers are exercised by the Central Government over their Universities. This is about day to day maintenance. So far as co-ordination is concerned,—this Bill refers to co-ordination—the Central Government has jurisdiction over the State Universities also. Otherwise, this Central Government, whatever may be its importance in the Parliament, has no jurisdiction over the State Universities. It is only by virtue of entry 66 in the Seventh Schedule which says:

"Co-ordination and determination of standards in institutions for higher education or research and scientific and technical institutions."

Word for word this has been copied in the Preamble to this Bill. Therefore, the object of this Bill is co-ordination. The State Government continues to control the day to day management of the State Universities, but if for want of funds or for want of adequate personnel the standard is low, then the University Grants Commission wants to bring it to a uniform level. For this purpose of co-ordination, extraordinary power is given to the Central Government. Under entry 63, a normal, ordinary power is sought to be exercised by the Central Government with respect to its uni-

versities, just as the State Government exercises powers in relation to its universities. It is their institutions and they are bound to manage and look after the day to day administration. But this is an extraordinary power for the purpose of co-ordination. As far as this fund is concerned, not only the Central Government but any other person can contribute to it also; if I am wrong I may be corrected, but I think even the State Governments can contribute to it.

Dr. M. M. Das: Yes.

Mr. Deputy-Speaker: Therefore, whereas the Central Universities are the responsibility of the Centre, this fund is pooled from all sources for the purpose of bringing about co-ordination amongst all universities. Therefore, it is absolutely a different purpose for which some special agency is created. The various State Universities with their autonomies are prepared to submit themselves in the hands of this Commission for receiving some money. The Commission is given power also to check and impose a penalty by withholding whatever grant may be given. The two are absolutely different purposes. This will lead to some other consequences also. When the universities are being brought under the Commission, their autonomy will be destroyed. That is another matter. So far as co-ordination is concerned, the Universities have to suffer and lose whatever autonomy is destroyed, if they want money from the Commission. There is another thing. The Parliament has direct control through the Ministry over these universities. Is it contemplated in this that Parliament should hand over this also to the hands of the Commission? Are these people competent to go into the day to day management? This seems to be absolutely different from the other. The Education Ministry or the sponsors of this Bill want to create an indirect corporation for the purpose of managing the three institutions. This is not the object of this co-ordination. I wonder why this has been brought by way of management.

[Mr. Deputy-Speaker]

I feel that in all these matters, the Chairman never takes the responsibility of ruling out an amendment, but leaves it to the House with whatever opinions he has.

One other point has been raised, namely, that this can be brought under the term "general purpose". Clause 12(b) says:

"(b) allocate and disburse, out of the Fund of the Commission, grants to Universities for any general or specified purpose," etc.

"General purpose" must be read in accordance with the Preamble that is given here. Therefore, "general purpose" does not stand all alone; it is general purpose consistent with the purposes that are set out in the Preamble. Clause 12 says:

"It shall be the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and co-ordination of University education and for the determination and maintenance of standards of teaching....." etc.

The word "promotion" ought not to be taken away from the context; the words "promotion and co-ordination" and "determination and maintenance" go together. For the purpose of co-ordination, promotion may be necessary and for the purpose of promotion, co-ordination may be necessary. It is not for the purpose of starting and maintaining the show itself. If it is already there, embellish it, make it grow further. For the determination and maintenance of standards of teaching; determination of teaching; in a mathematical proposition, if it is A plus B x C, it is AB plus AC. Therefore, determination and maintenance of standards means determination of standards and maintenance of standards. Then, "examination and research in Universities, and for the purpose of performing its functions under this Act, the Commission may...." Therefore, this is

ejusdem generis. General purposes must be consonant with the purposes laid down in the earlier portion of clause 12. These are all the points which are apparent and which seem to go to the root of the matter. However, it is for the House to decide. I will allow these amendments to be moved. Then,.....

Shri Kamath (Hoshangabad): What about the point of order?

Mr. Deputy-Speaker: So far as the point of order is concerned, I do not accept the point of order. We are not bound by a ruling of the other House. That was the point of order raised. I rule out the point of order. As a matter of first impression brought before the House whether I ought to allow or ought not to allow, I have made my remarks. I do not take the responsibility. I leave it to the House to decide and to the Government to decide.

Shri T. N. Singh: Does it mean that just before we proceed with the discussion, the House should decide whether it is within the scope of the Bill or not? What is left to the decision of the House?

Mr. Deputy-Speaker: No, no. What will happen is, the House can debate. Every hon. Member will have an opportunity to speak on the amendments, clauses and sub-clauses and they have their say. Ultimately, in the matter of voting, it is open to hon. Members to say, it is useless and it ought not to be allowed. In voting, they may vote against.

Shri T. N. Singh: We individual Members do not know what is the mind of the House. We may be wasting the time of the House in discussion. Is it not proper to know the mind of the House?

Mr. Deputy-Speaker: No. The principle is very wrong. I would say 'yes' if the House wants to say 'No'; I would say 'No' if the House says 'Yes'. It is a curious way. Hon. Members are expected with to come

to their independent judgment on matters that arise, and try to persuade the whole House to their point of view. All the 499 Members may be against the hon. Member. The hon. Member has got persuasive eloquence. Even though he may be in a minority, he may be able to persuade the entire opposition. It is rather a curious thing.

Shri T. N. Singh: If we are to speak one after another and then it is decided that it is not within the scope and therefore the House should not consider, we need not go into the merits. Where will it lead us to?

Mr. Deputy-Speaker: No, no. I will put it to the House and we will know where we are.

Dr. K. L. Shrimali: May I be permitted to explain the point of view of the Government?

Mr. Deputy-Speaker: Let him speak on the Government amendment. All these amendments are before the House. Amendment Nos. 1, 3, 11, 12, 13, 44, 46, 69, 70 and 71. Amendment No. 71 is a new amendment. The clause, the sub-clauses and the amendments are before the House. Hon. Members may speak on all. They will not have another chance.

Shri Shree Narayan Das: Allow us to speak on our amendments.

Mr. Deputy-Speaker: First, I am allowing the hon. Deputy-Minister to speak on the Government amendment.

Shri Jhunjhunwala (Bhagalpur Central): We have not got amendment No. 71.

Mr. Deputy-Speaker: Shri B. K. Das will read his amendment because a copy of it has not been circulated.

Shri B. K. Das: My amendment reads thus:

Page 5, lines 7 and 8—

omit "if such information is asked for".

I shall explain it later.

Shri T. S. A. Chettiar: It is a formal amendment.

Mr. Deputy-Speaker: So all these amendments may be moved.

Shri K. C. Sodhja: I beg to move:

Page 4, line 31—

after "University education" insert "and finances"

Shri Shree Narayan Das: I beg to move:

Page 4, line 24—

add at the end:

"including the institution of free studentship, stipends, scholarships and fellowships to be awarded by them to deserving students;"

Shri T. S. A. Chettiar: I beg to move:

Page 4, lines 27 and 28—

after "the standard attained by it" insert:

"the measures undertaken by it for encouraging the development of any of the languages specified in the Eighth Schedule to the Constitution".

Shri Shree Narayan Das: I beg to move:

Page 5—

after line 4, add new sub-clause:

"advise the Central Government in regard to instituting or awarding any scholarship, fellowship or stipend, ad hoc or permanent, either for study in a foreign country or in India, which shall be referred to it by the Central Government."

Shri M. S. Gurupadaswamy: I beg to move:

Page 4, lines 15 to 21—

omit all the words after the word "to".

Shri B. K. Das: I beg to move:

Page 4, line 39—

after "if such advice is asked for"
insert "or otherwise".

Shri K. K. Basu: I beg to move:

Page 4, line 19—

after "Universities" insert " and for the promotion and expansion of sports and physical culture among of the students and staff of the Universities".

Shri Shree Narayan Das: I beg to move:

Page 4, after line 41, insert:

"(ee) recommend to the President of the Indian Union for granting charters, provisional or permanent, for the establishment of a new University or for conversion of any affiliated or independent institution into a provisional or permanent recognised University:

(eee) suggest, advise or recommend to the Central Government or any State Government for the establishment of institutions or rural Universities for the promotion of higher and advanced study in rural areas."

Shri B. K. Das: I beg to move:

Page 5, lines 7 and 8—

omit "if such information is asked for".

Mr. Deputy-Speaker: All these amendments and the one moved earlier by Dr. M. M. Das are now before the House.

Dr. K. L. Shrivastava: With all respect to the Members who have spoken on the subject, I would like to place the point of view of the Government. I would request them to give it due consideration.

I would like to remind the House about the history of the University Grants Committee. The University Grants Committee was established to

look after the Central Universities. Government have always felt, as far as the Universities are concerned, that it would be much better if there is an independent body, like a Grants Commission to look after the Universities so that their academic freedom may be maintained and there may not be day-to-day interference in their administration. The Central Government has direct responsibility for four Central Universities. The Universities Grants Committee, in the beginning, was looking after only the Central Universities. Later on, it was found that the functions of the and scope of the Universities Grants Committee should be expanded. That was quite right, because the Central Government have responsibility not only for the Central Universities, but some for the other Universities also. It was to discharge that duty that this whole Bill has been brought forward.

As far as the Central Universities are concerned, the Central Government have a responsibility and they cannot shirk it. Funds will be placed at the disposal of the Commission for the maintenance of the Universities. Suppose this amendment is ruled out of order or we do not accept, what would be the result? There will be two agencies, as far as the Central Universities are concerned. There will be the University Grants Commission which would look after the development of the State Universities as well as the Central Universities and there will be the Ministry of Education dealing with the maintenance of Central Universities.

[PANDIT THAKUR DAS BHARGAVA *in the Chair*]

It will not serve the interests of the Universities as a whole not to accept this amendment. It would be most unfortunate if there are two agencies dealing with the Central Universities. In any case we should not think that the Government have unlimited funds. If the University Grants Commission does not look after the maintenance of the Central Universities, naturally, funds meant for that purpose cannot be placed at

the disposal of the University Grants Commission. All that we can insist on is that funds meant for the maintenance of the Universities may be specified. But, I think it will be a very healthy convention if the University Grants Commission looks after the maintenance as well as the development of the Universities as far as the Central Universities are concerned and the development of the other Universities all over India.

This point was discussed at the Joint Committee and I tried to place this point of view before the Members. Unfortunately, there is a good deal of distrust and suspicion. It is with a view to remove all suspicion and distrust that I accepted all the amendments which were made in the Joint Committee. I think it is very important that the University Grants Commission should make a firm start that there is no rivalry between the Government and the University Grants Commission. There should really be a partnership. When there is a full partnership between the University Grants Commission and the Government, then only, University education will be promoted. I would therefore request hon. Members to remove all kinds of fears and apprehensions from their minds. The purpose of the Government clearly is to develop the Universities. If we do not place funds at the disposal of the University Grants Commission for the maintenance of the Central Universities, naturally, these funds will be taken away from the University Grants Commission. Is it not in the interests of the Universities that at least as regards the Central Universities, maintenance as well as development of the Universities should be looked after by an independent body? Government are only giving away or delegating certain powers to an independent body. I would request hon. Members not to have fears or suspicions in their minds as regards this amendment. It is only with a view to establishing healthy conventions and democratic traditions in our country that we are moving this amendment. I hope in course of time in the States

also they will delegate their powers to the University Grants Commission so that direct control by the State is taken away from the universities. It is only in that atmosphere of freedom, that the universities will have a healthy growth.

2. P.M.

Shri T. S. A. Chettiar *rose—*

Mr. Chairman: Before we proceed further, may I just submit one thing for the consideration of the House? The time at our disposal is very short. We have already taken nine or ten hours so far as the consideration stage is concerned, and four hours were to be devoted to this stage out of which some time was taken away yesterday by the hon. Minister's speech. We are now only on clause 12. There are other important clauses also. So, I would request every Member to be very brief so as to enable the House to finish this stage of the Bill by 2.30.

Shri T. S. A. Chettiar: With regard to the merits of the amendment that has been moved by Government, it is true that there is a general suspicion, because a lump sum is allotted to the University Grants Commission. If it so happens that a large part of the lump sum goes for maintenance also, the other universities will suffer. That is really the suspicion under which the Joint Committee did labour, and that was the main reason why they did not vote for that amendment. It is for the Government and the University Grants Commission to remove that suspicion by action, and when they do allot, I would request them to allot in two categories, namely maintenance and development, so that the other universities will feel that they are getting a proper deal.

Let me go to the amendment which stands in my name. I consider it a very important amendment. It says that money must be made available also for "the measures undertaken by it for encouraging the development of any of the languages specified in the Eighth Schedule to the Constitution".

[Shri T. S. A. Chettiar]

I think there is an unnecessary quotation mark after the words "undertaken by it". In this matter I am glad the Government have given a categorical assurance in their reply that it will be the job of the Central Government not only to develop one language which may be described as the official language of the Union, but also all the other languages, all the national languages belonging to this great country. I would suggest that grants must be made available to the universities for this purpose of the development of the various languages in this country. There has been a move and rightly, to make the regional languages—not only the regional languages, every language of the country to be the medium of instruction in the various colleges. There is also a fear that the introduction of this medium will bring down the standards, but if we are to avoid this fear, it is very necessary that we must prepare beforehand. We cannot make a language the medium of instruction unless it is developed and books are published, first-class works are written in it, and this will require a great deal of money. When we considered it at a recent committee meeting in Madras we calculated it will require many, many lakhs in each language, and the development of this country will largely depend on the development of its languages in these very fields, and I should consider that amendment like this will be pointing out the importance of this in matters of allotment of funds.

I am glad that an assurance has been given, and I hope that it will be confirmed by the Government even on this clause that in future particular attention will be paid to this aspect of the question, and that development of standards will really mean development of our languages also, not merely from the literary point of view, but from the point of view of content that is, that they must contain in themselves the highest works in all these subjects.

I do not like to take much of your time. I hope the idea will be accepted by the Government as in the past

Some Hon. Members rose—

Mr. Chairman: I am not disposed to call each and every Member. They must remember that we must finish the other clauses also by 2.30. I therefore request the hon. Member, Shri Nayar, to take as little time as possible.

Shri T. N. Singh: This is a very important clause.

Mr. Chairman: This is a very important clause, but clause 5 was equally important, and other clauses which are coming are also equally important.

Shri V. P. Nayar: Could I know how many minutes I can take.

Mr. Chairman: I have submitted that by 2.30 we have to finish.

Shri V. P. Nayar: I will take as little time as possible. My amendment is No. 69 and I want certain words to be added in the body of clause 12. I do not want to go into all the details. I do not want them to be repeated again because we have had a discussion during last session on certain matters relating to sports and games, but my contention is that if the object is co-ordination of university education and determination of standards in universities, the physical standards of students will also come in this.

To say the least of it, the physical standards of our university students is in a very bad condition and Government have done precious little about it all these years. In the draft of the First Five Year Plan there was a proposal to set up a Central Institute of Physical Culture. It remains even today after four or five years, merely a proposal and no step has been taken for the establishment of such an institution. Also you will find from the figures published by Government in its publication "Education in India" that physical education actually does not even cover three out of 1,000 students in colleges.

It is a very appalling state of affairs that such a very essential requirement in university education should be subjected to such gross neglect by the authorities. I cannot think of any co-ordination in the standards of universities unless an attempt is made to co-ordinate the standards of physical efficiency of the university students also. Therefore, I want these words to be specifically mentioned in clause 12.

The daily attendance of students in the colleges is a matter of very grave concern. From Government's figures it would appear that if we take the entire student population of India, about 50 lakh students do not find it possible to attend. They have to be absent. The daily attendance of college students I should think will be that about 20 per cent. at least will not be able to attend daily.

Shri T. N. Singh: We have all done proxies in our time.

Shri V. P. Nayar: You were very clever.

Twenty to twenty-five per cent. of college students will not be able to attend for various reasons. One important reason is lack of proper health. There are ever so many diseases which could have been avoided provided the universities gave them the proper facilities. As you observed yesterday, almost all universities and all colleges have inadequate facilities for physical exercises and for sports and games, although there is no laxity shown in the matter of collecting the athletic fees. It is a matter which must be tackled on an all-India level, and I think specific grants will have to be made for the better co-ordination of the physical activities of the university students.

Dr. M. M. Das: What is the number of the amendment?

Shri V. P. Nayar: 69. So, all that you have heard till now has no meaning.

Mr. Chairman: He knew the subject, he wants to know the number of amendment now.

Dr. M. M. Das: On a point of order. Games and sports, physical culture etc., are a State subject. The Central Government has got no right to legislate upon it. This Union Parliament is debarred from legislating upon sports and games etc., because it is entirely a State subject.

Shri V. P. Nayar: Education also, my hon. friend knows, is a State subject.

Dr. M. M. Das: But Entry No. 66 is there, on the strength of which we have this legislation before this House.

Shri V. P. Nayar: That reinforces what I said before, that my hon. friend has been hearing nothing. I said that the determination of standards must necessarily include the determination of physical standards, not merely the academic standards. I could understand my hon. friend's argument if in the Title, the phrase 'determination of standards' had been confined to determination of standards only in regard to academic attainments. But it has not been restricted like that. I think Dr. M. M. Das in his misplaced enthusiasm was referring to something which was not relevant.

I want Government to consider this matter in a more realistic way. It is no good coming here and telling us that it is a State subject. True, it is a State subject, but here we are trying to co-ordinate certain aspects of university life which is not confined merely to academic attainments. So, I once again request that Government may be pleased to accept this amendment of mine, so that the matter will be specifically mentioned in the Bill itself. Government seem to have an aversion at present to considering the case of the students getting more and more facilities for physical exercise, as is shown by the observations made by the hon. Parliamentary Secretary. So, unless it is specifically mentioned, there is a

[Shri V. P. Nayyar]

chance, as we have seen now from what the reaction was, of the University Grants Commission not earmarking any amount for the better co-ordination of the physical standards of university students. That is the reason why I have sent in this amendment. At least my hon. friend Dr. K. L. Shrimali who is here happens to know some details about this matter, although the Minister himself does not. I hope that he will see his way to accept this amendment.

Shri Shree Narayan Das: Clause 12 lays down the functions of the University Grants Commission that is going to be set up under this measure. The University Education Commission has suggested a large number of measures for the reform, expansion, and promotion of university and advanced education in the country. And I think the University Grants Commission is the body that is meant to carry out the recommendations as far as the Central Government are concerned. I would therefore suggest that this body should be given sufficient powers for the purpose. They have been given the power of the purse to carry out the recommendations, and they have also been assigned certain functions.

But by my amendment No. 70, I want to add two more functions to the Commission. The first will be to recommend to the President of the Indian Union for granting charters, provisional or permanent, for the establishment of a new university or for conversion of any affiliated or independent institution into a provisional or permanent recognised university. Yesterday I spoke on this point at great length, and I wanted the new universities also to be included in the definition of the word 'university'. The hon. Parliamentary Secretary replied that they were included already in the provisions contained in clause 3. But the reason why I want to include this function specifically is this, namely that this Commission should give sufficient

attention towards the establishment of new universities or for the conversion of existing colleges or other institutions into new universities, as was suggested by the University Education Commission, from whose report I read out an extract yesterday.

I find from clause 12 that one of the functions of this Commission will be the promotion and co-ordination of university education. Item (3) in clause 12 refers to that function and says:

"advise any authority, if such advice is asked for, on the establishment of a new University or on proposals connected with the expansion of the activities of any University;"

And under item (f), if the Central Government or any State Government or any university refers any matter to this Commission for advice, then it will be the function of this Commission to offer their advice. My suggestion is that that is not sufficient. The Commission should be given still wider powers. Looking into the recommendations of the University Education Commission we find that this Commission should be responsible for the expansion and development of university and advanced education in this country, and it is for that purpose that they are going to be given sufficient funds. So, I would suggest that the Commission should be authorised to look into the question of the setting up of new universities as well.

The second function that I want to add is this. The Commission should be authorised to suggest, advise or recommend to the Central Government or any State Government for the establishment of institutions or rural universities for the promotion of higher one and advanced study in rural areas. A large number of hon. Members while taking part in the general discussion have already emphasised the importance of rural universities. So far, the rural areas

have been neglected, and practically all the funds that are spent on advanced or university education go only to the urban areas. The University Education Commission have devoted a lot of space in their report towards this particular matter, and have suggested that both the Central and the State Governments should take steps for the promotion and establishment of rural universities. So far as we know, only one or two universities in the rural areas are going to be set up. But that is not enough. I therefore suggest that the University Grants Commission should have this also as one of their functions, so that they could encourage and advise the State and Central Governments to take suitable steps for the establishment of rural universities.

By amendment No. 11, I want to emphasise that it should be one of the functions of this Commission to provide funds for the institution of free-ships, stipends etc. to deserving students. No doubt, item (i) reads:

“perform such other functions as may be prescribed or as may be deemed necessary by the Commission for advancing the cause of higher education in India or as may be incidental or conducive to the discharge of the above functions.”

and this may cover this aspect too. But I want this matter to be specifically mentioned in the body of the Bill, and with that end in view I want to add at the end of line 24 on page 4, the following words:

“including the institution of free studentships, stipends, scholarships and fellowships to be awarded by them to deserving students;”

In this connection, I would like to refer to what the University Education Commission have stated in their report. In India not more than 10 per cent. of students only are getting free scholarships or studentships. This results in a very large number of meritorious students being debarred

from going to the colleges for higher education. Now that some funds are going to be placed in the hands of the University Grants Commission, I would suggest that they should allot funds to the universities for this purpose also, so that meritorious students may not be debarred from pursuing higher education.

I now come to my last amendment, namely amendment No. 13. With the permission of the Deputy-Speaker who was in the Chair earlier, I have made a small change in this amendment. Under item (f), the Commission is charged with the function of offering advice to the Central or State Governments or the universities on any question which may be referred to them. I want to add another item (ff) which reads as follows:

“advise the Central Government in regard to instituting or awarding any scholarship, fellowship or stipend, *ad hoc* or permanent, either for study in a foreign country or in India, which shall be referred to it by the Central Government;”

At present, a number of Ministries of Government are instituting or awarding scholarships, fellowships or stipends on an *ad hoc* or a permanent basis. But the University Grants Commission being an expert body will have in their possession information from all the universities on this matter, and therefore they will be better fitted to disburse the funds. I therefore suggest that any funds that are meant for this purpose should be placed in the hands of the Commission, and it should be left to the Commission to disburse those funds to the different universities in a proper manner.

If my amendments are accepted, they will only clarify the position further, and will also emphasise the importance of some of the functions which may be neglected otherwise. With these words, I commend my amendments for the acceptance of the House.

Some Hon. Members rose—

Mr. Chairman: I am sorry I cannot allow any more time. I would have liked to give opportunity to Members to speak further. But the difficulty is that now it is 2-20 P.M. and we have not got much time.

Shri T. N. Singh: I wanted to have at least one point clarified, since the Parliamentary Secretary is now going to reply. It is in regard to the determination of standards in Universities. It is rather a wide thing. We do not know whether the Commission has got the personnel to determine standards in Universities. There are various subjects, 30 or 40, ranging from economics, history, politics, geography and all kinds of things. We do not find anything in the Bill which entitles the Commission to have the personnel necessary for the purpose; we do not know what personnel the Commission will have from among themselves to determine standards in Universities. That is what was worrying me, whether the Commission has got the personnel to start the inquisition. So the hon. Parliamentary Secretary may kindly clarify this point.

Shri B. K. Das: I want to speak.

Mr. Chairman: On the amendment moved by the hon. Member.

Shri B. K. Das: I want to speak on amendment No. 46, not on No. 71.

Mr. Chairman: The difficulty is that then there will be no time for the hon. Parliamentary Secretary to reply and I shall have to guillotine all these amendments.

Shri K. C. Sodhia: I have to speak only for two minutes.

Mr. Chairman: He has already spoken on his amendment during the general discussion.

Shri K. C. Sodhia: I spoke then about the amendments, but I did not speak specifically about this.

Mr. Chairman: On the amendment about finances, the hon. Member has already spoken.

Shri K. C. Sodhia: I spoke generally about the amendments.

Mr. Chairman: My difficulty is that then there will be no time left for the hon. Parliamentary Secretary to reply. I would have liked to give full time to every Member.

Shri K. C. Sodhia: I will take only two minutes.

Mr. Chairman: Those two minutes will be taken from the time of the hon. Parliamentary Secretary. I propose to finish this by 2-30 P.M. I am very sorry to have to take up this attitude.

Dr. M. M. Das: I do not propose to waste the time of the House by discussing the *pros and cons* and merits and demerits of the amendments proposed by Government. Sufficient discussion has taken place and many hon. Members have spoken upon them. Now the House has to decide.

Regarding the amendment of my hon. friend, Shri V. P. Nayar, I have already said: that the amendment should be ruled out of order because there is item 33 of the State List which says: "Theatres and dramatic performances; cinemas subject to the provisions of entry 60 of List I; sports, entertainments and amusements". Thus, the Union Parliament has got no jurisdiction to legislate upon those subjects.

Shri V. P. Nayar: Does not education also come within that List?

Shri T. N. Singh: Parliament also comes under it, in that way.

Dr. M. M. Das: As regards amendment No. 70, it proposes to ask the Commission to recommend to the President for granting charters to Universities. Now, so far as this country is concerned, our Universities have been established and are at present being established by legislatures, namely, by State laws or Central

laws. Not a single University in this country has got a charter from the Governor General or the President. So it will create a new thing in this country so far as the establishment of a University is concerned.

Shri Meghnad Saha: The older Universities were also created by charter, for example, Calcutta, Bombay and Madras Universities.

Shri V. P. Nayar: Thank him for the information and proceed.

Shri Syamnandan Sahaya: He referred to charters. You were referring to a new thing. What is the use of bringing in things before 1857? Carry on.

Dr. M. M. Das: Here at present Universities are being established under Acts of the State Legislatures or the Central Legislature. In the amendment, it is proposed that the Commission will make a recommendation to the President to issue a charter establishing a University by-passing the State and Central Legislatures. I am sorry I cannot accept this amendment.

The second part of the amendment says that the Commission may suggest, advise or recommend to the Central Government or any State Government for the establishment of institutions or rural Universities for the promotion of higher and advanced study in rural areas. The House knows that the Government of India are going to establish very soon a Council on Rural Education. The Committee on Rural Education submitted their report only a few months back and Government have considered that report and are taking steps for the improvement of rural education. The Council, which will be an expert body that is going to be created very soon, will go into this question and give advice to the Government which will be implemented later. So we do not want that the University Grants Commission should be encumbered with this particular matter.

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Shri Altekar: It is the function of the University Grants Commission to deal with Universities. What is the harm in giving this function to them and making a specific mention in the clause.

Dr. M. M. Das: At present, there is no rural University. When it will be established either by a State legislature or the Central legislature, it will automatically come within the purview of the University Grants Commission.

As regards scholarships and stipends, a large number of scholarships has been instituted for special purposes, like giving encouragement to Scheduled Castes etc. and also for general purposes, for post-graduate training, practical training etc. Large sums of money are being spent every year by the Government of India on these scholarships. The University Grants Commission is going to be established for a definite purpose. We do not think that it will do any good by placing so many other functions upon the shoulders of the Commission.

So far as amendment No. 71 of Shri B. K. Das's, is concerned, as I have told you before, we are accepting it.

Mr. Chairman: Now, I shall put the amendments to the vote of the House. The amendments are Nos. 1, 12, 3, 13 (in the amended form), 71, 69, 44, 70, 11 and 46.

Shri V. P. Nayar: Amendment No. 69 may be put separately.

Mr. Chairman: Yes.

Dr. M. M. Das: Amendment No. 1 is a Government amendment.

Mr. Chairman: I propose to put amendments Nos. 1, 71 and 69 separately. If any hon. Member wants any other amendment to be put separately, I shall put it separately.

The question is:

Page 4—

for lines 23 to 29, substitute:

"(b) allocate and disburse, out of the Fund of the Commission,

[Mr. Chairman]

grants to Universities established or incorporated by or under a Central Act for the maintenance and development of such Universities or for any other general or specified purpose;

(bb) allocate and disburse, out of the Fund of the Commission, such grants to other Universities as it may deem necessary for the development of such Universities or for any other general or specified purpose:

Provided that in making any grant to any such University, the Commission shall give due consideration to the development of the University concerned, its financial needs, the standard attained by it and the national purposes which it may serve."

The motion was adopted.

Mr. Chairman: The question is: Page 4, line 19—

after "Universities" insert:

"and for the promotion and expansion of sports and physical culture among the students and staff of the Universities".

The motion was negatived.

Mr. Chairman: The question is: Page 5, lines 7 and 8—

omit "if such information is asked for".

The motion was adopted.

Mr. Chairman: Now I will put the other amendments.

The question is:

Page 4, line 31—

after "University education" insert "and finances".

The motion was negatived.

Mr. Chairman: The question is: Page 4, line 24—

add at the end:

"including the institution of free studentship, stipends, scholar-

ships and fellowships to be awarded by them to deserving students;".

The motion was negatived.

Mr. Chairman: The question is: Page 4, lines 27 and 28—

after "the standard attained by it" insert:

"the measures undertaken by it for encouraging the development of any of the languages specified in the Eighth Schedule to the Constitution".

The motion was negatived.

Mr. Chairman: The question is: Page 5—

after line 4, add:

"advise the Central Government in regard to instituting or awarding any scholarship, fellowship or stipend, *ad hoc* or permanent, either for study in a foreign country or in India, which shall be referred to it by the Central Government;".

The motion was negatived.

Mr. Chairman: The question is: Page 4, lines 15 to 21—

omit all the words, after the word "to".

The motion was negatived.

Mr. Chairman: The question is: Page 4, line 39—

after "if such advice is asked for" insert "or otherwise".

The motion was negatived.

Mr. Chairman: The question is: Page 4—

after line 41, insert:

"(ee) recommend to the President of the Indian Union for granting charters, provisional or permanent, for the establishment of a new University or for conversion of any affiliated or independent institution into a provisional or permanent recognised University;

(eee) suggest, advise or recommend to the Central Government or any State Government for the establishment of institutions or rural Universities for the promotion of higher and advanced study in rural areas."

The motion was negatived.

Mr. Chairman: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

THIRTY-NINTH REPORT

Shri Altekar (North Satara): I beg to move:

"That this House agrees with the Thirty-ninth Report of the Committee on Private Members' Bills and Resolutions, presented to the House on the 23rd November, 1955".

This is a Report in connection with the allotment of time for the Resolutions that are to be discussed today. Resolution No. 1 was allotted 3 hours, out of which 8 minutes have already been spent and 2 hours and 52 minutes remain. As a matter of fact, the whole of the time at our disposal today will be taken up by this Resolution. But if somehow or other discussion on this Resolution is finished earlier, there are the other Resolutions, the allotment of time for which is mentioned in the Report. I would not again read it out and I commend this Report for the acceptance of the House.

Mr. Chairman: The question is:

"That this House agrees with the Thirty-ninth Report of the Committee on Private Members' Bills and Resolutions, presented to the House on the 23rd November, 1955."

The motion was adopted.

RESOLUTION RE REGROUPING OF RAILWAYS

Mr. Chairman: Now, we will take up Private Members' Resolutions. Shri Raja Ram Shastri will continue.

श्री आर० आर० शास्त्री (जिला कानपुर मध्य) : मैंने पिछली बार अपने प्रस्ताव पर बोलते हुए यह बतलाया था कि मेरे प्रस्ताव का यह उद्देश्य है कि रेलवे का पुनर्संगठन जो अभी हुआ है उस पर विचार करने के लिये और उसमें सुधार करने के लिये एक कमेटी बनाई जाये। यह प्रस्ताव कोई मेरा निजी प्रस्ताव नहीं है। रेलवे मुहकमे में जो कर्प्शन है उसकी जांच करने के लिये जो कमेटी (समिति) बनाई गई थी सदस्यों की तरफ से उस कमेटी ने ही यह सिफारिश की है कि :

"The question of the existing size of the zones should be reviewed by a small high-power technical committee."

तमाम देश का दौरा करने के बाद, काफ़ी लोगों से जानकारी हासिल करने के बाद, कमेटी इस नतीजे पर पहुंची कि पूरी समस्या पर फिर से विचार किया जाय। मैं कमेटी की रिपोर्ट को देख रहा था, उसमें एक जगह पर इस बात पर सन्तोष प्रकट किया गया कि ईस्टर्न रेलवे (पूर्वी रेलवे) को दो हिस्सों में बांटा जाने वाला है और कमेटी के ऐसा लिखने के बाद मेरा यह खयाल हुआ कि दूसरी रेलवे जोन्स (रेलवे विभाग) भी इस तरह की हो सकती है कि जहां बकलोड (अधिक कार्य) है और जैसे ईस्टर्न रेलवे में इस बात की जरूरत समझी गई कि उसके दो हिस्से कर दिये जायें, इसलिये सम्भव हो सकता है कि दूसरी रेलवेज पर भी इतना बोझ पड़ गया हो जिसके लिये कि उन पर भी फिर से विचार किया जाय। इस वक्त में जो रेलवे की रिग्रुपिंग (पुनर्संगठन) हुई, हमारे देश का बंटवारा हुआ, देशी रियासतों