

[Shri Karmarkar]

drinking water from wells and hand-pumps It may be stated that effective steps are being taken by the Health Department of the Delhi Corporation and New Delhi Municipal Committee to combat the epidemic and a High-powered technical committee has been constituted, consisting of Additional Deputy Director-General of Health Services, Government of India, Assistant Director, Medical Services, Delhi Area and Medical Officer of Health, Delhi Corporation, with a view to assess the daily situation and take necessary measures accordingly

12.22 hrs.

BANARAS HINDU UNIVERSITY  
(AMENDMENT) BILL—contd

**Mr. Speaker:** The House will now resume discussion on the Banaras Hindu University (Amendment) Bill, 1958 as reported by the Select Committee Out of three hours agreed to by the House for general discussion, 38 minutes now remain

After the general discussion is over, clause by clause consideration and thereafter third reading of the Bill will be taken up for which one hour has been fixed

Shri Raghunath Singh may continue his speech

**श्री रघुनाथ सिंह (वागणमो)** अध्यक्ष महोदय, १८९८ में हिन्दू कालेज की स्थापना हुई। उसके बाद १९१६ में उसको हिन्दू यूनिवर्सिटी का रूप दिया गया। स्थापना के वक्त महात्मा गांधी ने वहां जो उपदेश दिया था, वह एक एतिहासिक उपदेश है। उन्होंने हिन्दू यूनिवर्सिटी के उद्देश्यों पर प्रकाश डालते हुये कहा था कि उसके तीन उद्देश्य होने चाहिये—भारतीय आदर्श, सादगी और भारतीय एकता। हमें यह कहना ही होगा कि हिन्दू यूनिवर्सिटी में इसके लिये हमेशा प्रयास होता

रहा। आप देखेंगे कि अगर वाइस-चांसलर नार्थ इंडिया का होता था, तो प्रो-वाइस-चांसलर साउथ इंडिया का होता था और अगर वाइस-चांसलर साउथ इंडिया का होता था, तो प्रो-वाइस-चांसलर नार्थ इंडिया का होता था। इस परम्परा का आज तक अक्षरशः पालन किया गया है। मैं आप को इस के उदाहरण देना चाहता हूँ। सर सुन्दरलाल इस यूनिवर्सिटी के पहले वाइस-चांसलर थे और उस समय प्रो-वाइस-चांसलर थे श्री आदित्य राम भट्टाचार्य। दूसरे वाइस-चांसलर थे सर पी० एस० शिवस्वामी ऐयर और उस अवधि में मालवीय जी ने प्रो-वाइस-चांसलर का काम किया। केवल उन आठ महीनों को छोड़ कर, जबकि श्री अमरनाथ झा वाइस चांसलर और पंडित गोविन्द मालवीय प्रो-वाइस-चांसलर रहे सदा इसी परम्परा का पालन होता रहा, इस लिये कि इस यूनिवर्सिटी की स्थापना इस उद्देश्य से हुई थी कि हिन्दुत्वान की एकता कायम रखी जाय, हिन्दू धर्म का स्थापन किया जाय।

यह कहा जाता है कि वार्ड के सदस्यों का नामानुशासन क्यों किया जाता है। हिन्दू यूनिवर्सिटी एक्ट में यह व्यवस्था है कि कोर्ट एग्जिक्यूटिव कौमिल के लिये चुनाव करने समय यह बात मानने रखे कि पाच में से तीन आदमी य० पी० के बाहर के और सिर्फ दो य० पी० के होने चाहिये। लेकिन जो कोर्ट एग्जिक्यूटिव की गई है हटाई गई है उसने पाचो य० पी० वालो को चुना। जिन के नाम मैं आपके सामने रखना चाहता हूँ—पंडित गोविन्द बल्लभ पन्त, श्री के० डी० तिवारी श्री नन्द दुलारे वाजपेयी, श्री उदय सरोज साह और श्री रमाशंकर पांडे। आप को यह जान कर आश्चर्य होगा कि पंडित गोविन्द बल्लभ पन्त को सब से कम वोट मिले। उनको भी नान य० पी० ट्रीट किया गया। क्योंकि उन का एड्रेस दिल्ली लिखा हुआ था। यह हमारा आदर्श नहीं था। हिन्दू यूनिवर्सिटी की

स्थापना का उद्देश्य यह था कि सारे हिन्दु-स्तान को एक सूत्र में बांधा जाय। सारे प्रांत को एक सूत्र में बांधा जाय। इसी लिये यह व्यवस्था की गई थी कि यू० पी० से दो आदमी लिये जायें और बाहर से तीन आदमी लिये जायें। इसके मायने क्या होते हैं। पांचों आदमी यू० पी० से लिये जायें ? अगर कोर्ट को एबालिश किया गया है और उसके स्थान पर नामीनेशन किया गया है, तो ऐसा कर के हिन्दू यूनिवर्सिटी के आदर्श की रक्षा की गई है।

इन पांचों आदमियों के स्थान पर और लोगों के नाम भी पेश थे। आज ईस्ट्रन यू०पी० की बात कही जाती है। काशीराज भी एक कैडोडेट थे। उन्होंने १९४८ में मरजर के समय यूनिवर्सिटी को बारह लाख रुपये दिये थे। सारी जमीन काशीराज की थी। उस वक्त ईस्ट्रन यू० पी० और यू० पी० का स्लोगन कहा गया था ? उनको नहीं चुना गया— उनको वोट नहीं दिये गये। डा० परीजा, यहां प्रो-वाइस चांसलर थे। आज उत्कल यूनिवर्सिटी के वाइस-चांसलर हैं, उनको भी वोट नहीं दिये गये। सर सी० पी० राम-स्वामी ऐयर, जो कि वाइस-चांसलर थे, वे भी एजेंक्टिव कौमिल के लिये उम्मीदवार थे, लेकिन उनको भी वोट नहीं दिये गये। क्या आप हिन्दू यूनिवर्सिटी को केवल ईस्ट्रन यू० पी० के स्लोगन पर एक प्रांत की चीज बनाना चाहते हैं ? आज आप के सामने प्रश्न है— आज पार्लियामेंट को यह तय करना है क्या हिन्दू यूनिवर्सिटी का वह प्राचीन रूप कायम रखा जाय, जो उस के संस्थापकों की मंशा थी, जो महात्मा गांधी की मंशा थी, जो महात्मा मालवीय जी की मंशा थी। आज मैं इस लिये लड़ रहा हूँ कि वह आदर्श कायम रहे।

कल जब मैं बजट के बारे में कह रहा था, तो श्री बजरज सिंह ने टोका। मैं आप को पूरी डीटेल देता हूँ। १९५८-५९ में

१,६८,००,००० रुपये का बजट है। इस में १,०७,००,००० रुपया सेंट्रल गवर्नमेंट का है। यह रेगुलर बजट है। ६० लाख रुपया डेवेलपमेंट फंड के लिये सेंट्रल गवर्नमेंट देती है। यू० पी० गवर्नमेंट का हिस्सा सिर्फ २,६६,००० रुपया है। जिस रुपये से यूनिवर्सिटी चलती है, उस में सिर्फ २,६६,००० रुपया प्राविशियल गवर्नमेंट देती है। ३४,००,००० रुपया एस्टेट, फीस और प्रोड्यु एन्डाउमेंट्स से आता है। पब्लिक का चन्दा एक साल में सिर्फ पन्द्रह से बीस हजार रुपये तक आता है। यह सेंट्रल गवर्नमेंट का रुपया है। बजट हम पाम करते हैं। रुपया हम ग्राट करते हैं। पार्लियामेंट को उस में हस्तक्षेप करने का पूरा अधिकार है। हम को पूरा अधिकार है कि हम देखें कि हमारे रुपये का उपयोग किस तरह होता है। जो रुपया हम देते हैं, उसका उपयोग ठीक तरह से होता है या नहीं। इसलिये पार्लियामेंट ने जो कदम उठाया है, वह बिल्कुल ठीक है।

जब यहां पर बिल आया, तो हम ने उस को सिलेक्ट कमेटी को सुपुर्द करने का प्रमोवमेंट रखा। सरकार ने उस को स्वीकार किया। इतने लोग यहां प्रचार करने के लिये आये, लेकिन सिवाये पंडित गोविन्द मालवीय के किसी की हिम्मत नहीं हुई कि वह सिलेक्ट कमेटी के सामने एविडेंस देने के लिये आये। जब मैं काशी गया था मैंने वहां के लोगों से पूछा कि दिल्ली में सिलेक्ट कमेटी बनी थी वह इतने दिनों तक चली। आप लोगों में से कोई व्यक्ति एविडेंस देने के लिये क्यों नहीं आया। मैंने उन लोगों को कहा कि आपाको कोई स्टेटमेंट लिख कर या कोई मेमोरेडम लिख कर भेजना चाहिये था। उन्होंने कहा कि हम को सिलेक्ट कमेटी का प्रोसीड्यूर मालूम नहीं है।

श्री बाजपेयी (बलरामपुर) : क्या माननीय सदस्य को मालूम नहीं है कि सिलेक्ट कमेटी ने एविडेंस इनवाइट नहीं किया।

Mr. Speaker: It is open to any hon. Member to say: I want to give evidence. The Select Committee will decide.

Shri Raghunath Singh: Yes, Sir.

सिलेक्ट कमेटी के सामने जाने की हिम्मत इस लिये नहीं हुई कि अगर वे सिलेक्ट कमेटी के सामने जाते तो पर्दा फाश हो जाता। तीस मंथर बहा बैठे थे। वे उन से पूछ सकते थे।

Shrin Sinhasan Singh (Gorakhpur): There were people who had applied to the Select Committee to give evidence. The Select Committee did not like to take evidence from any other person than Pandit Govind Malaviya, it is wrong information that no body offered to tender evidence

Mr. Speaker: Very well

श्री रघुनाथ सिंह आटोनोमी के बारे में बड़ा आक्षेप किया गया है। ठीक है। डेमोक्रेसी बड़ी अच्छी चीज है। लेकिन डेमोक्रेसी के बिगड़ने पर उसका स्थान माबोक्रेसी लेती है। माबोक्रेसी का स्थान डिक्टेटरशिप लेती है। यह अरिस्टाटल की साइकलिक थ्यरी आफ स्टेट्स है। हिन्दू यूनिवर्सिटी में क्या हुआ ? वहा आटोनोमी थी। डेमोक्रेसी थी। पार्लियामेंट ने इस बारे में एक एक्ट बनाया था। लेकिन वह डेमोक्रेसी माबोक्रेसी के सामने फेल हो गई। जब डेमोक्रेसी फेल हो गई, तो वहा पर डिक्टेटरशिप न कायम हो, इस लिये अगर पार्लियामेंट ने हस्तक्षेप किया, तो डेमोक्रेसी की रक्षा की।

हिन्दू यूनिवर्सिटी की स्थापना हिन्दू धर्म के सुधार के लिये हुई थी। असहयोग नामक सत्याग्रह, भारत छोड़ आदि के आन्दोलन के सबध में कितने ही लोग हिन्दू यूनिवर्सिटी से जेल गये। कितने ही लोगो ने गोलिया खाईं। लेकिन जब वहा काशी विश्वनाथ मन्दिर के सबध में अस्पृश्यता के विरुद्ध आन्दोलन चला, तो उस हिन्दू यूनिवर्सिटी से, जो कि सुधारवादी आन्दोलन के आधार पर स्थापित हुई थी,

कोई प्राध्यापक प्रोफेसर क्लास से या स्टुडेंट क्लास से कोई भी नेता हरिजनो पर ही रहे अत्याचार के विरुद्ध आवाज उठाने के लिये सामने नहीं आया। हिन्दू यूनिवर्सिटी का जो प्रादर्श था, उससे लोग हट गये और अगर हट गये, तो पार्लियामेंट ने जो हस्तक्षेप किया, तो वह अच्छा किया।

हमारे कई भाइयो ने कहा है कि पार्लियामेंट को हस्तक्षेप नहीं करना चाहिये था। अब मैं इसका उत्तर देना चाहता हूँ। आप देखेंगे कि स्टुडेंटो का विद्यार्थियो का जो आन्दोलन है, वह केवल बनारस हिन्दू यूनिवर्सिटी तक ही सीमित नहीं है, केवल वहा के विद्यार्थी वर्ग पर किसी प्रकार का आक्षेप करना मेरे विचार में अनुचित होगा। अभी आप ने केरल में यही हाल देखा है, लखनऊ में देखा है। दूसरे स्थानो पर इस तरह की घटनायें होती देखी हैं यह तो एक देश व्यापी आन्दोलन है। इसका हल भी देशव्यापी ही होना चाहिये। हमारे नौजवान, हमारे नौनिहाल गोलियो से न मरे इसका भी उपाय हमें करना है। इसका उपाय तभी हो सकता है जबकि जो यह बुद्धि विभ्रय पैदा हो गया है विद्यार्थियो में उसको दूर करें। यह मानसिक रोग है इस मानसिक रोग को दूर करने के लिये हमें औषधि देनी है। ठीक प्रकार की औषधि देनी है, ताकि विद्यार्थियो पर उसका असर हो। यह सवाल केवल बनारस हिन्दू यूनिवर्सिटी का नहीं है। यह देश व्यापी सवाल है। इसको हमें हल करना है। हम चाहते हैं कि विद्यार्थी अपना समय पढाई में लगायें विद्यार्थी यूनिवर्सिटी में क्यों जाते हैं। वे वहा पर पढ़ने के लिये अध्ययन करने के लिये जाते हैं। जब वे पढ़ने तथा अध्ययन करने के लिये जाते हैं, तो उनका राजनीति से क्या सबध ? कोई प्रोफेसर आता है, कोई प्रोफेसर जाता है, इससे उनकी पार्लिटिक्स का क्या सबध है ? लेकिन कोई कहता है कि विद्यार्थी प्रोफेसरो का प्रयोग करते हैं और कोई

कहता है कि प्रोफेसर विद्यार्थियों का प्रयोग करते हैं। यह सब, मैं समझता हूँ। प्रनुचित है।

**Pandit Govind Malaviya (Sultanpur):** There are some leaders who utilise both.

**श्री रघुनाथ सिंह :** भ्राप भी, पंडित जी, जब वहाँ थे तो विद्यार्थी आंदोलनों में हिस्सा लेने की वजह से चार पांच बार जेल गये थे। उस वक्त इस तरह के आंदोलनों की आवश्यकता थी। आज हमें हिन्दुस्तान को बनाना है। हिन्दुस्तान की रचना करनी है। मैं आपसे ही पूछता हूँ कि बनारस हिन्दू यूनिवर्सिटी ने पिछले आठ दस वर्षों में कितने ऐसे स्कालर पैदा किये हैं, जिन्होंने भारत का नाम ऊंचा किया है ?

**श्री त्यागी ( देहरादून ) :** इंजीनियर पैदा किये हैं।

**श्री रघुनाथ सिंह :** यूनिवर्सिटी सरस्वती का मंदिर है। रणचंडी का मंदिर नहीं। हमें यूनिवर्सिटीसको रणचंडी का मंदिर नहीं बनाना चाहिये। आन्दोलनों का मंदिर बनाने का जो समय था वह बीत चुका है। आज सरस्वती की उपासना करनी है। जो उपासक होता है उसमें आन्दोलन करने की भावना नहीं होनी है। उसमें प्रतिहिंसा की भावना नहीं होती। उसमें क्रोध नहीं होता। उसमें गुरु शिष्य की भावना होती है। आज भी आवश्यकता इस बात की है कि विद्यार्थी और अध्यापक में गुरु शिष्य की परम्परा कायम की जाय। जो हिन्दू यूनिवर्सिटी का एक समय आदर्श था।

सिलेक्शन कमेटी के बारे में हमारे कई भाइयों ने कई सवाल उठाये हैं। अभी कुछ देर हुई हम मास्को गये थे। वहाँ पर हम ने देखा प्रोफेसरों को कांट्रेक्ट पर रखा जाता है। शुरू शुरू में पांच साल का कांट्रेक्ट किया जाता है। अगर पांच बरस तक वे अपना काम अच्छा करते हैं तो उनके कांट्रेक्ट को पांच

बरस के लिये और बढ़ा दिया जाता है। इसके बाद भी अगर उनका काम अच्छा चला जाता है तो उनको परमानेंटली रख लिया जाता है। मैं समझता हूँ कि बहुत सी हमारी जो समस्यायें हैं, वे इस स्कीम को लागू करने से हल हो सकती हैं। इस कांट्रेक्ट सिस्टम को प्रोफेसरों के केस में हमें हिन्दुस्तान में चालू करना चाहिये। अगर कोई प्रोफेसर पांच बरस तक या दस बरस तक, जो भी टाइम आप लिमिट करें, अच्छा काम करता है तो उसको मौका दें कि वह उस यूनिवर्सिटी की सेवा करता रहे। लेकिन अगर वह अच्छा काम नहीं करता है, तो उसको आप नमस्कार करें और कहें कि पांच या दस बरस का आपका जो कांट्रेक्ट था वह खत्म हो गया। आप दूसरी जगह पर जाकर स्थान लें और हम दूसरे आदमी को रखते हैं। इस तरह से सिलेक्शन कमेटी पर जो आरोप किया गया है, वह नहीं रहेगा। चूंकि श्रीग कोई रास्ता नहीं था उस वक्त जिम वक्त सिलेक्शन कमेटी का रूप सामने आया था। इसलिये इसको रखा गया था। लेकिन मेरा विचार है कि अगर कांट्रेक्ट सिस्टम को हर यूनिवर्सिटी में चालू किया जाये तो अच्छा होगा।

बनारस हिन्दू यूनिवर्सिटी में आप जानते हैं और आपने देखा भी होगा कि फिजिक्स को बहुत अच्छी लेवोरेटरी है। माइंस के फील्ड में रिसर्च करने के बहुत अच्छे साधन हैं। मैं चाहता हूँ कि उसको एक रिसर्च इंस्टीट्यूशन का रूप दिया जाय ताकि वहाँ पर श्रौतिक और न्यूक्लियर फिजिक्स इत्यादि पर एक्सपेरिमेंट हो सकें तथा हमारा देश तरक्की कर सके।

मैं एक और सुझाव देना चाहता हूँ। हमें वहाँ के प्रोफेसरों के स्टैंडर्ड्स आफ वर्क और कांट्रीब्यूशन को भी देखना चाहिये। वहाँ के ही नहीं बल्कि तमाम यूनिवर्सिटीयों के प्रोफेसरों के काम को देखना चाहिये। हमें देखना चाहिये कि उनका कांट्रीब्यूशन क्या रहा है। हम उनको

[श्री रघुनाथ सिंह]

सात सौ और घाठ सौ रुपया तो देते हैं लेकिन हमें उनसे यह भी आशा करनी चाहिये कि उनका काम अच्छा हो। वे यूनिवर्सिटी के उत्कर्ष में, उसके विकास में क्या कांटीन्सुशन करते हैं। हर पांचवें वर्ष हर यूनिवर्सिटी के प्रोफेसर के काम को हमें जांचना चाहिये। उसके काम को रिच्यू करना चाहिये। अगर आपने ऐसा किया तो आपको किसी मिलेकेशन कमेटी की आवश्यकता ही नहीं रह जायेगी। काम भी तमाम यूनिवर्सिटियों का अच्छी तरह से चलेगा।

इस यूनिवर्सिटी ने बहुत से स्कालरों को देला है। बहुत सा अन्वेषण यहाँ हुआ है। जो स्कालर इस विश्वविद्यालय ने पैदा किये उनमें दाम गुप्ता, सरकार, डा० गणेश प्रसाद, आर० डी० बनर्जी इत्यादि के नाम उल्लेखनीय हैं। हमें चाहिये कि हम उनको याद रखें, उनका स्मरण करें और चेष्टा करें कि आगे भी यह यूनिवर्सिटी ऐसे स्कालरों का स्थान हो जिन से न केवल भारत को ही लाभ हो बल्कि सारे विश्व का लाभ हो।

**The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru):** I would have hoped and I still hope that this question might be considered apart from party lines and issues, and because we are thinking of a great university, we might at least in this House try to bring in somewhat of an academic atmosphere in this discussion. I realise that it is not easy and appreciate very much that many hon. Members have looked upon this matter quite apart from party lines. I am not accusing anybody, because surely every one in this House, and indeed I presume vast numbers of people outside, have one object in view, and that is that in so far as this great university is concerned, it should prosper and function adequately and produce worth-while sons and daughters of India, that it should be a great centre of learning. Everybody wants that, I have no doubt. Even though

sometimes some people may, in the excitement of the moment, say or do something, surely it is obvious that we want this institution to be a great centre of education and learning, producing fine men and women for the service of India and the world.

Now, what has happened? In the course of the discussion, two types of criticism have been made which are rather mutually contradictory. On the one hand it is said: "Why did you rush in and have an Ordinance? Could you not have waited two months for this House to meet?" On the other side it has also been said: "Why have you delayed so long in taking this action? This report and what you say indicates that for a long time past there has been trouble, there has been a procession of Vice-Chancellors coming and going. If you consider yourself responsible, you should have acted responsibly previously and not allowed matters to drift."

I am not here to defend the long past of Government in regard to this or anything else. It is difficult to know what one can do and when one can do it. Naturally, Government is very, very hesitant always to interfere in university matters. Some people, I think, used the word that our approach in this matter or in university matters is "bureaucratic". I venture to submit that we may be bureaucratic in other matters, but certainly not in university matters. We try not to be, not to interfere, and it may be that if some kind of interference had taken place previously, it would have been worth while.

Well, the fact remains it did not take place and we expected the various Vice-Chancellors of high degree who went there one after the other to be able to improve the situation. Ultimately the normal course which is open to us was adopted, that is, appointment of a committee by the Visitor, i.e., the President.

The committee was appointed. It was a high-level committee and the committee presented a report. I should like this House to consider apart from other backgrounds—and I ventured to say something about it on the last occasion when I spoke on this matter—what could follow after that. We took the step of appointing a committee which we considered and which we still consider was a very great committee. The committee presents a report to the President. The report is before the House, they know it. It became impossible for us to set aside that report, ignore it and say that things should continue as they are. That is an absolutely impossible position to advocate, whatever one's views may be. We had to take action.

The committee has suggested certain types of action, fairly far-reaching action. We discussed this at considerable length amongst ourselves. We consulted people outside the immediate circle of Government but connected with education, whose opinion we value; and it was clear to us that action had to be taken, and action more or less on the lines of the Committee's recommendations.

Now, action which might be said to be a half-way house, neither here nor there, was, we felt, a dangerous course to adopt; because it is never easy or desirable not to take a clear-cut step in such matters. If we try to sit on two stools, we are likely to fall in between. The position was not a theoretical and academical one that was facing us—it was academical in a sense, of course. It was a practical issue of difficulties being created day to day in the campus, in the professorial circle, in the teachers' circle. And, I should like to make it quite clear, I am not condemning the students of the Hindu University or even, for the matter of that, the professors or teachers as a whole. Because, when one criticises, one is not criticising the thousands of people who are there, good, fine, young men and women; but

the fact is that owing to certain happenings, the whole atmosphere of the place was vitiated and people, even who were not in the University, presumed almost to take possession of the University, sometimes coming in and roaming about, as they are doing, I am told.

So we came to the conclusion that this report cannot be ignored, it has to be acted upon. It cannot be acted upon in a feeble, half-hearted way. That is neither here nor there, and we will get even caught in this tangle more and more. Therefore, some fairly effective step has to be taken, temporarily, not for ever, to allow, if it is considered necessary, for the Act to be amended and the University to be set on a sound footing, one might say, in this regard.

The question arose about an Ordinance. When we considered this, about a month after the consideration of this report by the Government the University was going to open after the vacations, and another month after that Parliament was going to meet, this House was going to meet. Now, would it have been proper for us to postpone this matter at that stage for two months till this House met. Already, in spite of every precaution, people knew what the report contained, at least the essence of it, if not the wording of it. Already, as soon as this was known, a new agitation raised its head in the University among certain professors, certain teachers, against this Committee itself, running them down, blaming them, creating an atmosphere hostile to the Members of that Committee and generally preparing for a battle royal "if something is going to be", as they said, "imposed upon them from outside" That was the position. Now, should we have allowed two months to elapse, for the University to meet a month later and meet in this atmosphere of conflict, of preparation for a big battle and all the teaching and courses of the University being affected by it and generally for that atmosphere, which had

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been described in the report as a vitiated atmosphere, to grow worse and worse and become almost intractable? We could not have waited for two months. It was impossible. It would not have been desirable even. So we thought . . .

**Pandit Govind Malaviya:** Forgive me please for interrupting. It was the summer vacation, nobody was in the University, Sir.

**Shri Jawaharlal Nehru:** That is exactly what I am pointing out. I happen to know my facts too. It was the vacation and we did not want that vacation to end before this step was taken. Because, if the vacation ended—in three or four weeks it was going to end—and no step was going to be taken, then all these preparations, etc., will take effect and by the time this Parliament met a month later and possibly considered this question or this Bill or something, much would have happened which it would have been difficult for us to retrace. Anyhow, whether we were right or wrong, this was the question we discussed, and discussed not only amongst ourselves but in consultation with eminent educationists. Because, we wanted to consider this matter on the educational plane entirely, not on a political or any like plane. And we were advised, we were, if I may say so with all respect, almost pushed; the advice, I might say, was such strong advice that we were almost pushed in this direction that “you must take steps now, well before the summer vacation ends, well before the University opens, well before any other development takes place”. That was the advice we received, and we agreed to it. And therefore this Ordinance was issued then so as to clear the ground, so that when this House met it could consider this matter perhaps when the ground was a little clearer and when it was easier for this House and the University to take another step forward.

I am submitting to this House the reasons which actuated us at that time. I do not say that there was no other possible course. Personally I think it would have been a risky adventure for us not to have taken that course and allowed matters to drift. Anyhow, it is completely wrong, I do submit, for any one to imagine that we were rushing about in a bureaucratic manner to impose the Government's will on this great institution.

So we arrived at this stage, and the Ordinance was passed. The Ordinance was something slightly less than what had been recommended by that Committee, though broadly on those lines; and after that, in due course, the matter has come up before this House.

Now, I ventured to say on the last occasion, and I would like to repeat it; whatever our likes or dislikes may be in this matter, whatever sentiments may govern us—because it is a matter on which I can very well understand sentiment to affect us—what and when and where could the Government have taken any other line basically other than what they have taken? I am not talking of minor amendments to the Ordinance which have been made in the Select Committee; I am not referring to them. But basically what could we have done? It would have been an impossible position for Government, after those initial steps had been taken—the appointment of a Commission or Committee, the Committee's report etc.—to have taken any other line.

One might say we should not have appointed that Commission or Committee, some other course might have been adopted. Possibly, though I do not know what other course could have been adopted, because we had seen the most eminent Vice-Chancellors trying and failing. However that may be, once a Commission or Committee was appointed, there was not much choice left for the subsequent

steps: they followed one another automatically, I might say. And you could not ignore it without ruin to the University, and not only to the University but to the larger cause of University education and education generally.

So we were caught in this tangle and we had to take those steps. Even now, the matter has come up before this House; is it, I submit, at all conceivable or practical for this House to say, "We don't like this, all this is wrong, throw it out"? By throwing it out, if I may respectfully say so, you throw out also the Hindu University. That is the position. That is the position we have been facing. And we have too great regard and respect for this great institution to take such risks or behave in this manner

So I submit that in this chapter of misfortune in the last few years, maybe Government was to blame, the Central Government or any other Government, or whoever it may be; but there is no doubt that a time came when no other course was open but to appoint a Committee or Commission and to follow up as we have tried to follow up. There was no choice left, and there is no choice left for us now

I think hon. Member, Shri Asoka Mehta, said something about the students not aligning themselves with political agitations or political parties. I do not for an instant say that the students should empty their minds of political questions, political thinking or political discussion. That would be an absurd thing to say, and I have never thought so. But it is undesirable for students to function in their universities and elsewhere in the party sense, and not only do injury to themselves but to their institution.

Then, certain hon. Members referred to the present Vice-Chancellor and—some criticised him—some said that although he may have done well but,

anyhow, circumstances are such that it would be better if he withdrew from the seat—I think that was, more or less, the burden of some speeches. Now, I should like hon. Members just to visualise the kind of position the Vice-Chancellor has had to face during the last many months, if not more. He has faced a most difficult situation, a situation which, remember, had led many of his most distinguished predecessors, if I may use the word, to surrender and go away, to give it out. Here he comes and faces this situation, faces it with some courage and faces all the abuse that comes to him in this business I should like to say that I have admired and still admire the courage with which he faced this situation

**An Hon. Member:** Because he has nothing else to do.

**Shri Jawaharlal Nehru:** I might also inform the House that he himself has not been anxious. It is not a pleasant place for any man to function. Whoever he may be, it is not going to be a particularly easy place for some time. It was at our request that he remained at that post. He told us, a told us more than once that, first of all of course, he does not wish to hold on to the post as a post; he has had a hard time there. Secondly, he told us that his interest is that the University should prosper and flourish. If his remaining there or not remaining there has any relation to the University's prosperity the question should be decided in regard, not to him, but to the University's future and prosperity. If he is of service, it is one thing. If, perhaps, his continuing there comes in the way of developing an atmosphere which is helpful, he for one does not want to be there at all. Very honourably, and very rightly, he put all these questions before us. We told him that we appreciate what he says, but we certainly could not like him at this stage, that is to say, when this Bill is before Parliament, to retire. We do not want it to appear that he had, under pressure of certain

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wrong elements in the University, been compelled to retire. But we said: "We are prepared to consider what you have suggested after this Bill is over. Then we can look into the matter how best to proceed with this, and if you so wish to retire from this post we can consider that then" That is the position.

There is one thing more. I think some hon. Member—perhaps, Shri Asoka Mehta—said something about a visit of Members of Parliament to the University. Well, Members of Parliament, of course, are always welcome, there or anywhere else, to go and see, and I hope they will go; but I imagine it would be a good thing for them to go at a time which is carefully chosen and not just when they may get entangled in the internal troubles there—what I mean is, after this Bill is over.

**Shri Asoka Mehta (Muzaffarpur):** I was told that the troubles there are of a political character, and someone said that various political parties are involved. I thought that a delegation composed of representatives from different political parties, if it went there now, probably the situation can be eased.

**Shri Jawaharlal Nehru:** Yes; it is not for me to say anything. I was merely suggesting, when it was said that political parties were involved, as far as I know it was not hinted at that parties outside Banaras were involved, but local groups and local parties were there.

**Shri Braj Raj Singh (Firozabad):** Parties were named by certain hon. Members.

**Shri Jawaharlal Nehru:** Anyhow, hon. Members can always go there; there can be no difficulty about their going. The only question which I was suggesting was, would it not be better for this Bill to be passed and then for some Members of Parliament to go

there, instead of to go there in between? It is only a question of a few days; anyhow they can go, it is not a very long interval. But if people wish to go before that, certainly they are welcome to go so far as I am concerned.

I submit, Sir, therefore, that both on general principles and in regard to the history of the case and, also, more particularly with the course of events in the last,—well, whatever the period is—so many months or years since this Commission was appointed, there is no choice for us but for us to deal with the situation with a certain firmness in order to serve the cause of this University and education, and it has become inconceivable to me how any person can now argue that we should adopt any other course or oppose this Bill at this stage.

**Dr. P. Subbarayan (Tiruchengode):** Mr. Speaker, Sir, I really do not want to add very much to what has been said already but the President of the Banaras Hindu University Students Union saw me the other day and he told me that what has caused most trouble is this reference to the Eastern U.P. I want to tell hon. Members of this House, the Committee did not intend to cast any reflection on members of Eastern U.P. at all. It so happened that the particular group which is responsible for all this trouble hails from Eastern U.P. We could have said "certain groups" instead of "Eastern U.P.", perhaps, that might have satisfied them.

He also mentioned that students are being excited with the idea that they are all being tainted with the drawback of moral turpitude. All that we meant was that there were certain elements amongst the students who were guilty of such offences, and we did not intend to condemn the whole student community at all, because there are nearly 10,000 students in the

University and there are some very fine young men among them. There was no intention to condemn the student community as a whole, but taking into consideration what was happening in the University we were entitled to say that these incidents were happening and something should be done to correct what is happening there, and the only thing could be that some of these people who are undesirable might be got rid of.

That was the reason why we wanted a Screening Committee. Perhaps, the word "screening" was rather unfortunate, and I am glad the Select Committee has made it a "Reviewing Committee". Even now I am not satisfied. I do not know what the feelings of the hon. Minister, who was not a member of the Select Committee, were when he accepted this reference to the Solicitor-General and the Executive before the Reviewing Committee went into the matter. I feel the Reviewing Committee is composed of men who know what their business is, and who, I am sure, will apply their mind to any problem that they are confronted with. I think this will only delay matters and will help to fan the agitation that is already there. This particular student who saw me, told me that they are utilising our report in order to get up an agitation in the University and he also informed me that there are only five or six hundred of them who are really the cause of all this trouble, whereas the majority of the students want to continue their education in the best manner it could be given in the University and they could take part in the university life. But a few of them are being influenced to agitate and to spoil the atmosphere in the University. I think the atmosphere can only be corrected when this Reviewing Committee goes into the activities of some of the members of the staff and eliminate them, if I may use such an expression. Then only would an atmosphere be created which will tend to the proper working of the university institutions.

13 hrs.

I think the Prime Minister has put the case the best way he can and I am glad he took the trouble to do this. On behalf of the members of the Committee I want to express our gratitude to him for the way in which he has stood up for the Committee—not that the Minister for Education did not stand up for us, he did the best by us also. But we are indeed obliged to the Prime Minister for the prominent part he has taken in the passage of this measure. Finally, Sir, I would like to compliment my friend Shri Asoka Mehta for taking the atmosphere which was prevailing of one of hostility to one of calm thinking and reasonable attitude.

**Mr. Speaker:** I find that there are a number of hon. Members who want to speak. The time allotted is already over. Anyhow I will extend it by half an hour.

**Some Hon. Members:** By one hour.

**Mr. Speaker:** Yes, by one hour.

**Shri D. C. Sharma (Gurdaspur):** How many Members will get a chance to speak?

**Mr. Speaker:** As many speakers as could possibly be accommodated within one hour.

**Shri D. C. Sharma:** Have you got my name?

**Mr Speaker:** I know by this time the names of all the Members here. He need not send a chit. How can I forget Mr. Sharma? If I have time I will call one after the other.

**Shri S. L. Saksena (Maharajganj):** Mr. Speaker, Sir, I have come today to speak on this serious Bill on the twelfth day of my fast. That will show how strongly I feel about this Bill.

[Shri S. L. Saksena]

13-05 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

I oppose this Bill lock, stock and barrel. This Bill is based on the Mudaliar Committee Report. I have not the physical strength today to examine that report in detail. But I can say that I have never seen a more disgraceful piece of writing. In Gandhiji's words, this report can be described as the drain inspector's report like Miss Mayo's *Mother India*.

I claim to represent the people of Eastern U.P. where the Banaras Hindu University lies and I can speak from personal experience of many universities that no university has a greater record of service, none has more patriotic teachers and none was better managed than this University. As for petty blemishes, which university is free from them? Why then has the Banaras Hindu University alone been chosen for this vendetta? What is the history of this University? It was founded by one of the greatest Indians, the late Pandit Madan Mohan Malviya. In all movements of freedom, in 1921, 1931 and 1942, it played a most glorious part. I remember some of the professors and students of this university worked with me during the "Quit India" movement in 1942 at great risk to their lives. One of its professors, Shri Radhe Shyam, worked in Delhi with Shrimati Aruna Asaf Ali and led an absconding life for three years, exposing his life throughout to the greatest risk. Many other professors did likewise. In fact, the major credit for the glorious part played by East Uttar Pradesh and Bihar in the "Quit India" movement must go to these professors and students of the Hindu University. Today our Education Minister says that they are dangerous persons, and they must be screened by persons who were then licking the boots of the British Government in India at that time.

What is wrong with the Banaras Hindu University today? The Univer-

sity has been managed by the most distinguished Vice-Chancellors throughout its history. Pandit Madan Mohan Malviya, Dr. Radhakrishnan and Acharya Narendra Deva were some of its distinguished Vice-Chancellors. What is the position today? You have put a former Government servant like Dr. V. S. Jha as its Vice-Chancellor. How does he compare with these distinguished Vice-Chancellors? What are his qualifications for the post, except that his father was a teacher of our present Education Minister? He was thrust on the University against the wishes of the Executive Council. Could nepotism go further? You will be surprised to know that the brother of this Vice-Chancellor has been made the Vice-Chancellor of the Gorakhpur University and there he has wrought havoc.

**Mr. Deputy-Speaker:** Can't these be avoided? Why go into personal matters?

**Shri S. L. Saksena:** Recently there was a huge demonstration against him by 3,000 students of the University. He has squandered the money of the University like water. He has purchased two cars for himself costing Rs. 40,000. The University had provided a residence for the Vice-Chancellor which he did not like and he demolished a portion of the University Building.

**Mr. Deputy-Speaker:** This is not the issue before the House.

The gentleman cannot defend himself here. We should not criticise the conduct of a person who is not here to defend himself.

**Shri S. L. Saksena:** I shall try to avoid it.

Do such people desire to be Vice-Chancellors?

Corruption and nepotism stalks all over the country today. Here you see the cause of it all. When Ministers

themselves indulge in such nepotism, why should not the officials in the lower rungs of the ladder do so?

Sir, the remedy of all the present ills of the Banaras Hindu University is not the Bill, but the immediate removal of this Vice-Chancellor. I am shocked at the extent to which the Education Minister could go to boost up this Vice-Chancellor. They have not hesitated to destroy the autonomy of the University to support their nominee. They were in such a hurry to help him that they passed an Ordinance about it. And by this Ordinance they suspended the Constitution of the University framed in the time of the late Pandit Madan Mohan Malviya which had worked so successfully for the last forty years. Could there be anything more shameful?

**Pandit K C Sharma (Hapur)** The speech might be taken as read.

**Mr Deputy-Speaker.** Leniency should be shown to him for today at least.

**Shri S L Saksena** I ask the Prime Minister to probe into the matter thoroughly and put the Education Ministry in more competent hands.

What does this Bill propose to do? It makes the Education Minister a dictator of the University. He is the court, the Executive Council and the Academic Council rolled into one, and he shall not have much time to devote to the affairs of the University. This pet Vice-Chancellor shall be a real dictator. They have appointed a Screening Committee now named the Reviewing Committee. It is intended to demoralise all the teachers by being like a sword of Damocles hanging on their head. But do you realise the consequences of this committee trying to injure a single teacher? The whole countryside will be ablaze if you try to proceed against a single teacher who has a record of patriotism to his credit.

I want to declare in this House and I want to warn the Government "hands off" the Banaras Hindu University. We, the guardians of the boys reading in this University shall not tolerate this nepotism of the Education Minister. The Vice-Chancellor of the Hindu University must go at once. It will be better if he resigns voluntarily. Otherwise you must remove him at once and appoint in his place a man of the standing of Dr Kunzru or some such other public man. We cannot tolerate such dictatorial powers put in the hands of a man like Dr V S Jha. And if Government do not heed to my warning they will do so at their peril. With these words I oppose this Bill tooth and nail and request this august House to throw out this most mischievous, malicious and undemocratic measure.

**Mr Deputy-Speaker.** The time has been extended by only one hour. I see there are about a dozen Members rising up. It can very well be realised that all cannot be accommodated. I would request those Members who have had a chance when the measure was referred to Select Committee not to speak now. They should allow those who had no chance at that time to speak now.

**Shri Braj Raj Singh** There were certain observations to which time for reply should be given to us. Will you be kind enough to allow those Member who have got a definite point of view about this Bill to speak?

**Mr Deputy-Speaker** I will see if it is possible. But such grounds can be formed perhaps in every case.

I also find that not much is being said about the provisions of the Bill. Some extraneous things are being discussed. So I would think that ten minutes for each Member would be enough if the Members confine themselves really to what can be said on the motion for consideration. If it is agreed, perhaps two more Members can be accommodated.

Several Hon. Members: Yes, yes.

**Shri Raghubir Sahai (Budaun):** I consider that it was a very wise step that this Bill should have been referred to the Select Committee, because I find that after its emergence from the Select Committee it is a great improvement over the original Bill. Moreover, from the appendices to the report of the Select Committee, we have got very valuable material which I think goes to strengthen the position of the Government. Here, we find that exhaustive letters have been quoted from Pandit Govind Malaviya and Dr. C. P. Ramaswami Aiyar, two distinguished Vice-Chancellors of this university, and there are so many weighty observations in those letters which cannot be brushed aside. After the report of the Select Committee was published, we find that some of the leading citizens of Banaras issued a statement and amongst the signatories I find the name of Pandit Iqbal Narain Gurtu, a revered and eminent educationist and a theologian. He was formerly the Vice-Chancellor of the Allahabad University. I find from that statement, issued by the citizens of Banaras, that they "feel deeply aggrieved at the situation that has recently developed in the Banaras Hindu University, consequent upon the publication of the Mudaliar Committee's report."

"... a situation in which the interests of the students are greatly jeopardised. The students' demonstrations that are going on within the premises of the university and outside, appear to us very unseemly and highly undesirable. A place of learning such as the university is the last place with which one can associate such demonstrations. What is happening in the university at present will permanently damage the working of this great institution established with such a sense of dedication and nourished with such care and affection by Malaviyajji.

Moreover we strongly feel that the manner in which the student demonstrators are conducting themselves at present will ultimately affect seriously their own larger interest."

From all this we find that we are getting enough material for the vindication of the recommendations of the Mudaliar Committee's report. It is true that some of the observations that have been made in the Mudaliar Committee may well have been avoided, and from the intervention that was made by Dr. Subbarayan it appears that they now realise that some of the remarks that had been made in that valuable report might as well have not been made at all.

Nobody questions that the Banaras Hindu University occupies a very high position and a place in the minds of the Indian citizens, and everybody is anxious that that position should be retained. But from the material that we are getting today, let us see what is the present state of affairs. The high position has been lost by the Banaras Hindu University, and it is in fact in a degenerating position. We have to find out what it is due to. All these disturbances that are taking place at the present moment and all those things that have been taking place there for the last even or eight years are attributed to the irresponsibility of the students. In my humble opinion, I can say that most of the irresponsibility is that of the professors and the teachers of that university. A demand has been made and stress has been laid on the autonomy of universities. If I understand aright, autonomy does not mean conferment of a right to create chaos and disorder in the university which is prevailing at the present moment.

It is true, as was very rightly acknowledged by the hon. Prime Minister today, that it can be said that the Government had been sitting quiet for all this time, but I give credit to the Government for taking a step at the present moment, though it may be said that they have taken

this step at a very late stage. But they have taken up just the right step that should have been taken.

The university is suffering from a number of maladies: group politics, menace of teacher-politicians, indiscipline among the students and teachers, the selection of teachers on extraneous considerations and not on merit and absolute lawlessness in the university. Now, all these things can only be removed when drastic action such as is being proposed in the Bill is going to be taken. We cannot deal with the situation by weak-kneed methods.

Objection had been taken to the presence of a provision for a screening committee in the previous Bill. I am happy to note that that provision has been suitably modified and now it has been replaced by a provision for a Reviewing Committee. The executive council will take up those cases where it feels that action ought to be taken and after they have recommended, the matter will go through to the Solicitor-General to the Reviewing Committee, and when the Reviewing Committee has made up its mind, it will again send back its recommendations to the executive council. Both at the executive council stage and at the Reviewing Committee stage, the person against whom certain charges have been made will be in a position to offer his defence and say whatever he likes in his favour. So, we can expect that no injustice will be done in the case of those persons against whom proceedings will be taken.

Yesterday, my hon. friend Shri Ranga suggested that instead of adopting the procedure of the Reviewing Committee all the resignations should have been placed before the President. Now, even the President would require the assistance of a committee to come to the decision as to which resignation should be accepted and which should not be accepted. That very function can be performed by the Reviewing Committee proposed in the Bill.

A suggestion was made by Shri Asoka Mehta yesterday, which was appreciated by many here, that a goodwill mission should go to the university. On the very face of it, the suggestion appears to be very good, but despite all that the Prime Minister has said just now about this suggestion, I feel that it will be dangerous to accept that suggestion at the present moment. After all, Members of Parliament, as we are, are members of political parties. Some political label is attached to us. We want to remove the scourge of politics from the university and it would not be proper for Members of Parliament to go to the university at this stage.

**Shri Braj Raj Singh:** Is not that label removed when one enters the Government?

**Shri Raghbir Sahai:** I suggest that after the Bill has been passed and adopted by this House, the Prime Minister, as the representative of this Parliament and as the representative of this country, should issue an appeal to the professors, teachers and students of this university to help the executive council, the court and the Reviewing Committee by extending their co-operation to the bodies and by behaving properly.

Lastly, my suggestion would be that the representation of the Members of Parliament to the court should be increased. It should be at least doubled and the members should be elected and not nominated. I support the Bill.

**Shri Mahanty:** Mr. Deputy-Speaker, it is rather difficult to speak after the Prime Minister has offered his views on this Bill. I recognise from what he has said, that there is a quantitative discontent against this Bill which constrained him to intervene in this debate. The whole burden of his speech was now it was too late to oppose this Bill—if you want to throw out this Bill, you will have to throw out also the university. Personally I

[Shri Mahanty]

will not be sorry if the Hindu University is thrown away. It is high time to consider that the communal balance in universities is abolished.

There is a Hindu University in Banaras. There is a Muslim University in Aligarh. More serious complaints have been heard against the Aligarh Muslim University.

**Shri Ansar Harvani (Fatehpur):**  
Question.

**Shri Mahanty:** You may say 'Question'; I have also a right to question your question too.

**Mr. Deputy-Speaker:** All questions and no answers.

**Shri Mahanty:** More serious complaints have been heard against the Muslim University in Aligarh. Let the hon. Minister gather courage in both his hands and say to this House whether he is going to institute an enquiry into the affairs of the Aligarh University.

Since we are considering the principles of this Bill, I am against communal universities. If there are universities of denominational character, the university authorities are composed on denominational basis too. The University Commission, which was presided over by no less a person than Dr. Radhakrishnan, had long ago recommended that the denominational character of the universities should be abolished. I would like to know from the hon. Minister what step he has taken in the matter.

I would like to assure him and the House that I am second to none in my anxiety to see that the normal academic health of the university is restored. It is a matter of deep regret that an institution which was patterned and meant to be the centre of Hindu renaissance has ended in a cockpit of Hindu decadence. Therefore, while we are at one with the Government and the Minister to see

that its normal academic health is restored, while we are in agreement with the basic objective of the Government, we are distinctly against the pattern that now emerges; even after the Select Committee has scrutinised the Bill.

Yesterday much was said about the healing touch. But I am sorry to say that this Bill, which is more or less a penal measure, lacks both that healing touch and that academic compassion which are so much necessary while we deal with institutions of an academic and cultural nature. Therefore, if we were constructed to append our minutes of dissent, the hon. Minister should not have attributed to us any motive of partisanship. Differences of opinion may exist and they are bound to exist particularly in matters of such a nature. Therefore, I was sorry, I was pained, that the hon. Minister whom we know for the last six years, should have attributed this motive of partisanship.

My difficulty is that this Bill will accentuate the bitterness than try to retrieve this institution from the bitterness that has surrounded it. The fact has to be noted that from 1952 students in 1924, the student population has increased to 10,000 in 1957-58. Along with this increase in student population, the problems also have increased. I dispute the proposition and I am sorry that the Mudaliar Committee which consisted of certain academicians of eminence should have taken a superfluous view of the situation. The real issue of student indiscipline emerged from the poverty of student; of Eastern U.P. Students from Eastern U.P. and Bihar, who cannot afford to go to any other university, come to this university. I am sorry, I am ashamed that a committee of this nature should take a callous view of the matter and recommend that doors should be closed against those students, and that if they cannot afford to go to the university, let them go to the fields or join basic education schools.

This fact has to be noted, the gruelling poverty has to be noted, the poverty that is crushing so many genius. When they are faced with frustration, naturally they fall a prey to the political agitations. What steps are you going to take to see that even in the university stage, at least deserving students got free education. Let us see who are joining this agitation—students of the ayurvedic faculty. In this faculty, you have not been able to provide a principal and what are the students going to do? Even today Government have not made up their mind as to what is going to be the future of ayurvedic system in this country. So, those students live in an ivory tower of mediaeval studies. You cannot provide them the basic modicum of education. So I welcome them and encourage them to join such movement, unless you attempt to solve their basic problems. I have never learnt to talk in the language of platitudes. It is being said that a Goodwill Mission should be sent to Banaras, as if Banaras has gone to Pakistan and therefore a goodwill mission must be sent there. I do not believe in these platitudes. Can you tell me in which university in India, in the law faculty, Roman Law is being taught today? It is being taught in the law faculty of the Banaras Hindu University.

**Pandit K. C. Sharma.** In the Agra University it is being taught.

**Shri Mahanty:** I do not know. But so far as my knowledge goes, I will be happy to be corrected.

**Pandit Govind Malaviya:** Have you seen the syllabi of other universities?

**Shri Mahanty:** I am prepared to be educated by you so far as the syllabus is concerned, but not in other respects. The hon. Member interrupting me will bear me out that students of the engineering and science faculties do not join this movement, because they

are assured of their tomorrow. Their today's are not so gruelling and tomorrow's not so uncertain as in the case of students in the legal faculties, Hindu Philosophy and Ayurveda. Therefore, in order to bring forth these issues, with all its bitterness, I welcome that the students have joined this movement. I will welcome them further if they join such movements. It is high time for Government to make up its mind, whether it wants to keep this university as a show-piece of communal balance or as a real national university.

The hon. Minister took exception to my observation, regarding the reviewing committee. I am really grateful to the hon. Minister for the sense of understanding and accommodation that he had evinced in the Select Committee and I am happy we have been able to tone down the original provisions of a screening committee to the present reviewing committee. But there it still remains. It is something repugnant to the concept of natural justice. In criminal courts even, every person is considered innocent until he is proved guilty. But here, if the executive committee is of the opinion, according to its whims, caprice and personal predilections, that some reasons exist for considering a person who was in service on 14th July 1958 guilty he shall remain so, until he is proved innocent. Therefore, I was saying that this particular measure is repugnant to our basic concepts as to what a university should be. I, therefore, was constrained to say that the Reviewing Committee will cast a grim criminal court-like shadow over the whole university. What we want is to bring back normal life to the Banaras Hindu University but not by victimising the students and professors who are victims of circumstances. We are not going by this measure to retrieve this institution from the position in which it is now. I, therefore, once again appeal to the hon. Minister that he should see that this Bill expires within a year or even less than that.

**Shri Ansar Harvani:** Mr. Deputy-Speaker, I belong to the Aligarh University and I am proud of that heritage. I consider the Banaras Hindu University and the Aligarh University as two eyes of the pride that is mother India and if any of them is injured the body, mother India, is likely to suffer. Therefore, I think it is the duty of the entire nation, it is the duty of all the people, irrespective of their political affiliations, to protect those Universities from the danger that is facing them.

**Mr. Deputy-Speaker:** Shri Mahantv did not want deformity. He said that uniformity ought to be there.

**Shri Ansar Harvani:** I submit to your ruling. What I was saying was this. All has not been well with Banaras Hindu University. That has been known to all of us. The Mudaliar Committee Report came and it shocked many of us by its recommendations as well as its findings. Government were quick to take action. I congratulate the Government for taking interest in the Banaras Hindu University, though belated. I feel that they ought to have taken this interest much earlier. At the same time, we should see that the name of the great University is not tarnished by publishing that report, by giving it so much of publicity. By telling the people all that has been happening there, they have tarnished the name of that University and the product of that University is likely to suffer in the case of getting a job or going anywhere else.

As the hon. Minister said the other day, the entire University has now become a sort of armed camp. The house of the Vice-Chancellor is surrounded by the students. For the Vice-Chancellor and the Pro-Vice-Chancellor it is almost impossible to go out of their houses. I have seen a report that when the Vice-Chancellor goes out, in the city or within the University, he is being shadowed by some armed guards. This

is a disgrace for any University. After all, the Vice-Chancellor is the high priest of the temple of learning. This high priest is not protected by commanding the respect of the students, by commanding the respect of the people and has got armed guards. It a disgrace to the temple of learning.

Therefore, while supporting this Bill, I have to suggest to Government to take a stricter measure. Just keeping out a few poor teachers there, a few poor lecturers here and dismissing a few clerks belonging to the Eastern Uttar Pradesh, as they say, will not do. We should overhaul the entire administration of the University. When we find something wrong in the University, let us go and completely overhaul it from top to bottom. The Mudaliar Committee Report said that the authorities should be suspended. Who possesses and discharges real authority? The court which meets once a year? Or the Executive Committee which continues to be what it was with slight difference? Or does it vest with the Vice-Chancellor and the higher authorities? Therefore, I say that they ought to have gone. That is what I beg to submit.

**Pandit Govind Malaviya rose—**

**Mr. Deputy-Speaker:** I am prepared to make an exception in his case. Within the time that is available, certainly I will try to accommodate as many Members as possible. But even Pandit Malaviya will be no exception so far as the limitation of time is concerned.

**Shri Prabhat Kar (Hooghly):** Is it not possible to extend time?

**Pandit Govind Malaviya:** I shall try to say what perhaps you will find relevant and not a repetition and take as much time as I am allotted and when you ask me to sit down, I shall do so.

**Mr. Deputy-Speaker:** I was of the opinion that I may not have an opportunity to ask Panditji to close.

**Pandit Govind Malaviya:** I shall try my best to condense things as much as I can

The remarks which our leader and Prime Minister was good enough to make in this House clearly indicated to us the difficulty which the Government and the Prime Minister himself feel in this matter. If I were to interpret his words, perhaps it would not be wrong to say that he finds himself now in a situation where there is no other course for him but to go forward with what is before the House. I, Sir, appreciate that difficulty very well. But my fear is that due to circumstances over which neither he nor anyone else has any control, namely, the physical limitation of time, he has not probably been posted up with all the relevant facts of the situation. In that spirit, I wish to make a few remarks. I wish he had been here, he is not. Let me hope that perhaps this may go before him and it may come to his notice. It is in that hope that I wish to make a few remarks.

So far as the previous debate on this question is concerned, I have to say that some personal references were made to me, to which I do not wish to refer. The Education Minister should have taken recourse to arguments rather than to personal remarks. But, perhaps he thought it was best to do that in the interest of his Bill. In any case, he read a letter of Mahatma Gandhi and added his opinion about it. I think it is a purely personal matter into which I shall not go, except to say that there are living today persons in the highest positions in this country who will be able to testify—that it was Mahatma Gandhi who asked me to go and stand for the

Pro-Vice-Chancellorship of the Banaras Hindu University. Similarly, another Hon'ble friend of mine, Shri Mathur made certain personal remarks about me here. I have told him that if he gives me the time, I would go into the matter with him and show that there was no basis for what he said. I shall not go further into these personal things. It does not matter what is said about an individual. What we should all think about and strive about is the welfare of the institution that we are today discussing.

I skip over things, even the Mudaliar Committee Report, except to say two things. Firstly, because there is not enough time here to go into each one of the wrong statements which that report contains about the Banaras Hindu University, much as I should have liked to do, page by page and item by item so that my refutations also would stand on record, and not the accusations alone, those sweeping generalisations based on groundless or isolated cases. But because there is no time, I shall content myself, as a part of my duty to my Alma Mater, to say here that the accusations made in that report are such as can be proved from one end to the other to relate to individual cases or to solitary isolated instances, the like of which are not unknown elsewhere, and which should not have been utilized,—like Catherine Mayo's book "Mother India", which Mahatma Gandhi described as a sanitary inspector's drain report,—which should not have been utilized to tarnish and to condemn that great institution. I should like it to stand on record that everyone of those charges, if they were gone into, would be proved to be isolated cases on the basis of which the general accusations which have been made should not have been made. I shall not say anything more about the report.

**Shri Goray (Poona):** How many isolated cases become a general rule?

**Pandit Govind Malaviya:** Since my hon. friend asks, I will mention some.

**Mr. Deputy-Speaker:** There can be difference of opinion on that. The hon. Member need not touch it.

**Pandit Govind Malaviya:** I will mention one or two to show what it means. As I said the other day, it is mentioned in the Report that the thesis of some student was written by some professor. But the report has not gone further to mention that the University authorities took action in the matter and that professor was made to go from the University. What does that prove? Does it prove that the University did anything wrong? It redounds to the glory and the credit of that institution that that attitude was taken.

Similarly, there are a number of things. Something has been said about a Vice-Principal having been appointed in the Women's College by the revered founder of the University. The person who was appointed is still there. If any member of the Committee or anybody would point out today any other teacher of Sanskrit or Hindi who would be as good a teacher as she is, I will accept the report. But she stands on her own. In those days, teachers of Sanskrit and Hindi had no degrees. The members of the Committee should have known that much that at that time there were no degrees for them. Dozens and dozens of people in the University and elsewhere, who have been the bride of that field of learning and who have made its history, had no degree and this Committee saying that this teacher had no academic qualifications does not hold water.

Such are the cases and such are the instances on the basis of which sweeping generalisations have been made. I shall leave it there.

I shall come now at once to another point and that point is the factions in the University. Most respectfully and in all humility, I beg the hon. Education Minister and the Government and the hon. Members of this House not to be misled by things and not to imagine that the one group which has been referred to in this report is the only group in that University. As in practically all other Universities today, as in the Delhi University...

**Shri Braj Raj Singh:** And as in the Government.

**Pandit Govind Malaviya:**...and as everywhere, there is more than one group. There are three or four groups and if the hon. Education Minister and the Government wish to rid that University of that atmosphere they have got to take very careful action and see that by what they do, they do not make it possible for other groups and unhealthy forces to come up. Therefore, I submit that that part of the Bill also is not going to help.

I will come to the fourth point. I am skipping over things because of lack of time, otherwise I would have gone into details. I will come to the fourth point and that is the question of indiscipline among the students. I have got here with me newspapers—morning dailies consecutively of the last three days—of this morning, of yesterday and of day before yesterday. Each one of them has horrid reports about things happening in educational institutions—one saying that two Women's Colleges in Delhi are being guarded by the Police, the other saying that a student has been stabbed by another student and the third saying that a suit has been filed...

**Pandit K. C. Sharma:** Does the hon. Member want to out-do them?

**Shri Braj Raj Singh:** He is just pointing them out to the hon. Education Minister.

**Mr. Deputy-Speaker:** The hon. Member has got very limited time and more should not be taken

**Pandit Govind Malaviya:** ..... and the third saying that the Vice-Principal of an educational institution in Delhi, who had filed a suit against an institution has now got special leave from the Supreme Court to carry on her suit. Every day we are having such things. I do not approve of them. I am behind nobody in condemning them. I am with the Government, every sensible man would be with the Government, in desiring that such things should not happen, but what I submit is that because these things happened at a place—some people, did this—you cannot take up one huge brush and paint the whole institution black. It is neither fair nor just nor sensible.

So far as students' indiscipline is concerned, students are part of society. Where, in what section of society do we find that indiscipline is not rampant today?

**An Hon. Member:** In Government.

**Pandit Govind Malaviya:** Among the politicians themselves, is that old-time integrity, is that old-time fairness, is that old-time pure impersonal objectivity, is that old-time scrupulousness, which were the bedrocks of public life in all countries of the world some time ago, there? Do we find it among our politicians today? Do we find discipline among our lawyers? Do we find it among our medical men? Do we find it among our merchants? Do we find it among our industrialists? Do we find it among the employers? Do we find it among the employees? Do we find it anywhere? It is nowhere to be found. How can we expect that the students will be something different? But let this not mean that I approve of the indiscipline among the students. All my life I have striven against it and the way

to eradicate it is not by the big rod but by other means.

With this background, the steps which we are going to take show what? A letter from me was quoted. That letter was entirely misinterpreted and misused. In that letter, I had never asked for Government interference. In that letter, I had only mentioned that such things were happening and yet, because I had no ill-will towards anybody, I did not want to punish anybody, I was not vindictive, I carry on and I said that in spite of these groups the bulk of the people—the Court of the University—overwhelmingly re-elected me. But, this Government, instead of supporting me, set aside that re-election. I have no complaint about all that. As I said, I do not want to go into personal things, but what I beg to submit is that everywhere things are difficult at times, but they get right. In this University, thereafter, since the day when such interference by this Government started in the affairs of the University, things have gone from bad to worse. I am saying something which might surprise people, but I am mentioning facts. After that Acharya Narendra Deva was sent to the University as Vice-Chancellor and the files of the Education Ministry will bear witness to it that he wrote to the Government to say that if the Government did not change their representatives and the interference which they were causing in the University affairs, he would have no other way but to resign the Vice-Chancellorship and to go away from the University. That was the amount of interference which was occurring from the Government. Even Sir C. P. Ramaswami Aiyar went away, and if Sir C. P. Ramaswami Aiyar were to be asked his opinion in that matter, I do not know if he will have a good certificate for the Government in this regard. It is since then, since the time when Government began to interfere in the affairs of the University in that manner that things have

[Pandit Govind Malaviya]

gone wrong. The students have agitated not because they wanted more seats, but because the existing seats which were there given to them since long, were going to be reduced. Then the agitation started. These are things which we should go into carefully. Educational institutions are sacred things. The Banaras Hindu University....

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

**Pandit Govind Malaviya:** May I take a couple of minutes more? I will finish in two minutes.

The Banaras Hindu University had faced threatened interference in the past. To cite only two of several such episodes! In the days of the British at one time, there was a talk of a committee being appointed, but the Government did not dare to do it and the Chancellor appointed a committee the report of which went to the Chancellor and the matter was pigeonholed, except that a new Pro-Vice-Chancellor was brought in and a Finance Committee was set up which had already been there in slightly another form. Then in 1942 when so much work in the grim national Freedom Movement was done by the students and teachers of the University, the Government of India wanted to interfere. The Commander-in-Chief said that he would like to raze the University to the ground; and the great Maharaja Shri Ganga Singh of Bikaner, who was the Chancellor of the University, wrote direct to King George, the then Emperor of India, saying that it was an act of impudence on the part of the Viceroy of India to brand the University like that and asking for the recall of Lord Linlithgow, the Viceroy, on that point! And nothing was done by the British Government to the University! That has been the tradition of the great institution. And now, such interference!

I do not say there is nothing wrong with it. Let us by all means put our heads together to set things right. But, the way to set things right is not the way by which it is proposed to be done. If I had felt that this would serve the purpose, howsoever bitter it would have tasted, I might have swallowed it. I feel honestly that it will only worsen the situation. It will not help it. The fact that Universities have begun to be interfered with in this manner will augur bad for the future of education and for the future of learning in this country. I, therefore, most humbly and in all humility, in all friendliness and in the utmost spirit of constructive helpful suggestion make an appeal to the Education Minister and the Prime Minister and this Government to ponder over this question. The angry tone, the unsympathetic go-to-hell attitude, that big police action manner is not a thing for the field of education. They will not help. They will not carry us anywhere. Let the Government think about it yet, and take such action as may actually help that University to again stand on its feet and not to become the cockpit of heated, animated and tense atmosphere of discussion, argument, and strife because of this man being arraigned or that man being arraigned or this being done or that being done. As has been said by some of my hon. friends, the need is to apply the healing touch, to take up an attitude of humble helpfulness, of sympathetic and helpful non-interference and to let the University once again regain the calm and quiet which is essential for the growth of education and for the propagation of the Muses. I hope my appeal will be taken in the spirit in which I am making it and not only the name of that great institution will be saved from being tarnished as is now being done, but, instead of just sticking to the course which has been proposed, those things would be done which will serve effectively and rightly.

**Dr P Subbarayan:** On a point of order, Mr Deputy-Speaker, my hon friend used the word 'go-to-hell attitude' I would like to have your ruling, whether that is parliamentary

**Pandit Govind Malaviya:** If it is not parliamentary, I withdraw it

**Mr Deputy-Speaker:** Now that it has been withdrawn, I need not give any decision on that

**Pandit Govind Malaviya:** I am not sticking to any word My feeling, I think, I have made clear

**Mr Deputy-Speaker:** Even if it is not wanted, I must express my opinion that I do not consider it unparliamentary though it may not be desirable

I must call now the hon Minister  
Some Hon Members rose—

**Mr Deputy-Speaker.** I would try to accommodate the other Members who are still there in the clause by clause discussion If hon Members think that that hour also should be taken by this general discussion and that they would not move any amendment, I am prepared to take that hour also

Some Hon. Members That is not very important

Some Hon. Members. There is the third reading

**Shri Braj Raj Singh.** Sufficient time has not been given

**Mr Deputy-Speaker:** The longest time was taken by the hon Member

**Pandit Thakur Das Bhargava (Hissar).** I wish to submit that the clauses are not concerned with policy Every Member has not given amendments If there is Third reading

those who have not spoken in any of the stages may be accommodated in the third reading

**Mr. Deputy-Speaker:** I am certainly prepared to do that I would ask the co-operation of Members that the second reading may be concluded very soon so that we could have some time for the third reading

**The Minister of Education (Dr K L. Shrimali).** Sir, after the intervention of the Prime Minister, I do not think it is necessary for me to say anything more He has already touched on the important issues which were raised by hon Members I do not like to introduce any heat or repeat the arguments which have been fully given by the Prime Minister I am grateful to the House and the hon Members who have generally supported this measure It has been recognised by almost every Member that the University has been suffering from a malady, that the situation had been developing for the last several years which was not healthy for the academic atmosphere of the University The Government did not interfere for a long time in spite of what my hon friend Pandit Govind Malaviya might say

The Prime Minister has already told the House that after the Mudabhai Committee submitted its report, the Government have no alternative

**Shri Braj Raj Singh.** It has been said so many times

**Mr Deputy-Speaker.** Therefore he is saying that he need not repeat

**Shri Braj Raj Singh:** But, he is repeating

**Dr K L. Shrimali:** It is my wish and hope that this great national University might take its place among the greatest Universities of the world

**Shri Braj Raj Singh:** You are going to destroy it.

**Shri Raghunath Singh:** Not destroy; but correct it.

**Mr. Deputy-Speaker:** Order, order.

**Dr. K. L. Shrimall:** It is also my wish that this great University might maintain the traditions of some of our ancient Universities—Nalanda and Taxila I, therefore, approach this task in a spirit of humility. There is sorrow in my heart; but there is no anger.

I welcome the proposal which has been made by my hon. friend Shri Asoka Mehta. Many of our troubles in the educational institutions and the Universities would cease if the leaders of all political parties come to a gentlemen's agreement and stop exploiting the students for political purposes. I am not blaming any particular political party. We are all equally to blame.

**An Hon. Member:** Including the Congress?

**Dr. K. L. Shrimall:** I am not asking the students to eschew politics. Politics is a part of our life. They should have the freedom to hold whatever view they like. It is the duty of the teachers as well as the leaders of the community to see that students are treated as persons and not as mechanical robots. In the past, they have been exploited by political parties with the result that many of our Universities today have lost their academic character. I would be very happy to discuss the whole question with my hon. friend Shri Asoka Mehta and other Members who are interested in the welfare of Universities. If you could draw up some plan which would enable not only the Banaras Hindu University, but also other Universities to develop a proper academic atmosphere, I would be very happy. But, I must

say that our efforts in the past have not been successful. Some time back, efforts were made to set up a National Union of Students and all the political leaders, eminent leaders, had agreed that as far as the students are concerned, they need not be involved in the day to day politics and day to day political controversies. It was hoped that through this organisation we might be able to bring the student community on a common platform for national reconstruction and national regeneration.

14 hrs.

The House is aware of what had happened to the national students' union, and what fate that organisation had met. Though I am not very hopeful that our efforts would succeed, again I am prepared to give my full co-operation to the hon. Members who can approach this question in this new spirit, that is, of keeping the universities out of political struggle and political arena. If we could do this, I am convinced that this will resolve one of our major crises in the educational system of our country.

Some hon. Members raised objections with regard to the nomination of Members of Parliament to the court. I had said yesterday that as far as I was concerned, I would have no objection, if the House chose to elect these members. But I would like to tell the House that both the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha have nominated only those persons to the court who would be elected by these Houses. The Select Committee considered this question and it came to the conclusion that since all the members were nominated to the court and the executive council, it would be a better procedure if these persons were allowed to remain in the court. After all, this is a temporary measure, and the House will have another opportunity to discuss

the revised and comprehensive Bill again, and then they can lay out whatever procedure they like. I would, therefore, request hon. Members that the Bill as it has emerged from the Select Committee may be retained as it is.

With regard to the number of Members of Parliament, there are already ten members in the court out of 52 members, including the vice-chancellor and the pro-chancellor. With all due respect, I would like to submit that this is an adequate number, as far as the court is concerned. We have to have the representatives of other interests also.

My hon. friend Shri Prabhat Kar suggested that I should make it clear that there would be no victimisation of the teaching staff. I must say that I was rather surprised when he said that there was any possibility of victimisation after all these safeguards have been provided in this Bill. The cases have first to be examined by the Solicitor-General to the Government of India. After he is satisfied that a *prima facie* case exists, he would refer the case to the reviewing committee. The reviewing committee is headed by an eminent ex-judge of the Calcutta High Court, who has an international reputation. After the reviewing committee has examined the case and has given an opportunity to the members of the teaching staff to explain their point of view, the case would be referred to the executive committee. The executive committee has an ex-Chief Justice of the Supreme Court and some distinguished Members of Parliament. Now, what more safeguards...

**Shri Braj Raj Singh:** And the present vice-chancellor.

**Dr. K. L. Shrimall:** What more safeguards could be there? If the hon. Member still thinks that the present vice-chancellor can influence the whole executive committee, which consists of an eminent ex-

Chief Justice of the Supreme Court and eminent Members of Parliament, I have nothing to say; the hon. Member can have any opinion he likes.

**Shri Braj Raj Singh:** I just added the fact.

**Shri Raghunath Singh:** That is known to everybody.

**Dr. K. L. Shrimall:** But I would like to say that if we do not rely on our Solicitor-General.....

**Shri Braj Raj Singh:** Let not the Minister infer wrong things.

**Mr. Deputy-Speaker:** The hon. Member should not get frustrated. Still, there is hope in the third reading.

**Shri Braj Raj Singh:** I am the last man in the House to get frustrated. I know how this Government has got to be removed from office.

**Dr. K. L. Shrimall:** The hon. Member has been saying that there are not adequate safeguards. and I am trying to explain that there are adequate safeguards. I do not know why he should get irritated about this matter. I am saying that the reviewing committee is headed by an ex-judge of international reputation. I am saying that the executive committee has an ex-Chief Justice of the Supreme Court of India; it has also four Members of Parliament on its body, and some eminent persons and ex-vice-chancellors. What other safeguards are needed? After all, so far, nothing has happened to the teaching staff. In fact, they are unnecessarily anxious about the whole matter. After our having given all these safeguards, why should there be anxiety, and why should they be worried? And I do not know why the hon. Member in the Opposition should be so perturbed about the whole matter. We have to have reliance on these people, eminent people, who have been appointed and nominated by

[Dr. K. L. Shrivall]

the Visitor on this body. If we cannot expect justice from these people, we cannot expect justice from anywhere in the world.

Hon. Members have also suggested that we should make a psychological approach to the whole problem. As far as I can see, the only psychological approach that can be made with regard to Indian education at the present moment is that we must inculcate among our students respect for law and authority. If the students do not respect their teachers, and the teachers do not respect the university or the college authorities, there would be no stability in the society. The students must understand and the teachers must realise that we are functioning in a certain social context, namely the democratic context. These methods of hunger-strikes, strikes and processions may have had a certain value when we were fighting for independence. But I would like to submit, and I would appeal to the House and the leaders of the political parties to decide here and now, that hereafter there will be no strikes and hunger-strikes as far as the educational institutions are concerned.

**Shri Jagdish Awasthi (Bilhaur):** It is up to Government to decide.

**Dr. K. L. Shrivall:** It is only then that there will be peace and stability in the society and an academic atmosphere in the university. Students should certainly have full opportunities to express their grievances in a legitimate manner, I admit; but are these the methods which should be employed in an educational institution? Are these the methods which would encourage the spirit of inquiry and the pursuit of knowledge? I would like to submit that unless we put a stop to these things, the standard of our education will not be raised and our universities will go to pieces.

In the end, I would only like to say that this is only a beginning. We have a very difficult and up-hill task before us. We have undertaken the responsibility of reconstructing this old university. It has great traditions. It was founded by one of the greatest sons of this country. It has great ideals before it. We want to make it a centre of great learning, and one of the greatest universities in the world. And I shall need, and the Government will need, the co-operation and the help of the Members of this House as well as of the public in building up true tradition and morale in the university. It is in this spirit that I approach this House, and I have brought forward this measure.

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

"That the Bill further to amend the Banaras Hindu University Act, 1915, as reported by the Select Committee, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** Now, we take up clause-by-clause consideration.

**Clause 2** —(Substitution of new section for section 9)

**Shri Prabhat Kar:** I beg to move:

Page 1, for clause 2, substitute—

"2. Omission of section 9.—Section 9 of the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act) shall be omitted."

**Mr. Deputy-Speaker:** The hon. Member has spoken on it already.

**Shri Prabhat Kar:** I have spoken on it, no doubt, but I shall not take very long.

**Mr. Deputy-Speaker:** That was the only request that I wanted to make.

**Shri Prabhat Kar:** I want to refer you to the original section 9 of the Banaras Hindu University Act.

Section 9 of the Act reads:

"The Court shall be the supreme governing body of University and shall have power to review the acts of the Executive Council, the Academic Council and the Standing Committee of the Academic Council...and shall exercise all the powers of the University not otherwise provided for by this Act or the Statutes".

In the amending Bill, the section as proposed to be amended reads:

"The functions of the Court shall be—

- (a) to advise the Visitor in respect of any matter which may be referred to it for advice;
- (b) to advise any authority of the University in respect of any matter which may be referred to the Court by such authority; and
- (c) to perform such other duties and exercise such other powers as may be assigned to it by the Visitor or under this Act".

Today the Court is only an advisory body. Agreeing with the spirit as enunciated here by the hon. Minister that it is necessary to amend certain sections of the Act, I have not yet been able to find out the reason for maintaining the Court for this temporary period, because if it is intended only to meet an emergency and if today the Court is being transformed into an advisory body, no proper function being given to the Court by the clause, I feel even now that there is no necessity of continuing this Court, particularly in view

of the provisions in clause 7, namely: (d) two persons from the Departments and Colleges of the University, nominated by the Visitor; (e) two persons from among the teachers of the University other than Professors, nominated by the Visitor; and (f) five persons from among the old students of the University, nominated by the Visitor. I would only request the hon. Minister that as there is no proper function for the Court, it is not necessary to keep it. Instead of keeping the Court with that nominated element, that will rather help in easing the situation.

**Dr. K. L. Shrimall:** In my introductory speech, I have already explained fully that the Court has certain functions such as election of the Chancellor and members of the Finance Committee and so on. So it is not merely advisory. Though the Mudaliar Committee had recommended that the whole Act should be suspended, Government did not want to take that drastic step. In fact, as I have already explained in my introductory speech, we have not yet abolished any of these academic bodies. All that we have done is to take certain of their powers and functions and let these academic bodies remain as they are. Since all the members are nominated on this Court, I do not think there is any risk of any factionalism, as my hon. friend has pointed out. Under these circumstances, I do not accept the amendment.

**Mr. Deputy-Speaker:** I shall put amendment No. 6 to vote.

The question is:

Page 1,—

for clause 2, substitute—

"2. Omission of section 9.—Section 9 of the Banaras Hindu University Act, 1915 (hereinafter referred to as the principal Act) shall be omitted."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That clause 2 stand part of the Bill".

*The motion was adopted.*

*Clause 2 was added to the Bill.  
Clauses 3 to 6 were added to the Bill.*

**Clause 7— (Amendment of statutes)**

Shri Supakar: I beg to move:

(1) Page 3,—

*for lines 18 to 22, substitute—*

"(g) three representatives of Parliament, two to be elected by the Lok Sabha in such manner as the Speaker of the Lok Sabha may direct and one to be elected by the Rajya Sabha in such manner as the Chairman of the Rajya Sabha may direct,"

(2) Page 3,—

*after line 27, add—*

"Provided that out of the twenty-nine persons nominated, four persons at least shall be from amongst the donors and five persons at least shall be persons who represent respectively the Hindu, the Buddhist, the Sikh and the Jain culture and learning."

Shri Prabhat Kar: I beg to move:

(1) Page 3,—

*omit lines 12 to 17.*

(2) Page 3,—

*for lines 18 to 22, substitute—*

"(g) twelve members of Parliament, eight to be elected by the House of the People from among the members thereof and four to be elected by the Council of States from among the members thereof,"

(3) Page 3, line 28,—

*for "twenty-nine" substitute "twenty".*

(4) Page 3,—

*after line 27, add—*

"(i) one member from each State Legislative Assembly to be elected by the respective State Legislative Assembly."

(5) Page 4,—

*for lines 16 to 40, substitute—*

"appointment for (i) Professor, (ii) Reader or Lecturer, (iii) Registrar shall consist of five experts nominated by the Visitor. No member of the Executive Council shall be a member of the Selection Committee."

Shri Braj Raj Singh: I beg to move:

(1) Page 3,—

*after line 27, add—*

"Provided that no member of Parliament shall be nominated under this clause by the Visitor."

(2) Page 3, line 28,—

*for "seventeen" substitute "eighteen".*

(3) Pages 5 and 6,—

*omit lines 2 to 39 and 1 to 20 respectively.*

(4) Page 5,—

*for lines 32 to 34, substitute—*

"(a) two persons who are or have been Judges of a High Court nominated by the Central Government one of whom shall be nominated to be the Chairman of the Committee; and"

(5) Page 5, line 35,—

*for "two persons" substitute "one person"*

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

श्री ब्रह्म राव सिन्हा : उपाध्यक्ष महोदय, मैं अपने इन संशोधनों को पेश करते हुए यह निवेदन करना चाहता हूँ कि प्रवर समिति से वापस आने के बाद इस बिल में सब से ज्यादा महत्व सिर्फ़ क्लॉज ७ का रह जाता है। मेरी भाशा थी कि आप की योग्य चेयरमैनशिप में प्रवर समिति ने जो कुछ काम किया, उस के बाद सदन में उन पुरानी बातों को नहीं दोहराया जायेगा, जो कि पहले मेरे प्रस्ताव पर श्री एजुकेशन मिनिस्टर द्वारा पेश किये गये बिल पर वाद-विवाद के समय कही गई थीं, लेकिन मुझे दुख है कि उन पुरानी बातों को फिर लाया गया और उस का शुभारम्भ हमारे शिक्षा मंत्री महोदय के द्वारा किया गया और इसीलिये दूसरे माननीय सदस्यों को भी उन का उल्लेख करना पड़ा। मुझे इस बात का भी दुख है कि माननीय प्रधान मंत्री ने जब इस पर चर्चा की, तो उन्होंने वह पुरानी बातें कहीं, जो उन्होंने पहले अपने भाषण में कही थीं। यदि हम विपवविद्यालय के वातावरण को सही बनाना चाहते हैं और हम चाहते हैं—जैसा कि इस सदन में बार बार कहा गया है—कि विपवविद्यालय अच्छी लाइन पर चले, तो फिर उन पुरानी बातों को भुला दिया जाना चाहिये जो कि कमेटी की रिपोर्ट में कही गई हैं और जिन का उल्लेख कई माननीय सदस्यों ने किया था। मुझे अधिक अफ़सोस इसलिये है कि कुछ माननीय मित्रों ने फिर उत्तर प्रदेश और बाकी हिन्दुस्तान और पूर्वी उत्तर प्रदेश की बात कही, जो कि नहीं कही जानी चाहिये थी। पहले ही यहां धाँकड़े दे कर बताया जा चुका है कि वे बातें सही नहीं थीं, इसलिये मैं इस के अतिरिक्त और कुछ नहीं कहूँगा कि ये बातें न कही जातीं, तो अच्छा था।

अब मैं अपने संशोधनों के विषय में कुछ निवेदन करना चाहता हूँ। संशोधन ८ के द्वारा मैं यह चाहता हूँ कि पेज ३ पर लाइन १८ से २२

तक के स्थान पर यह रख दिया जाय—

“(g) twelve members of Parliament, eight to be elected by the House of the People from among the members thereof and four to be elected by the Council of States from among the members thereof,” शिक्षा मंत्री महोदय ने इस सम्बन्ध में कहा है कि दस मेम्बर पहले से पार्लियामेंट के मौजूद हैं, लेकिन मुझे अफ़सोस के साथ कहना पड़ता है कि पार्लियामेंट मेम्बरज (प्रिबेशन आफ़ डिस्क्वालिफ़िकेशनज) बिल जिस ज्वायंट कमेटी के मुपुद किया गया था, उस की राय थी कि पार्लियामेंट के किसी मेम्बर को स्पीकर या चेयरमैन भले ही मनोनीत कर दें, परन्तु सरकार का कोई आदमी उसे मनोनीत नहीं करेगा और अगर चुनाव किया जायेगा, तो वह सदन के जरिये होगा। यह होते हुए भी सरकार बराबर कहती चली जा रही है कि दस मेम्बर मौजूद हैं। दस मेम्बर मौजूद हैं, लेकिन उन में से सात ऐसे हैं, जिन को सरकार ने मनोनीत किया है। मेरे कहने की यह मंशा नहीं है कि अगर सरकार किसी मेम्बर को मनोनीत करती है, तो उस की निष्पक्षता नष्ट हो जाती है और वह सरकार के पक्ष का आदमी हो जाता है, लेकिन मैं यह कहना चाहता हूँ कि आज के युग में हम इतने आगे बढ़ने जा रहे हैं और इसी सदन में एक बिल आने वाला है, जिस में यह व्यवस्था की जायेगी कि कोई भी माननीय सदस्य सरकार द्वारा किसी बाडी में मनोनीत न किया जाय और अगर वह किया जाता है, तो उस को डिस्क्वालिफ़ाई किया जायेगा, तो फिर सरकार का यह कहना कि सात आठ मेम्बर पहले से मौजूद हैं, ठीक नहीं है। मैं यह चाहता हूँ कि जो पार्लियामेंट के दस सदस्य पहले ही मौजूद हैं, उन की संख्या बढ़ा कर बारह कर दी जाय और उन में आठ सदस्य लोक-सभा के हों और चार सदस्य राज्य सभा के हों और उन लोगों का चुनाव यहां के माननीय सदस्य करें और वे किसी के द्वारा मनोनीत न हों। मैं किसी भी सूरत में यह मानने के लिये तैयार नहीं हूँ कि

## [श्री बज राज सिंह]

उन को विच्छिन्न मनोनीत करे। विच्छिन्न के मायने है शिक्षा मंत्रालय, जिस ने कि यूनिवर्सिटी के मामले में इतना गड़बड़ घोटाला किया है। मैं यह कहना चाहता हूँ कि बनारस हिन्दू यूनिवर्सिटी के मामलों को खराब करने की पूरी जिम्मेदारी शिक्षा मंत्रालय की है। हमारा शिक्षा मंत्रालय यह चाहे कि जिन आदमियों को वह नामिनेट करके भेजे उन्हीं पर विश्वास किया जाये तथा दूसरों पर न किया जाये तो यह मेरी समझ में बात नहीं आती है। वह कोई कितना ही बड़ा आदमी है या एक्स-चीफ जस्टिस है या जज है जिस पर विश्वास करने या विश्वास न करने की बात उठ सकती है? इस तरह की दलीलें दे कर मैं समझता हूँ मामले को और गड़बड़ाने की कोशिश की जा रही है। किसी पर आक्षेप करने के इरादे से मैं यह बात नहीं कह रहा हूँ। वहाँ जो वाइस-चांसलर हैं, उनके प्रति व्यक्तिगत रूप से मुझे कुछ नहीं कहना है। लेकिन अकेले विश्वास से काम चलने वाला नहीं है। हमें देखना यह है कि जो कार्रवाई होती है उसका क्या परिणाम निकलता है। अगर कोई ऐसी कार्रवाई होती है जिसका परिणाम गलत निकलता है तो उस सूरत में यह नहीं देखा जायेगा कि आपकी क्या नीयत थी, बल्कि जो परिणाम निकला है, उसको देखा जायगा। मैं निवेदन करना चाहता हूँ कि आपने जितनी भी अब तक कार्रवाइयाँ की हैं उन सब के गलत परिणाम निकले हैं और निकल रहे हैं और आप भी इसी तरह से गलत परिणाम निकलते रहेंगे। हम इस तरह के चक्कर में फँस रहे हैं, इस तरह के गड़बड़ घोटाले में घुस रहे हैं, जिससे अच्छे परिणामों की आशा ही नहीं की जा सकती है। लेकिन मैं फिर दोहराता हूँ कि आप मामले को सही तरीके से हल करना नहीं चाहते हैं। यह बात मैंने सिलेक्ट कमेटी में भी कही थी और अब फिर कहता हूँ। अशोक

मेहता साहब ने भी यही कहा कि हम चाहते हैं कि जो गड़बड़ी फैली हुई है, जो अव्यवस्था फैली हुई है, उसका अन्त हो और उसका अन्त करने के लिये सिलेक्ट कमेटी के मੈम्बरान अपने अस्व व रसूख से काम लें और वहाँ जा करके उसको दूर करें। मुझे दुःख के साथ कहना पड़ता है कि शिक्षा मंत्री जी के विरोध के कारण ही तथा उनके यह कहने के कारण कि इससे हालत और खराब हो सकती है, इसको अमल में नहीं लाया गया है। मैं समझता हूँ कि माननीय शिक्षा मंत्री हमारे अशोक मेहता साहब के साथ बैठ करके यह तय कर सकते थे कि कौन लोग वहाँ जायें तथा क्या क्या करें। लेकिन जिन लोगों की इच्छा ही यह हो कि सीधे सादे मामले को उलझा दिया जाये तथा दूसरे लोगों की नीयत पर शक किया जाये तो मामला कैसे सीधा हो सकता है। जब आप दूसरों की नीयत पर शक करते हैं तो आपकी नीयत पर कौन शक नहीं करेगा? आप यूनिवर्सिटी के मामले को सही नहीं करना चाहते हैं। आप बार बार यहाँ पर लोगों पर आक्षेप करते हैं। इससे काम नहीं चलेगा। मैं चाहता हूँ कि आप उन लोगों के नाम बतलायें जिन्होंने कोई अनुचित कार्य किया है। जब से सिलेक्ट कमेटी बनी थी उस वक्त से मेरे पास कोई ५० के करीब तार आये थे, बनारस से, विद्यार्थियों की तरफ से तथा दूसरे लोगों की तरफ से जिनमें मुझ से कहा गया था कि मैं वहाँ पर जाऊँ लेकिन मैंने वहाँ जाने से इन्कार कर दिया और यही सोच कर इन्कार किया कि मामला कहीं खराब न हो जाये। हम चाहते हैं कि बनारस विश्व-विद्यालय में कोई इस तरह की बातें न हों जिससे उस यूनिवर्सिटी के हितों को नुकसान पहुँचे। फिर भी बार बार आपकी तरफ से यह कहा जाता है कि कुछ लोगों ने गलत कार्य किये हैं, कुछ राजनीतिक पार्टियों का इस में हिस्सा है और इस सम्बन्ध में कभी आप सोशलिस्ट पार्टी का नाम ले बेते हैं, कभी प्रजा सोशलिस्ट पार्टी का तथा कभी कम्युनिस्ट

पार्टी का। मैं पूछना चाहता हूँ कि इस तरह की बातें क्यों की जाती हैं? इसके क्या माने हैं? मैं चाहता हूँ कि शिक्षा मंत्री महोदय बतलायें कि कौन वे लोग हैं जिन्होंने कोई अनुचित कार्य किये हैं तथा कौन सी वे पार्टियाँ हैं जिन्होंने इस तरह की कार्रवाइयों में हिस्सा लिया है। मैं आपको बतलाना चाहता हूँ कि जब से आर्डिनेंस पास हुआ है और आस तौर पर जब से यह बिल सिलेक्ट कमेटी के पास गया है, किसी भी राजनीतिक पार्टी ने, किसी भी महत्वपूर्ण नेता ने जाकर यूनिवर्सिटी कैंपस में विद्यार्थियों को नहीं भड़काया है। इतना होने पर भी यह कहा जा रहा कि विद्यार्थी राजनीति में हिस्सा लेते हैं, दूसरे शोर्गों को बदनाम किया जाये, या यह कहा जाय कि विद्यार्थियों के फलों फला चाचा ने, फलों फला बाबा ने ये ये कार्य किये हैं, विद्यार्थियों का इस्तेमाल किया है, मैं समझता हूँ शोभा नहीं देता है। इस तरह की बातें करना मुल्क के निर्माण में, शिक्षा संस्थाओं को निष्पक्ष रखने में, नवयुवकों को चरित्रवान बनाने में बाधक ही हो सकता है। आप कहते हैं कि दृष्टिकोण में परिवर्तन लाने की आवश्यकता है। मैं कहता हूँ कि अगर किसी के दृष्टिकोण में परिवर्तन होना चाहिये तो आपका ही वह दृष्टिकोण है जिसमें परिवर्तन लाने की जरूरत है।

**उपाध्यक्ष महोदय :** माननीय सदस्य कहते हैं कि जो दूसरे सदस्यों ने हवाला दिया है, उन्होंने वैसा करके गलत किया है। यही गलती अब माननीय सदस्य कर रहे हैं।

**श्री बबू राज सिंह :** मैं यह बातें कहने पर मजबूर हो गया क्योंकि बार बार यहाँ पर इस तरह की बातें कही गई हैं और मैं चाहता हूँ कि माननीय मंत्री महोदय उन व्यक्तियों तथा उन संस्थाओं के नाम बतलायें जो इससे नाजायज फायदा उठाना चाहते हैं।

यहाँ पर यह रखा गया है कि दस मँम्बर पार्लियामेंट के होंगे। मैं चाहता हूँ कि दस के बजाय बारह कर दिया जाय और इन का चुनाव हो और वह यह सदन करे। यह उचित नहीं है कि सात मँम्बरान पार्लियामेंट को शिक्षा मंत्री महोदय विजिटर के नाम पर नामिनेट करे। इस में नीयत की बात नहीं है, यह एक परम्परा की बात है। अगर इन को यह सदन नहीं चुनता है तो एक अच्छी परम्परा नहीं पड़ सकती है। आप जानते ही हैं कि सिलेक्ट कमेटी में बैठ कर इस पर चर्चा हो चुकी है और वहाँ पर भी कहा जा चुका है कि इन को सरकार द्वारा मनोनीत न कर के पार्लियामेंट को भौका दिया जाय कि वह इन का चुनाव करे।

सफा ३ लाइन २३ में विजिटर महोदय को अधिकार दिया गया है कि वह इस बलाज के अन्तर्गत २६ सदस्यों को मनोनीत कर सकते हैं। इस के बजाय मैं चाहता हूँ कि वह केवल २० सदस्य ही नामिनेट करे। इस का उद्देश्य मेरा यह है कि पार्लियामेंट के मँम्बरों को विजिटर द्वारा मनोनीत न किया जाय। जब हम यह चाहते हैं कि सदन द्वारा उन का चुनाव हो तो यह उचित ही है कि कही उन की संख्या न बढ़ जाय, इसलिये २६ के बजाय मैं ने चाहा है कि इस संख्या को २० कर दिया जाय।

इस के बाद मैं ने अपनी प्रपोजेडमेंट नम्बर १० में यह चाहा है कि जो २६ मँम्बर नामिनेट करने का अधिकार विजिटर को दिया जाय और जिस के बजाय मैंने २० मँम्बर मनोनीत करने का सुझाव दिया है, उन में भी कोई ऐसा व्यक्ति नामिनेट न हो जो पार्लियामेंट का मँम्बर हो। मेरी मंशा यह है कि पार्लियामेंट के मँम्बरों को अधिक प्रतिनिधित्व न मिले क्योंकि मैं चाहता हूँ कि कोई इस तरह की बातना नहीं फैलनी चाहिये कि पार्लियामेंट के मँम्बर अपना अधिकार जमाना चाहते हैं।

### [श्री ब्रज राज सिंह]

इस वास्ते में चाहता हूँ कि इन २० मॅम्बरों में से कोई भी मॅम्बर पार्लियामेंट न हो।

सफा ३ की लाइन २८ में मेरी जो एमेंडमेंट है वह कसिकवेशल है। इस में मैंने चाहा है कि अगर कोरम की जरूरत पड़े तो १७ की बजाय १८ कर दिया जाय।

सफा ५ और सफा ६ में मैं यह चाहता हूँ कि लाइन्स ८ से ३६ और १ से २० तक बिनकुल हटा दी जायें। आप देखेंगे कि यह सबब रखता है तथाकथित स्त्रीनिग कमेटी से जिस का नाम अब शिक्षा मंत्री महोदय ने बदल कर रिब्यूइंग कमेटी रख दिया है। स्त्रीनिग कमेटी नाम उन्होंने मोचा कि कुछ खराब होगा इस वास्ते उस का नाम रिब्यूइंग कमेटी रख दिया है। मैं प्रारम्भ में ही कह देना चाहता हूँ कि नाम से मेरा कोई सम्बन्ध नहीं है, चाहे नाम आप हिटलर रखें, मसो-लीनी रखें या तोजो रखें, मैं तो इस कमेटी को जिस तरह से यह काम करेगी उस से जाचता चाहता हूँ। नाम से मेरा कोई विशेष सम्बन्ध नहीं है। नाम चाहे हिन्दुस्तान का हो या बाहर का, इस से कोई फर्क नहीं पड़ता है। मैं स्वीकार करता हूँ कि यह व्यवस्था कर के कि अध्यापकों के मामले पहले सोलिसिटर जनरल आफ इंडिया के सामने जायें और अगर वह सोचें कि इन को रिब्यूइंग कमेटी के पास जाना चाहिये तभी वे इस कमेटी के पास जायेंगे अन्यथा नहीं, अच्छा किया गया है। यह उचित ही किया गया है। लेकिन इस सम्बन्ध में हमें यह भी सोचना चाहिये कि इसी सदन में प्रधान मंत्री महोदय ने यह आश्वासन दिया है कि छः से आठ महीने के बीच में यहां पर एक स्थायी बिल आने वाला है और यह जो व्यवस्था है यह अस्थायी ही है और इसी अर्थ के लिये है। जब इतने थोड़े अर्थों के लिये यह एक्ट बन रहा है तो मैं समझता हूँ कि हमें कोई भी ऐसा कार्य नहीं करना

चाहिये जिस से वातावरण खराब हो। अगर प्रधान मंत्री के आश्वासन को आप अमली रूप देना चाहते हैं तो इस छः, आठ महीने के दौरान में आप यह चाहते हैं कि लोग एक दूसरे के खिलाफ शक करें, खुफियापन करे या यह कहे कि इसने गडबडी की है और इस के खिलाफ यह कार्रवाई की जानी चाहिये, तो यह उचित नहीं है। इस से विश्वविद्यालय को नुकसान पहुंच सकता है। मैं चाहता हूँ कि कोई भी ऐसा कार्य न हो जिस से मनमुटाव पैदा हो। इस से मेरा यह आशय नहीं है कि जो आदमी गलती करता है, उस के खिलाफ कार्रवाई न हो। अगर कोई गलत आदमी है जिस के कारण यूनिवर्सिटी को नुकसान पहुंचा है तो बड़े से बड़े और छोटे से छोटे के खिलाफ कार्यवाही होनी चाहिये। मैं वर्तमान वाइस-चांसलर के खिलाफ कुछ नहीं कहना चाहता। मुझे कभी उन के दर्शन करने का सीमांत्य प्राप्त नहीं हुआ है। बहुत से लोगों को उन्होंने दर्शन दिये हैं और यहां पर आ कर दिये हैं। लेकिन मेरा दुर्भाग्य है कि मुझे उन के दर्शन करने का मौका नहीं मिला है। मैं उन के सम्बन्ध में कोई व्यक्तिगत बात नहीं कहता। अगर यूनिवर्सिटी के भले में बड़े से बड़े और छोटे से छोटे आदमी के खिलाफ कार्रवाई करने की आवश्यकता महसूस होती हो तो वह की जानी चाहिये लेकिन उस के लिये छः, महीने बाद या आठ महीने बाद मौका आ सकता है। आप स्थायी बिल लाने जा रहे हैं अतः इस तरह की कार्रवाई को आप इस समय स्थगित कर सकते हैं। अगर आप समझते हैं कि किसी आदमी को वहां से निकाले बगैर काम नहीं चल सकता है तो मैं आप से पूछना चाहता हूँ कि १४ जून को आप ने आर्डिनंस निकाला और आज २ सितम्बर है और छः महीने गुजर चुके हैं आप बलायें कि इस बीच में किसी टीचर ने, किसी प्रोफेसर ने क्या यूनिवर्सिटी के हितों को नुकसान पहुंचाया है

या पट्टेबाने की कोशिश की है ? अगर दो डाई महीने के बीच में कोई नुकसान नहीं पट्टेबाया गया है तो छः महीने में भी कोई नुकसान नहीं पट्टेब सकता है। इस बीच में कोई बला टूटने वाली नहीं है, कोई भासमान गिरने वाला नहीं है। बनारस विश्वविद्यालय बिल इस उच्च सत्ता प्राप्त पार्लियामेंट के सामने आया और वहां पर उस के बारे में चर्चा हुई और वहां सब को पता चल गया कि अब किसी प्रकार की गड़बड़ी नहीं हो सकती है। अब किसी की हिम्मत नहीं कि वह गड़बड़ी करे। इस कमेटी को रखने का जो आप का उद्देश्य है वह अच्छा नहीं है। आप चाहते हैं कि कुछ लोगों को जो वहां पर कुछ आदमियों को पसन्द नहीं है, निकाल बाहर किया जाय और इसलिये आप इन छः महीनों में ही सब कुछ कर देना चाहते हैं। बाद में वाकई अगर कुछ लोग रहते हों जिन के वहां रहने से यूनिवर्सिटी का अहित होता हो तो आप उन के खिलाफ कार्रवाई करें लेकिन तब जब परमानेंट बिल पास हो जाय। इस के आगे अगर किसी तरह से सदन को यह मान्य न हो तो मैं नहीं जानता कि मुझे कानून के द्वारा यह कहने का अधिकार है या नहीं, लेकिन मैं अपनी भावना व्यक्त करना चाहता हूँ कि जो रिब्यूइंग कमेटी रहेगी उस में तीन सदस्य रहेंगे, उन में से कम से कम दो ऐसे होने चाहियें जिन को हाई कोर्ट का अनुभव हो। मेरे संशोधन संख्या १६ की यही मंशा है कि उन में से दो ऐसे सदस्य हों जोकि हाई कोर्ट जज हों। मैं यह चाहूंगा कि अगर रिब्यूइंग कमेटी को नहीं हटाया जा सकता तो इस तरह से किया जाय। यह मैं इसलिये कह रहा हूँ कि जिन लोगों के खिलाफ कार्रवाई की जा रही हो उन को विश्वास रहे कि उन के खिलाफ कोई अन्याय नहीं किया जा रहा है। सभी की भावना यह है कि उन के खिलाफ कोई अन्याय न हो। इस भावना के साथ मैं इस संशोधन को पेश कर रहा हूँ।

इसी के साथ साथ मेरा संशोधन नं० १७ है जोकि कांसिक्वेशन अर्थात् परिणाम-स्वरूप है। उस में सिर्फ यह है कि 'टू पर्सन्स' के बजाय 'वन पर्सन' कर दिया जाय। इस के लिये मुझे कुछ नहीं कहना है।

अन्त में मैं अपने शिक्षा मंत्री महोदय से निवेदन करूंगा कि इस आखिरी स्टेज पर भी वे दूसरों के दृष्टिकोण को समझने की कोशिश करें। वे यह न समझें कि हिन्दुस्तान को बनाने की सारी जिम्मेदारी उन्होंने ही ले रखी है। दूसरों पर भी इस की कुछ जिम्मेदारी है। मुझे उन के इस कहने से बड़ा अफसोस होता है कि जब हिन्दुस्तान आजाद नहीं था उस समय विचारियों द्वारा स्ट्राइक किये जाने की कुछ अहमियत थी, उस समय वे स्ट्राइक कर सकते थे। मैं कहता हूँ कि सिर्फ कुछ अहमियत नहीं थी, महात्मा गांधी ने कहा था कि आज हिन्दुस्तान के लिये कोई चारा नहीं है। जिस समय वे 'क्वियट इंडिया' रेजोल्यूशन पेश कर रहे थे उन्होंने ने कहा था कि आज हिन्दुस्तान के सामने सिर्फ देश को आजाद करने की समस्या है। हिन्दुस्तान के बड़े से बड़े नेता ने उस समय यह कहा था कि जैसे भी हो अंग्रेजों को हिन्दुस्तान से बाहर निकालना है और इस के लिये कोई भी स्ट्राइक कर सकता है। आज भी जब तक सामाजिक परिस्थितियां ठीक नहीं होतीं, आर्थिक परिस्थितियां ठीक नहीं होतीं, तब तक हम लोगों में से ऐसी बातों को दूर नहीं कर सकेंगे। मेरी भी इच्छा यही है कि आज विद्यार्थी किसी राजनीति में न आयें, वे यहां की राजनीति का हिस्सा न बनें, इस के लिये हमें जल्दी से जल्दी कोई न कोई व्यवस्था करनी चाहिये, सामाजिक व्यवस्था को ठीक करने से ही सारे आर्टर ठीक हो सकते हैं जिस में कि लोगों को असन्तोष न हो। जब तक ऐसा नहीं होगा हम कामयाब नहीं होंगे। आज जो वातावरण है अगर उस को ठीक नहीं किया जायेगा और वह उसी तरह से चलता रहा

[श्री ब्रज राज सिंह]

और उसमें यदि विद्यार्थी कोई गड़बड़ करते हैं तो उस की जिम्मेदारी हमारे ऊपर नहीं सरकार के ऊपर होगी ।

**Shri Prabhat Kar:** My amendment No. 7 seeks to omit sub-clauses (d), (e) and (f). The court should not consist of any representative of the teaching staff, of the professors and the old students. This Bill is for a short time, for an emergency. As we are anxious to see that any action of ours may not be considered as an act out of partisanship spirit, I would prefer that the Court should not consist of any of the teaching staff for the present. It is not a permanent proposition. When we have opportunity of discussing, say in about a year's time, a proper Bill, we will have an opportunity to review everything. Then the question of representation for the teaching staff may be very relevant. But today, considering the emergency period, there need not be any representative of these people.

So far as the other amendment is concerned, a point has been raised. I would like the number of Members of Parliament to be increased simply to let the country know that Parliament has taken serious note of the situation and is anxious to do whatever it can to help proper running of the Banaras Hindu University. For that, there should be more Members from Parliament.

In my amendment No. 10, I say that the selection committee should not consist of any member of the Executive Council. Most of the troubles have risen out of the appointment of the particular teaching staff. In this matter also, I want to give less scope for controversy. I want that none of the members of the Executive Council should be in the Selection Committee because the Executive Council will have the opportunity of going through the recommendations of the Selection Committee. I want that it should consist of five experts nominated by the Visitor.

So far as my amendment No. 11 is concerned, it was only with this idea that this amendment was tabled. We do not want a repetition of the charges that have been made that one particular group is dominating or people from a particular State or people from a particular part of a particular State are dominating. That is why I want the Court to consist also one representative from each State Legislative Assembly so that it will have an all India picture. That is the purpose of my amendment No. 11. I hope the hon. Minister of Education will agree to these considering the emergency and the temporary nature of these provisions. This will help in creating a better situation in the Banaras Hindu University.

**Mr. Deputy-Speaker:** Shri Sinhasan Singh.

**Shri Supakar (Sambalpur):** Sir, I want to speak.

**Shri Jhunjhunwala (Bhagalpur):** Sir, I have got an amendment.

**Mr. Deputy-Speaker:** I have already called Shri Sinhasan Singh.

श्री सिंहासन सिंह : उपाध्यक्ष महोदय, यह विधेयक बहुत ही महत्वपूर्ण है और इस यूनिवर्सिटी के सम्बन्ध में कुछ और विचार करने के लिये सदस्यों को अधिक समय मिलना चाहिये । अभी समय एक घंटे के लिये बढ़ाया गया । जैसा पंडित ठाकुर दास भार्गव ने कहा कि सदस्यों को थर्ड रीडिंग पर भी बोलने का मौका दिया जाए, मैं भी प्रार्थना करता हूँ कि मुझे भी थर्ड रीडिंग के समय बोलने का मौका दिया जाय क्योंकि इस मुदलियर कमेटी की रिपोर्ट में पूर्वी उत्तर प्रदेश की बहुत चर्चा है ।

उपाध्यक्ष महोदय : थर्ड रीडिंग तो बाद में प्रायेगी, इस समय सेकेन्ड रीडिंग पर बोलिये ।

श्री सिंहासन सिंह : उस समय भी मुझे मौका दिया जाय, यह प्रार्थना है ।

घर में उस सशोधन के सम्बन्ध में कुछ कहना चाहता हूँ जिसे कि श्री ब्रजराज सिंह ने पेश किया है । यहाँ पर कुछ सद्भावनाओं की बातें कही गई हैं । मैं उन सद्भावनाओं के विचार के खिलाफ नहीं हूँ लेकिन मेरा सशोधन है कि रिज्यूइंग कमेटी को निकाल दिया जाय । उस भावना को अगर वाकई साना है तो ६, ८ या १० महीने बाद जब नया विधेयक लाना है तो यह जरूरी है कि आज जो विषय का वातावरण है उसे हम दूर करे और वह तभी दूर हो सकता है जबकि हम उचित कदम उठावें । रिज्यूइंग कमेटी का जो नया रूप विशिष्ट समिति से बन कर आया है उस में वाइस चांसलर भी आ सकता है, प्रीर अधिकारी भी आ सकते हैं, प्रोफेसर भी आ सकते हैं और वहाँ पर एक दूसरे के खिलाफ विषय का वातावरण बना रहेगा और वैसे वातावरण में हम कोई अच्छा काम नहीं कर सकेंगे । आज हर तरफ से अपील की जा रही है, प्रधान मंत्री ने भी अपील की है कि अगर इस यूनिवर्सिटी में अच्छा वातावरण बनाना है तो जरूरी है कि उस में सुन्दर सहयोग का वातावरण लाया जाय । यह जरूरी है कि उस में एक दूसरे के सामने मुल्जिम की तरह से खड़े होने की नीबत न आये क्योंकि जहाँ एक दूसरे के सामने मुल्जिम की तरह से खड़े होने की नीबत आयेगी तो उस से वातावरण दूषित होगा, कठवाहट बढ़ेगी और जो भावना हम लाना चाहते हैं वह नहीं आयेगी । यहाँ पर हम देख रहे हैं, शिक्षा मंत्री कहते हैं कि लड़के स्ट्राइक करते हैं, लड़के कहेंगे फलों चीज का यह रूप हो, फलों चीज का यह रूप हो, भ्रमक अध्यापक पर भ्रमक बात रक्खी आयेगी । इस संबंध में एक बात और कह देना चाहता हूँ । अभी हमारे मित्र डा० सुन्धारायन ने कहा कि यह अनफार्चुनेट है कि इस रिपोर्ट में इस्टर्न यू० पी० ग्रुप का नाम आ गया ।

हमारे मंत्री महोदय ने भी कहा है कि यह अनफार्चुनेट है कि इस में इस्टर्न यू० पी० का नाम आ गया । लेकिन इन रिपोर्ट में कई जगह पर 'इस्टर्न ग्रुप' का नाम आया । कहा गया कि इस्टर्न ग्रुप डामिनेट करता है । कल यह भावना हाँ सकती है कि दूसरा ग्रुप डामिनेट करे । जहाँ यह भावना होगी, वहाँ यह भी सोचा जा सकता है कि वाइस चांसलर डामिनेट करता है । पी० पी० रामास्वामी अय्यर कहते हैं कि वहाँ पर तीन ग्रुप काम कर रहे हैं । इमारत में प्रीर कर्कांग, प्रीर मेरा प्रमैडमेंट भी इस बारे में है, कि विधेयक के क्लॉज ७ में से सेक्शन ३० का निकाल दिया जाय । इस से वातावरण अच्छा बनेगा ।

अभी अशोक मेहता साहब ने प्रीर प्रधान मंत्री ने जोर दिया कि जरूर वहाँ पर पार्लियामेंट के मेम्बर जायें, लेकिन अभी न जायें, विधेयक के पास होने के बाद जायें । एक कमेटी बनाई जायें, कैसे बनाई जायें, इस के बारे में भी सशोधन है कि वह १२ प्रादमियों की बनाई जाय । ८ प्रादमी लोक सभा के और ४ राज्य सभा के । अगर यह १२ प्रादमी चुन लिये जाते हैं; जो लोग कोर्ट के सदस्य होंगे अगर उन में पार्लियामेंट के मेम्बर कुछ अधिक हो जाते हैं, कम से कम १२ हो जाते हैं, तीन के बजाय, तो वे लोग अपनी जिम्मेदारी समझे और वहाँ जिस वातावरण की आवश्यकता है उस को लाना ज्यादा आसान हो जायेगा ।

एक माननीय सदस्य : इस के बारे में कोई प्रमैडमेंट भी है ?

श्री सिंहासन सिंह : जी हाँ, है ।

एक माननीय सदस्य : गुडविल मिशन के बारे में है ?

श्री सिंहासन सिंह : जो पार्लियामेंट के मेम्बरो का गुडविल मिशन बन रहा है,

[श्री सिंहासन सिंह]

उसको अगर गवर्नमेंट मान ले, और वह १२ सदस्य गुडविल मिशन के कोर्ट के सदस्य हों तो उनको राय देने का अधिकार होगा। जब वे पार्लियामेंट की तरफ से चुन कर जायेंगे तो वे वहां जाकर अधिकारियों से ज्यादा अधिकारी रूप में बातें कर सकेंगे, बजाय इसके वहां और कोई जायें हम में से और उन को वह सुविधायें न मिलें जो कोर्ट के सदस्यों को मिलती है। इसलिये मैं माननीय मन्त्री महोदय से प्रार्थना करता हूँ कि जिस तरह से उन्होंने वातावरण को ठीक करने के लिये स्क्रूनिंग कमेटी के बजाय रिव्यूइंग कमेटी कर दिया उसी तरह से वह इस संशोधन को मान कर पार्लियामेंट के मेम्बरों की संख्या को ३ के बजाय १२ कर दें तो कोई बात बिगड़ती नहीं है। अनुपात जो आपने रक्खा दोनों सदनों का वह वही है। उन्होंने २ और १ रक्खा है और संशोधन में ८ और ४ रक्खा गया है। जैसी उन से प्रार्थना की गई, अगर पार्लियामेंट के मेम्बरों को अवसर दिया जाय तो वे वहां जाकर वातावरण को ठीक कर सकते हैं।

**Raja Mahendra Pratap (Mathura):**  
May I say a word?

**Mr. Deputy-Speaker:** Shri Jhunjhunwala.

श्री जूनजूनवाला: उपाध्यक्ष महोदय, जब हमारे शिक्षा मन्त्री महोदय ने बनारस हिन्दू यूनिवर्सिटी को सुधारने के लिये यह बिल पेश किया तो लोगों को लगा कि जो यह तरीका प्रस्तुत किया गया है, वह अच्छा नहीं है। हम को इस में जरा भी सन्देह नहीं है कि हमारे शिक्षा मन्त्री की भावना बड़ी ही उच्च और शुद्ध है। उस शुद्ध भावना से उन्होंने जल्दी से जल्दी उस कार्रवाई से काम लिया जिस से कि उन्होंने समझा कि यूनिवर्सिटी की हालत सुधर सकती है। इस के लिये मैं उन को बधाई देता हूँ। उनकी भावना में कोई त्रुटि नहीं है, परन्तु जो तरीका

उन्होंने अपनाया, उससे लोगों को लगता है, उन को सन्देह है, कि बनारस हिन्दू यूनिवर्सिटी का सुधार नहीं हो सकेगा। हाँ यह सुधार जरूर होगा कि हमेशा के लिये यह यूनिवर्सिटी राजनीतिक झगड़े की जड़ बन जायेगी। इसका कारण यह है कि जब तक स्क्रूनिंग कमेटी, जिसका नाम अब प्राप ने रिव्यूइंग कमेटी कर दिया है, बनी रहेगी, लोगों के अन्दर राजनीतिक भावना बनी रहेगी और इससे यूनिवर्सिटी में सुधार नहीं हो सकेगा। यह मेरी निजी राय है। वैसे मेरी यह प्रार्थना है कि जिस भावना से हमारे शिक्षा मन्त्री ने यह काम किया है उसमें उन को कामयाबी मिले, वह सफल हों। मैं जो कह रहा हूँ कि इस काम के करने से वह सफल नहीं होंगे, अगर यह बात झूठ निकले तो इससे मुझे कोई दुःख नहीं होगा। परन्तु मैं समझता हूँ कि उन को इस बात पर विचार करना चाहिये कि जो बिल वह लाये है उसका लाना कहां तक ठीक है। बनारस में यह देखा जाता है कि किसी ने क्या बदमाशी की। तरह तरह के पैम्फलेट्स आदि निकलते हैं, हमारे पास भी बहुत से पैम्फलेट्स प्राये और उनको देख कर दिल दुखी होता है। जो आज एक दूसरे के ऊपर आरोप लगाये जाते हैं उनको सुनने तक की इच्छा नहीं होती और हमारी बहिन श्रीमती मुचेता कृपालानी ने कहा था कि जब वे उस मुदालियर कमेटी में बैठी थीं तो उन्होंने कहा था कि वे वहां से उठ कर चली जाती हैं। मुदालियर कमेटी की बात ठीक है या नहीं मैं निश्चयपूर्वक कुछ नहीं कह सकता और मैं इससे भी इंकार नहीं करता कि उसमें बहुत सी कमियां हो सकती हैं। . . . . .

**Shri V. P. Nayar (Quilon):** Mudaliar.

**Mr. Deputy-Speaker:** Does not matter, the person remains the same.

**Shri V. P. Nayar:** But we are made to think of some other person.

श्री भुनसुनवाला : परन्तु यह बात तो सभी ने मंजूर की है कि आज के दिन हमारी यूनिवर्सिटीज में कमियां हैं और वहा पर नुटियां हैं। उन नुटियों को हूँ बूर करना चाहिए, यह सभी ने मंजूर किया है परन्तु एक बात लोगों ने कही है और जिसके कि ऊपर लोगों को बहुत दुःख है और वह यह कि बनारस हिन्दू यूनिवर्सिटी ही क्यों इस बात के लिए सबसे पहले पकड़ी गई ? उसी के ऊपर यह नस्तर क्यों लगाया जाता है ? बनारस हिन्दू यूनिवर्सिटी को ही इसका टारगेट क्यों बनाया गया ? मैं समझता हूँ कि जो नुटियां बनारस हिन्दू यूनिवर्सिटी में हैं उनसे भी अधिक बुरी चीजें और नुटियां दूसरी यूनिवर्सिटीज में हैं। हमको इसकी व्यक्तिगत तौलेज है। मैं यद्यपि शिक्षा में इतना समय नहीं लगाता और न उसमें इतना इंटरेस्ट लेता हूँ लेकिन तो भी लोगों में बैठता हूँ और बातें सुनता हूँ और मैं कह सकता हूँ कि ऐसी ऐसी भयानक कुरीतियां दूसरी यूनिवर्सिटीज में हैं जो कि मेरी समझ में बनारस हिन्दू यूनिवर्सिटी में भी न होंगी।

यहां पर पार्टियों और पार्टीबन्दी का आरोप लगाया गया है कि यहां पर ३,३, ४, ४ और ५, ५ पार्टिया और ग्रुप हैं। मैं शिक्षा मन्त्री महोदय से कहूंगा कि वे और यूनिवर्सिटीयों को भी देखें कि वहां पर कितनी पार्टिया और ग्रुप होने हैं। यहां पर प्रान्तीयता का आरोप लगाया गया है और कहा गया है कि यहां पर प्रान्तीयता ही रूल कर रही है परन्तु दूसरे विश्वविद्यालयों में भी आप देखें, मैं इस सम्बन्ध में किसी विशेष जगह का नाम नहीं लेना चाहता परन्तु आप देखेंगे कि यह सब नुटियां करीब करीब सब जगह पाई जाती हैं। अब चूकि सबसे पहले नस्तर इस बनारस हिन्दू यूनिवर्सिटी के लगाया जा रहा है तो लोगों को दुःख होता है। लेकिन मैं तो कहूंगा कि हिन्दू यूनिवर्सिटी जिसकी कि स्थापना हमारे देश के एक महान् आदरणीय नेता पण्डित मदन मोहन मालवीय

ने की थी, मैं तो यह चाहूंगा कि सबसे पहले पहले बनारस हिन्दू यूनिवर्सिटी में जो नुटियां हैं उनको हम जल्दी से जल्दी निकाल कर बाहर करें और यह दिखला दें कि बनारस हिन्दू यूनिवर्सिटी सब में श्रेष्ठ यूनिवर्सिटी है और उसमें अब कोई नुटियां बाकी नहीं रह गई हैं। मैंने देखा है कि यह तो सभी लोगों ने स्वीकार किया है कि उसमें नुटियां हैं।

अब मैं जो एक क्लाइ है और उस क्लाइ के बारे में जैसे मैंने शुरू में ही कहा कि जब तक यह रहेगा तब तक लोगों में एक दूसरे पर आरोप लगाने की भावना बराबर बनी रहेगी। आप चाहे कितनी ही चेष्टा क्यों न करें इस क्लाइ के रहने से यह भावना बनी रहेगी। हमारे शिक्षा मन्त्री ने जो कहा यह बात जरा हमको कम समझ में आई। उन्होंने यह कहा कि जब हम अपनी गवर्नमेंट में ऊँचे से ऊँचे अफसरों के ऊपर चार्ज लगा कर एनक्वायरी बिठा देते हैं और उस पर हम लोग ऐक्शन लेते हैं तो अगर यूनिवर्सिटी के लिए यही किया जा रहा है तो क्या हर्ज है। मैं अपने शिक्षा मन्त्री महोदय से निवेदन करना चाहता हूँ कि विश्वविद्यालयों और शिक्षा विभाग को आप उसी स्थान पर न रक्खे जिस पर कि आप ऐडमिनिस्ट्रेटिव अफसरान को रखत हैं। उनको आप जरा दूसरी दृष्टि से देखें। वहा पर जो हमारे प्रोफेसन और अध्यापक हैं उन - प्रति हमारे विद्याथियों की एक आदर की भावना रहनी चाहिये और जिसमें उनको यह न मानूँ हो कि हमारे जो शिक्षक और अध्यापक हैं उनमें कोई भी बुराइया है। यदि विद्याथियों के मन में यह भाव आ जायेगा कि हमारे शिक्षकों में नुटिया और बुराइया है तो जो शिक्षा का उद्देश्य है वह पूरा नहीं होगा।

अब मैं इस क्लाइ के सम्बन्ध में जो मैंने अमेडमेंट दिया है उाँके बारे में कहना चाहता हूँ। आपने लिखा है :  
If the Executive Council on the basis of an allegation made in writing and

## [श्री मुनमुनबाला]

submitted to the Registrar of the University on or before the 15th day of October, 1958 has reason to believe.

श्रव एक्जीक्यूटिव कौंसिल तो नौ प्राधमियों की बनी हुई है और उन नौ प्राधमियों को जब जरूरत मालूम होगी तब किस के ऊपर ऐक्शन लिया जायगा और किसी को भी कुछ कहने का यदि किसी के बारे में है तो यहां पर कोई भी प्राविजन नहीं है। तो उनकी बेसिस क्या होगी, उनका आधार क्या होगा कि जिससे वह एक्जीक्यूटिव कौंसिल किसी के ऊपर ऐक्शन लेने के लिये कोई चार्ज फ्रेम करके सालिसिटर जनरल के पास भेजे। हमने दो तीन बार उस क्लॉज को पढ़ा हम को इसका कोई आधार नहीं मालूम होता। यह समझ में नहीं आता है कि उनके पास जाकर कोई शिकायत करेगा कि फलां आदमी ने यह गलती की है और उसके ऊपर मेरा यह आरोप है। इसलिए मैं शिक्षा मन्त्री महोदय से जानना चाहूंगा कि "हैज रीजन टु बिलीव" का आधार क्या होगा? इसलिये मैंने यह संशोधन दिया है कि कोई भी आदमी जो कोई एक कानूनी कार्यवाही करना चाहता है तो उसका एक तरीका होना चाहिये और उसके लिए एक्जीक्यूटिव कौंसिल के पास कोई आधार होना चाहिए और उस आधार के लिए मैंने यह १५ नम्बर का संशोधन दिया है.....

उपाध्यक्ष महोदय : अमेंडमेंट नम्बर १५ तो आपने मूव ही नहीं किया था। आपने तो खाली १४ नम्बर का अमेंडमेंट मूव किया था।

श्री मुनमुनबाला : १४ और १५ दोनों अमेंडमेंट मैंने मूव किये थे।

उपाध्यक्ष महोदय : जी नहीं आपने १५ नम्बर का अमेंडमेंट मूव नहीं किया था।

श्री मुनमुनबाला : हो सकता है कि मूव से गलती हो गई हो और यदि ऐसा हो तो मुझे उसके लिए क्षमा किया जाय। मैं चाहता हूँ कि १५ नम्बर का अमेंडमेंट भी मूव समझा जाय।

उपाध्यक्ष महोदय : आप श्रव उसको मूव कर दें और वह शामिल कर लिया जायगा।

श्री मुनमुनबाला : I beg to move:

Page 5,—(i) line 18, for "an" substitute "the"; and

(ii) lines 18 and 19, omit "of the nature referred to in this sub-section."

मैं यह कहना चाहता हूँ कि एक्जीक्यूटिव कौंसिल के लिए बिलीव करने के लिए कोई आधार होना चाहिये लेकिन यदि वे अपने मन में पहले से ही यह जंचाये बैठे हैं कि नहीं फलां आदमी को हम को निकालना है और उनको अपने आप रीजन टु बिलीव है कि यह खराब आदमी है तो मेरी समझ में यह न्याय की बात नहीं होगी। इसलिए मेरा यह कहना है कि अगर आप इस क्लॉज को इसी रूप में रखना चाहते हैं तो यह उचित नहीं होगा। आप इस क्लॉज को हटा दें तो अच्छा है परन्तु यदि आप इस को रखना चाहते हैं तो आप उसका आधार बतलाइये कि किस आधार पर वह एक्जीक्यूटिव कौंसिल ऐक्शन लेने के लिये उतारू होगी और वह उसके लिए सालिसिटर जनरल के पास भेजेगी? श्रव यह भी प्रश्न उठ सकता है कि यदि आप इस क्लॉज को हटा देना चाहते हैं तो क्या आप यह चाहते हैं कि जिन प्राधमियों का रहना विस्वविद्यालय के हित में नहीं है, उन को आप बने रहने देना ही चाहते हैं? मैं इसे साफ़ कर दूँ कि हम ऐसा नहीं चाहते हैं। आप के यहां जैसे कि हमारे शिक्षा मन्त्री महोदय ने कहा था कि हालांकि मुवांसियर

कमेटी ने यह कहा था कि कोर्ट वगैरह सबको सर्वेण्ड कर दें लेकिन हमने कोर्ट भी रक्खा है और एग्जीक्यूटिव कौंसिल प्रादि भी रक्खी है। मेरे कहने का तात्पर्य यह है कि उनको अधिकार है। विजिटर ने उनको यह भी अधिकार दिया है कि जब भी वाइस चांसलर चाहे कोई भी काम के लिए कोर्ट से कह सकता है कि इसकी इन्चायरी करो और जो भी काम कराना हो करा सकता है। तो ठीक तरीका यह होगा कि कोर्ट और एग्जीक्यूटिव काउंसिल में पार्टीबाजी को खत्म किया जाये और उन लोगों को बुला कर शान्ति से पूछा जाये कि आखिर बात क्या है, आप लोग क्या चाहते हैं। कमेटी की रिपोर्ट से मालूम होता है कि जो भी खराबिया शुरू हुई हैं वे कोर्ट से शुरू हुई हैं। आप लोगो को उनको बुला कर कहना चाहिए कि यह यह बात है और यह यह चीज है, आपको और हम सब को मिल कर ऐसी कार्रवाई करनी चाहिए जिसमें कि यूनीवर्सिटी का भला हो और जो इसमें बुराईया है वे दूर हों। मैं तो समझता हूँ कि चाहे कोई ईस्टर्न यू० पी० का हो चाहे वेस्टर्न यू० पी० का हो, ऐसा कोई भी नहीं होगा कि जो वास्तव में खराबी है उसको खराबी न माने। इस बात में सब कोई कोर्ट और एग्जीक्यूटिव काउंसिल के साथ होंगे कि जो खराबियाँ हैं वे दूर होनी चाहियें। पर यदि एग्जीक्यूटिव काउंसिल और कोर्ट अपने मन में यह स्थिर किये हुए हैं कि फलां फलां आदमी को निकालना है तो उसके ऊपर उनको रीजन हो जायेगा बिलीव करने का और वह सालिसिटर जनरल के पास उस केस को भेजेंगे। अगर यह क्लोज इसी तरह रहा तो बजाये इसके कि बुराईया दूर हों वे बराबर कायम रहेंगे।

**Raja Mahendra Pratap:** Sir, on a point of order. I believe the whole matter is not properly understood. In a University there are four factors...

**Mr. Deputy-Speaker:** If the matter is not properly understood, then there

cannot be any point of order. I will allow him an opportunity, but he should wait first.

The first question is that even with the increase of one hour that had been made, we ought to conclude this by three o'clock, all the stages.

**Some Hon. Members:** One hour more. We want to speak.

**Mr. Deputy-Speaker:** I have no objection absolutely. But it is not within my discretion; it is for the House to decide.

**Some Hon. Members:** One hour more.

**Mr. Deputy-Speaker:** If the House so desires....

**Several Hon. Members:** Yes.

**Mr. Deputy-Speaker:** But if we take much time as the hon. Members who have just spoken—they have rather been utilising this opportunity for making their Third Reading speeches also—then we might not be able to finish it even in that time.

**Shri Supakar:** May I know whether I will get a chance or not?

**Mr. Deputy-Speaker:** The hon. Member did not move his amendment.

**Shri Supakar:** I did move.

**Mr. Deputy-Speaker:** I have not got it before me.

**Shri Supakar:** I have moved my amendments Nos. 3 and 4.

**Mr. Deputy-Speaker:** Yes, they are here. I will allow him an opportunity. But even if I allow one hour more, if the House decides that—not that I can do it—, then too, if we continue in this strain, the whole hour will be exhausted in this discussion. Therefore, so far as amendments are concerned, the time taken should be much less.

So, is it the sense of the House that the time should be extended by another hour?

Several Hon. Members: Yes, Sir.

Mr. Deputy-Speaker: Very well.  
Pandit Thakur Das Bhargava.

पंडित ठाकुर दास भार्गव (हिसार) :  
जनाब डिप्टी स्पीकर साहब, आपने यह फैसला  
किया है कि प्रमोडमेंट के वक्त कोई ऐसी बात  
न कही जाय जो कि प्रमोडमेंट को रेलवेंट  
न हो, इसलिये मैं जानना चाहूंगा कि ध्याया  
मुझ थर्ड रीडिंग के वक्त बोलने का  
मौका मिलेगा। अगर मुझे उस वक्त मौका  
मिले तो मैं इस वक्त सिर्फ प्रमोडमेंट पर ही  
बोलूंगा।

उपाध्यक्ष महोदय : यह तो माननीय  
सदस्यों पर निर्भर है कि वे कितना वक्त  
लेते हैं। अगर व चाहेगे तो वक्त दिया जा  
सकेगा।

पंडित ठाकुर दास भार्गव : तो मैं  
अपने प्रमोडमेंट पर ही अर्ज करूंगा।

यहां बहुत बहस हुई कि रिव्यूइंग कमेटी  
बैठे या न बैठ। लेकिन मैं उसके ऊपर जाना  
नहीं चाहता, क्योंकि वह मामला हल तलब  
है और उम पर मुस्तलिफ़ रायें हैं। मैं तो  
यह एज्युम करता हूँ कि रिव्यूइंग कमेटी  
की जरूरत होगी और उसके बिना कोई  
काम होता नजर नहीं आता। मुझे को तो  
यह नजर आता है कि इस कमेटी का काम  
बहुत मुश्किल होगा और मैं नहीं समझ पा  
रहा हूँ कि वह किस तरह से काम करेगी  
क्योंकि सेक्शन ३० में पेज ८ पर इसके बारे  
में साफ इंडीकेशन नहीं है। चुनावे जनाब  
मुलाहिजा फरमाये। अब्बल तो यह स्पेसि-  
फिक तौर से नहीं बतलाया गया है कि इस  
कमेटी के क्या अस्तित्वारात होंगे। सिर्फ इतना  
लिखा है :

"The meetings of the Reviewing  
Committee shall be convened by  
such person as may be appointed  
for this purpose by the Chairman.

On receipt of the recommenda-  
tions of the Reviewing Committee,  
the Executive Council shall take  
such action thereon as it may  
think fit."

यह निहायत ही बेग है। समझ में नहीं आया  
कि क्या ऐक्शन लेगी। खुसूसन मैं इसको और  
भी बेग पाता हूँ जहाँ कि सेक्शन ८ में यह  
लिखा है :

"Every person holding office as  
a member of the Court or the Exe-  
cutive Council, as the case may be,  
immediately before the 14th day  
of June, 1958, shall on and from  
the said date cease to hold office  
as such."

15 hrs.

अब सारी एग्जीक्यूटिव काउंसिल तो ऐक्ट  
के पास होने से खत्म हो जायेगी और जो  
नई एग्जीक्यूटिव काउंसिल का प्राविजन  
है उसमें ६ मेम्बरों का प्राविजन है। तो यह  
जो नई एग्जीक्यूटिव काउंसिल होगी यह  
गालिबन केमेज भेजेगी सालिसिटर जनरल  
के पास और फिर बाद में रिव्यूइंग कमेटी  
के पास। जो नई कमेटी मुकरेंर होगी मैं  
नहीं जानता कि उसको क्या पना होगा।  
उसके दिमाग में यह कैसे आयेगा  
कि किस शास्त्र का कटीन्यूएर, यूनी-  
वर्सिटी के निये डेटरीमेंटल होगा।  
continuance in office is detrimental  
to the interests of the college.  
इस कमेटी में चूकि पुराने आदमी एक भी  
नहीं होंगे तो नये आदमियों को सुनी सुनाई  
बाते ही मालूम होगी। उनको कालिज का  
कोई तजर्बा नहीं होगा। तो वे सिर्फ सुनी  
हुई बातो पर ही अमल करेंगे। मुझे इस बात  
पर भी कोई ऐतराज नहीं है। मुझे नहीं मान्म  
कि य जो ६ मेम्बर होंगे उनके पास सही  
नतायज पर पहुंचने के लिये क्या जगए  
होंगे। मैं यह पाता हूँ कि यहां पर जो एक

कंसीडरेशन रखा गया है वह यह है .  
continuance in office of any person is  
detrimental to the interests of the  
University.

जितना पास्ट कंडक्ट किमी प्रोफसर या  
लेक्चरर या प्रिंसिपल का है जिसकी तफसील  
मुफस्सिल में इस किताब में दी हुई है उनको  
देखने से तो यह मालूम होता है कि इन उस्तादों  
ने अपने फर्ज मंसबी को छोड़ कर लडको  
को इन्डिफिनिन मिखाया। यह देखकर  
शर्म आती है। जो चीजे लिखी हैं उनसे  
मालूम होता है कि जिन अशाखास ने इम  
यूनीवर्सिटी का सत्यानाश कर दिया वे  
सक्षत सजा के मस्तुब्ज हैं। लेकिन अगर  
एग्जीक्यूटिव काउंसिल यह समझती है कि  
उसका रहना डेटरीमेंटल नहीं ता उसका  
रखा जा सकता है। यह तो पास्ट पब्लिकेशन  
की कोई मज्जा नहीं हुई। इसमें  
आइडिया तो यह रखा गया है कि आया  
उसका कटीन्यूएस यूनीवर्सिटी के लिये  
डेटरीमेंटल है था नहीं। अगर वह शस्त्र  
आज प्रायोजित कर लेता है और दस आदमी  
उसको मजूर कर लेने हैं तो कहा जायेगा  
कि उसका कटीन्यूगम डेटरीमेंटल नहीं  
है। मैं अर्ज करना चाहता हू कि इतनी  
सीरियस बिना के वास्ते सिर्फ इनका रखना  
कि उसका रखना डेटरीमेंटल है या नहीं  
काफी नहीं है, और वह भी किस तरह,

If the Executive Council has reason to  
believe मैं पूछना चाहता हू कि  
यह रीजन टू बिलीव क्या है। इसके  
मानी कुछ नहीं है। एक मामूली दफा ३२५  
के केस में जो कि कागनिजेबिल है, जैसा कि  
जनाब बाला को बखुबी मालूम है, शहादत  
इकट्ठी करनी होती है। उसके बाद जो  
चार्ज बनता है वह उन स्टेटमेंट्स के बेसिस  
पर होता है जो कि लिये गये होते हैं और  
फिर उस शस्त्र से कहा जाता है कि तुम्हारे  
खिलाफ यह चार्ज है तुम क्या कहना चाहते  
हो। इस बिल के अन्दर कोई इस तरह का  
इन्दराज नहीं है कि किस तरह से उन लोगों  
को बुला के शहादत इकट्ठी की जायेगी,

अगर उनको कुछ नहीं बतलाया जायेगा  
और उनको मौका नहीं दिया जायेगा तो  
वे क्या प्लीड करेंगे। इसके अन्दर यह इद-  
राज नहीं है कि वह स्टेटमेंट कहा से आयेंगे,  
क्या वे स्टेटमेंट प्रोथ पर होंगे या बगैर प्रोथ  
के होंगे। यह सिर्फ उन ६ आदमियों के  
रीजन टू बिलीव होने से ही होगा या उसके  
बैक पर कोई शहादत भी होगी। यह इममें  
दर्ज नहीं है। क्या उन ६ आदमियों का सिर्फ  
यह लिख देना काफी होगा कि उनको रीजन  
टू बिलीव है।

अभी मेरे एक दोस्त ने पीछे से कहा है  
कि वाइसचांसलर साहब जो चाहेंगे वह करेंगे,  
लेकिन मैं इसको मानने के लिये तैयार नहीं  
हू कि कोई भी वाइसचांसलर साहब ऐसा  
नहीं करेंगे। मैं उनसे वाकिफ नहीं हू लेकिन मैं  
यह समझता हू कि कोई भी वाइसचांसलर  
अपने आपको इतना डिमिन नहीं करेगा  
जो मुखालिफ पार्टी वाले हैं उनसे बदला ले।  
मैं समझता हू कि उसकी यही एचीट्यूड होगी  
कि जो चीज यूनीवर्सिटी के फायदे में है  
उसे किया जाये। मैं अर्दब से अर्ज करूंगा कि  
प्राइम मिनिस्टर साहब ने जो यूनिवर्सिटी  
के बारे में फरमाया है मैं उसकी दाद देता  
हू। मेरा फीलिंग यह है कि यूनिवर्सिटी  
में तीन चार पार्टीज हैं। मैं हरगिज यह मानने  
को तैयार नहीं हू कि एक हाथ से ताली बज  
सकती है।

इन तीनों चारों पार्टियों के अपने अपने  
अफप्राल होंगे, जो कि एक दूसरे के खिलाफ  
होंगे, हर पार्टी में अच्छे आदमी भी  
होंगे और निकम्मे आदमी भी होंगे। वह  
पर जिस को डामिनेट पार्टी कहा जाता है,  
जो उस की मुखालिफ तीन चार पार्टिया  
हैं, उन के जो खराब आदमी होंगे, कौन उन  
के बारे में "रीजन टू बिलीव" लायेगा, कौन  
शिकायत करेगा? आज हम यूनिवर्सिटी  
को बिद्वतो से पाक करना चाहते हैं। इसलिये  
यह निहायत जरूरी है कि चाहे जिस पार्टी का  
आदमी आये, उस को कुछ न कुछ सजा  
दी जाये, या उस के साथ ठीक सलूक किया

## [पंडित ठाकुर दास भार्गव]

जाय । जिस तरह का कास्टीट्यूशन है, जिस में एक भी श्रीलड एग्जिक्टिव कौंसिल का कौंसिलर नहीं रहेगा, उस में यह कैसे मुमकिन है कि दूसरी पार्टियों के आदमियों के खिलाफ कार्यवाही हो सके ।

यह कोई ताजुब की बात नहीं है कि हमारे वाइसचांसलर पर इतने हमले किये जाते हैं । मैं आनरेबल मिनिस्टर साहब की मेन्टलिटी को समझता हूँ । वह नहीं चाहते कि एक ऐसे आदमी को, जो कि अच्छा काम करने वाला है, सिर्फ लोगों के कहने से या कीचड़ उछालने से बेजा तौर पर सजा दी जाये । मैं उन के इस ख्याल को पूरी तरह एग्प्रिभियेट करता हूँ । लेकिन उस के साथ ही साथ मैं यह भी अदब से अर्ज करना चाहता हूँ कि जो शस्त्र इतनी पोजीशन का मालिक है, उस को खुद चाहिये कि अपनी खाल बचाने के लिये नहीं, बल्कि इस नीयत से कि यह मामला खुश-उसलूबी से तय हो जाय, वह इस्तीफा दे दे और इस्तीफे पर इन्सिस्ट करे और कम से कम उस जगह से हट जाये । मैं ने कल आनरेबल मिनिस्टर साहब की तकरीर सुनी । उन्होंने फरमाया कि इसमें यह भी प्राविजन है कि वाइस-चांसलर, प्रो-वाइसचांसलर, किसी भी शस्त्र के बरखिलाफ स्त्रीनिंग कमेटी में मामला जा सकता है । मैं अर्ज करना चाहता हूँ कि मैं नहीं चाहता कि वाइस चांसलर को, जिस को कि वह बेकसूर समझते हैं और जिसकी उन्होंने दुस्त तौर पर इतनी तारीफ की है, इस बात के लिये मजबूर किया जाये कि वह दूसरे लोगों की तरह स्त्रीनिंग कमेटी के सामने खड़ा हो और उस के खिलाफ एविडेस आये । जरूरत इस बात की है कि पेशतर इस के कि स्त्रीनिंग कमेटी बैठे, हमारे वाइस चांसलर को पीस के इन्ट्रेस्ट में, यूनिवर्सिटी के इन्ट्रेस्ट में, फौरन इस्तीफा दे देना चाहिये और उस कमेटी के काम में हिस्सा नहीं

लेना चाहिये, वना हर वह शस्त्र, जिस के खिलाफ एलीगेशन्ड होगी, जिस के खिलाफ गवाही होगी, यह समझेगा कि वाइस चांसलर की आबाज बोल रही है और वह मेरे खिलाफ है । इस तरह का एटमास्फियर इस कमेटी में, या और किसी कमेटी में, हर-गिज नहीं होना चाहिये, बल्कि उस में एक ऐसा आबजोक्टिव एटमास्फियर होना चाहिये, जिस में पर्सनल प्रिक या पर्सनल प्रीवेंस न रहे । मैं अर्ज करना चाहता हूँ कि इस कमेटी में तीनो आदमी इस किस्म के होते, जिन पर पूरा विश्वास होता । वे लोग काम कैसे करेगे ? यह बात अभी तक मेरे दिमाग में नहीं आई है । जब तक आप इस को दुस्त नहीं कर देते, "रीजन टु बिलीव" को न समझाये, यह न बताये कि किस तरह से एविडेस आयेगा, तब तक मैं इस को समझने से मजबूर हूँ कि किस तरह वह मतलब पूरा हो सकता है, जिस को कि हम चाहते हैं । मैं नहीं चाहता कि किसी को सर्टिफिकेट दिया जाये कि तुम्हारा रहना "डिट्रिमेंटल टु इंट्रेस्ट" नहीं है । मैं चाहता हूँ कि जिन लोगों ने इतने मौजबानो को गुमराह किया है और पूरी तरह से अपना फर्ज अदा नहीं किया है, उन के खिलाफ इस में भी ज्यादा डास्टिक स्टेप्स लिये जाते । डा० श्रीमाली ने जो स्टेप्स लिये हैं, उन के लिये मैं उन की दाद देता हूँ । उन्होंने वह हिम्मत दिखाई है, जो कि किसी ने इस मिनिस्टरी में नहीं दिखाई थी ।

जहां तक आर्डिनेस जारी करने का ताल्लुक है, मैं अर्ज करना चाहता हूँ कि कास्टीट्यूशन का आर्टिकल १२३ यह नहीं कहता कि सिर्फ इमरजेंसी के वक्त आर्डिनेस जारी किया जाये । अगर आर्डिनेस जारी कर दिया गया है, तो कोई आसमान नहीं गिर पड़ा, कोई गजब नहीं आ गया । मैं आर्डिनेस के खिलाफ नहीं हूँ । मैं यह अर्ज

करना चाहता हूँ कि अगर किसी खराब हालत को दुरुस्त करने के लिये स्टेप लिया जाये, तो हर राइट-माइंडिड आदमी को उस को छपसुव करना चाहिये, लेकिन मैं नहीं समझना कि इस प्राविजन से वह मंजूर हो पूरा हो सकेगा या नहीं, जिस को आनरेबल मिनिस्टर साहब दिल में चाहते हैं। मैं देखता हूँ कि इस में किसी तरह की सजा का प्राविजन नहीं है कि आईन्दा तुम को नौकरी नहीं देगे, किसी तरह का नुकसान पहुंचायेगे, यह पब्लिसाइज करोगे कि तुम्हारा यह कुर्बुर है। इस किम्म की कोई सजा इस में दर्ज नहीं है।

इस के अलावा मैं यह भी अर्ज करना चाहता हूँ कि जिन के नाम दर्ज हैं, वे सर्वेटम हैं—चाहे वे एडमिनिस्ट्रेटिव हो या यनिवर्सिटी के हो, लेकिन उन लडको का जिक्र नहीं है, जिन के बारे में कमेटी की रिपोर्ट में इतना कुछ कहा गया है। मैं लडको के खिलाफ नहीं हूँ। मैं समझता हूँ कि कालेज के दस हजार लानिब-इल्म हिन्दुस्तान के नौजवान हैं। लेकिन उन लडको की उम रिपोर्ट में इतनी "नार्गीफ" की गई है। कहा गया है कि पंजाब बरम का एक लडका इतने अरसे से बहा रहता है। अगर एक ही होता, तो मैं माइड न करना और समझना कि वह एकमेगल है, लेकिन उन्होंने लिखा है कि ऐसे बहुत से लडके बहा हैं। वे क्या करते हैं? वे छोटे लडको पर डामिनेट करते हैं। मैं इस के मायने समझता हूँ। इस के बहुत सिनिस्टर मायने हैं। किस तरह की उन की हालत होगी? जिन लडको के बरखिलाफ बहुत से इल्जामात हैं, जिन को निकाल दिया जाना चाहिये था, उन के लिये इस में कोई प्राविजन नहीं है। जिस इन्स्ट्रिक् एक्शन की इतनी बुराई की गई है, उस का नतीजा यह होगा कि चन्द उस्तादो, चन्द लेक्चरार्ज को वहा से हटा दिया जायेगा, या, अगर प्रोफेसर रगा की तजवीज को माना जाये, तो बड़ों बड़ों को दूसरी यूनिवर्सिटीज में जगह दे दी

जायेगी। मैं अर्ज करना चाहता हूँ कि दूसरी यूनिवर्सिटी में जा कर वे इस में भी ज्यादा खराबी करेगे।

श्री रघुनाथ सिंह वह प्लेग का कीडा होगा।

पंडित ठाकुर दास भार्गव : बड़े मुलायम दिल में मेरे दोस्त कहते हैं कि इस तरह प्रमल करने में वहा बिटरनेस बढ जायेगी। मैं बडे जोर में कहना चाहता हूँ कि अगर उन लोगो को सजा भी दी जाये और उन को कैद की सजा दी जाये तो मुझे निहायत खुशी होगी। यनिवर्सिटी की रिपोर्ट में जिन अफमाल का जिक्र किया गया है, वे हमारे डूब मरने के लिये काफी हैं। मैं इस का बदलिन नहीं कर सकता कि यह गवर्नमेंट ३ करोड रुपया पाच बरम में लडको में इन्डर्माग्निन फैलाने के लिये उन का मारेण करेक्टर गिराने के लिये खर्च करे और उन के अर्च्छे खाने-पीने का मुनासिब इतजाम न किया जाये, जिम में उन के जिस्म बन सके, और वे पढ सके। इस रिपोर्ट से तो यह जाहिर है कि वहा पर एनार्की फैली हुई है। मानवीय जी ने कहा कि ये आइसोलेटिड केमिज है, वहा इतनी खराबी नहीं है। अगर यह ठीक है, तो पोजीशन तसल्लीबस्था है लेकिन अगर रिपोर्ट के अलफाज और उन के मायनों को देखा जाये, तो, जेमा कि कल बहन श्रीमती उमा नेहरू ने कहा, बेहतर है कि यनिवर्सिटी खत्म हो जाये, बन्द हो जाये, लडके अनपढ रह जाये—यह लाख दर्जे बेहतर है बसकाबले इसके कि लडको को इस तरह का सबक दिया जाये कि देश में एनार्की फैल जाये।

पंडित गोविन्द मालवीय (सुलतानपुर)

मेरी अर्ज है कि और कोई जाये न जाये, आप मेरे माथ खले और देखे कि कहा क्या हो रहा है।

पंडित ठाकुर दास भार्गव : यह जो प्राविजन है, वह काफी नहीं है। इस में कमी मालूम होती है। इस प्राविजन को बेहतर बनाया जाये या गवर्नमेंट अपने पास आईन्दा रूल बनाने की पावर रखे, ताकि यह प्राविजन सक्सेसफुल हो सके। मैं यह नहीं कहता कि यह प्राविजन न हो। मैं अर्ज करना चाहता हूँ कि इस से बहुत डिस्क्रीट स्टेप लिया जाना चाहिये था, बमुकाबल उस के जो कि श्रीमाली साहब ने लिया है। लेकिन जो कुछ उन्होंने किया है, उसके लिये हम मशकूर हैं। आखिर सात बरस में इस मिनिस्ट्री में एक शस्त्र तो निकला, जिस ने अपने फर्ज को सम्भाला, वरना गवर्नमेंट के एजुकेशन मिनिस्ट्री की जो कार्यवाहियाँ हैं, वे इस कदर नाकिम और सख्त हैं कि हम जितने भी शरमिन्दा हों, उतना थोड़ा है। जिस डिपार्टमेंट को हम देखते हैं, उस में यही पोल पड़ी है। शुक्र है कि एक एक्स्पान नजर आई। यह एक्शन बनारस यूनिवर्सिटी के खिलाफ नहीं है, लडकों में इन्डिमिनिन के बरखिलाफ है, देश में चल रही एनार्की की मूवमेंट के खिलाफ है। इय एक्शन को ज्यादा स्ट्रिक्ट होना चाहिये, इस एक्शन को पुरमानी होना चाहिये, इस एक्शन से रिजल्ट निकलने चाहिये। इस तरह के प्राविजन में कोई रिजल्ट नहीं निकलेगा। मालूम होता कि यह महज आई-वादा है और उस से कोई नतीजा नहीं निकलेगा।

राजा महेन्द्र प्रताप : आज सब हिन्दु-स्तानी बोल रहे हैं, इमलिये मैं भी हिन्दुस्तानी में कुछ अलकाज कहूंगा। मेरा हिन्दू यूनिवर्सिटी से बहुत पुराना सम्बन्ध है। जब पंडित मदन मोहन मालवीय इस यूनिवर्सिटी को बनाना चाहते थे, तो वह मुझे नीले नीले नक्शे दिखाया करते थे। कुछ थोड़ा बहुत पैसा भी मैं ने पेश किया था। मुझे बड़ा अफसोस है कि हमारे मित्र स्वामिन्वाह एक कुटुम्ब के मामलों में—यह हिन्दू यूनिवर्सिटी एक कुटुम्ब है—दखल-अंदाजी

कर रहे हैं। अगर कोई किसी मियां-बीबी के झगड़े में दखल-अंदाजी करे, तो लड़ाई और ज्यादा हो जाती है। आप जानते हैं कि एक यूनिवर्सिटी में चार ताकतें—चार-शक्तियाँ—होती हैं। एक तो वह ताकत है जिन्होंने पैसा दिया, जिन को डोनर्स कहा जाता है। एक उन की ताकत है, जो वहाँ के प्रोफेसर हैं, टीचर्स हैं, जो वहाँ पढ़ाते हैं। एक उनकी ताकत है जो कि वहाँ पर रहते हैं, स्टूडेंट पढ़ते हैं, और उनके गार्डियन हैं। मेरा यह कहना है कि बजाय इसके कि हम उन के लिये कोई कानून बनायें, कायदे कानून बनायें और दखल-अंदाजी करें, ज्यादा अच्छा होगा कि हम यूनिवर्सिटी को स्वयं मौका दें कि वह अपना इतिजाम आप करे। मैं समझता हूँ कि आप में से बहुत से लोग यह मानेंगे कि वहाँ जो बड़े बड़े प्रोफेसर हैं, वहाँ पर जो बड़े बड़े लोग पढ़ाने वाले हैं उन में शायद ज्यादा हमारे यहाँ इस हाउस में प्रोफेसर नहीं होंगे। हम उनको रास्ता दिखाना चाहते हैं और उनको मौका नहीं देना चाहते कि वे अपना रास्ता आप निकालें। श्रीमाली साहब बहुत समझदार और होशियार होंगे, मगर शायद वह प्रोफेसरों से कुछ कम ही होंगे, ऐसा मेरा अनुमान है। मेरा कहने का मतलब केवल यह है कि हमको चारों शक्तियों को समझ कर उनको मौका देना चाहिये . . . . .

**Pandit Thakur Das Bhargava:** How far is it fair to compare a Minister with them, and to say that he is of less calibre? That is not fair. This should not be allowed to go on the record.

**Pandit K. C. Sharma:** Such general observations need not be allowed.

राजा महेन्द्र प्रताप : चारों शक्तियों को समझकर उनको मौका दिया जाना चाहिये कि प्रोफेसरों के प्रतिनिधि, गार्डियंस के प्रतिनिधि, डोनर्स के प्रतिनिधि . . . . .

उपाध्यक्ष महोदय : मैं माननीय सदस्य से कहना चाहता हूँ कि वह जो विषय विचाराधीन हैं, उससे बहुत दूर जा रहे हैं। अब हम बहुत आगे आ चुके हैं।

राजा महेन्द्र प्रताप : असल में बात यह है कि सभी बातों को मैंने सुना है और मुझे कुछ अधिक नहीं कहना है। मैं केवल एक बात कहना चाहता हूँ और वह यह है कि यूनिवर्सिटी के कार्य में हस्तक्षेप करने का आपकी अधिकार नहीं है। मैं समझता हूँ कि local liberty but all unity in Federation यह हमारा प्रिंसिपल है, यह हमारा सिद्धांत है। आप लोगों को मालूम है कि मेरा भी एक छोटा सा कालेज है। मैं वहाँ यह देखता हूँ कि सरकार जितना हस्तक्षेप करती है उतना ही हमारा इंतिजाम खराब होता है।

अन्त में मैं इतना ही कहना चाहता हूँ कि आप मेहरबानी करके यूनिवर्सिटी के बिल को वापस ले लें और यूनिवर्सिटी को अधिकार दें कि वह अपना बिल आप बना ले और जिस तरह वह मुनासिब समझे यूनिवर्सिटी को चलाये।

**Shri Supakar:** I have two amendments. The first one is with regard to the election of Members of Parliament as it used to be before, namely, two representatives from the Lok Sabha and one representative from the Rajya Sabha should be elected to the court. Now, it was stated by the hon. Minister, when he was discussing the Bill today, that this matter was raised in the Select Committee and that it was thought that since the Speaker of the Lok Sabha has nominated the very same persons who were elected by the Lok Sabha earlier and whose terms of office have not expired, and since the Chairman of the Rajya Sabha also nominated one Member who has previously been elected from the Rajya Sabha, it was not necessary to provide representation by election from the Lok Sabha and Rajya Sabha respectively.

I may humbly submit that though it is stated in the explanation that this Bill is going to be a temporary enactment, we are not sure when this Bill is to be replaced by an Act of a permanent nature. It is just possible that it may not be convenient or possible for the Government to come forward with another Bill in the near future especially if the conditions of the university do not improve to the satisfaction of the Government.

Now, there is nothing to prevent this House from electing the same hon. Members who had been elected previously and who were nominated by the Speaker for the interim period when the ordinance was in force. Therefore, I suggest that to maintain the status and proper dignity of this House, it should be provided that for the period during which this temporary Act is to be enforced, we should provide for representation by election. But there is nothing to prevent this House from electing the same persons whose terms have not expired and who have been nominated by the Speaker during the interim period.

The next amendment of mine provides as follows:

"Provided that out of the twenty-nine persons nominated, four persons at least shall be from amongst the donors and five persons at least shall be persons who represent respectively the Hindu, the Buddhist, the Sikh and the Jain culture and learning."

I have moved this amendment not with any sectarian or secular motive. It is intended that the ancient culture of our land, the culture of the Hindus, the Buddhists, the Sikhs and the Jains should be specially developed in this unique university. All along since the inception of the university, the donors have got representation in the board of the university. I for one do not believe that the history of India began in the year 1947. I feel very strongly that we have not been able to promote the ancient culture and

[Shri Supakar]

learning of our land as much as we should and could do.

I shall give two illustrations to show what little we have done and how few of us have devoted our mind to the great task of rediscovery of India. We all know that when we go to visit the Qutab Minar, we find that there is an iron pillar which is immune to rust and weather conditions. People from all countries through the / ages have admired this superb piece of our ancient metallurgical science. But I would ask the hon. Minister, have we done anything to know the reason how it is possible? Have we undertaken any sort of research in having iron and steel which is immune to rust? If we could do anything to rediscover that process, I would submit most humbly that we could show to the world that ancient Indian science could teach us something.

I will give another small instance. Many people go for a picnic to Jantar Mantar. But if any of us were asked as to what is the special significance of that, I do not think any of us could give any idea.

**Mr. Deputy-Speaker:** How are they connected with this amendment?

**Shri Supakar:** They are connected with ancient Hindu, Buddhist, Sikh and Jain culture. These things need rediscovery. Have we any forum where these things could be done? So, it is necessary that so far as this university is concerned, we should have persons who can give a directive to inspire the teachers and the students to know and rediscover these things. That has not been done so far. We know that we derive our inspiration, so far as our own culture is concerned, from English and other European authors like Max Mullar. But we ourselves have done not much in this direction. It was the original idea that this Hindu University should co-ordinate and collate all that is

necessary and desirable in knowing our ancient tradition, philosophy, science, religion, astronomy and all branches of culture and learning.

Therefore, it is necessary to provide that out of the 29 persons nominated, five persons at least should represent culture and learning, as I have said in my amendment. Of course, there is nothing communalistic in this, because persons nominated to the university do not go there to work for themselves or for their particular community. They will be going there to improve the cultural standard of the university. Therefore, there is nothing wrong in this amendment and I hope that it will be accepted by the House.

**श्रीमती जयाबन शाह (गिरनार) :**

उपाध्यक्ष महोदय, इस बिल के बारे में बहुत बहस हो रही है। इस हाउस में भी हो रही है और बाहर भी। बिल का प्रकार ऐसा है कि इस में लोगों को बहुत दिलचस्पी है। मुझे ऐसा लगता है कि सब के दिल में यह बात है कि अगर यह बिल, जिस प्रकार में वह है, यहां न आया होता तो ठीक होता। लेकिन जब हम जानते हैं कि परिस्थितिवश सरकार को इस प्रकार के बिल को लाने का फर्ज पूरा करना पड़ रहा है तब मुझे ऐसा लगता है कि यहां पर इतनी लम्बी चौड़ी बात चीत करने की कोई जरूरत नहीं है। जब स्थायी बिल यहां पर आयेगा उस समय हम ज्यादा गौर करेंगे और जो कुछ तमें कहना है वह कहेंगे।

कितने ही लोगों ने यहां पर कहा है कि यूनिवर्सिटी की घटानामी और डेमोक्रेसी को छीना जा रहा है। मुझे भी इस बात पर ऐतराज है। मगर घटानामी और डेमोक्रेसी के माने क्या हैं? भले ही कोई चीज जन-कल्याण के लिये हो लेकिन अगर उस से जब कोई साभ नहीं होता तो सिर्फ घटानामी और डेमोक्रेसी को हाथ में ले कर बैठने से क्या फायदा? आज हमारे देश में ऐसी हालत है,

ऐसी परिस्थिति है तो भी हम अटानामी और डिमोक्रेसी के नाम पर अपने-आपसे बन्द करने के बैठे रहे, और तो कुछ चलता है उसे बरदास्त करते रहे, ता मैं समझती हूँ, कि वह हमारे देश को बड़ा नुकसान पहुँचायेगा।

कितने ही मੈम्बरो ने यह भी गिफायत की है कि आज जा हालत बनारस हिन्दू यूनिवर्सिटी की है वह बहुत सी दूसरी जगहों पर भी है। मैं उन के साथ सहमत हूँ। मैंने भी कभी कभी ऐसा हाल सुना है। लेकिन मैं समझती हूँ कि ऐसी हालत में गवर्नमेंट को इंटरफियर करने का अधिकार और उस का जस्टिफिकेशन ज्यादा रहता है। आज हमारा सारी की सारी शिक्षा प्रणाली जो चल रही है उस का कैसा परिणाम होगा, उस का प्रत्यक्ष नमन दर्शन हमें यहाँ मिलता है। जिन उच्च उद्देश्यों और भारतीय संस्कारों को साथ में ले कर इस यूनिवर्सिटी को स्थापना हुई थी, उस का यह हाल है तो हमारा आगे ज्यादा खुलनी चाहिये और जहाँ ऐसी परिस्थिति विद्यमान है उस को और देखना हमारा फर्ज हो जाता है क्योंकि हम लोगों की ओर में यहाँ बैठे हैं और गवर्नमेंट भी लोगों की ओर में काम करती है। इस लिये गवर्नमेंट जो कुछ करती है उस के बारे में हम गिफायत करते तो वह मुनासिब नहीं है। आज गवर्नमेंट न जो कदम उठाये है वे बहुत भारी हैं। मगर मैं समझती हूँ कि आज की हालत में उस में कुछ ज्यादा बिगड़ने वाला नहीं है। जा कुछ भी बिगड़ने वाला था वह पहले ही बिगड़ चुका है। दूसरी यूनिवर्सिटी वालों को इसमें सबक लेना चाहिये। यहाँ पर कहा गया कि आखिर अलागड यूनिवर्सिटी में भी ऐसा चलता है, वैसा चलता है। मैंने वहाँ की हालत मालूम नहीं है, लेकिन अगर वहाँ भी ऐसा ही चलता है तो हम देखेंगे कि जो हालत बनारस हिन्दू यूनिवर्सिटी की हुई वही वहाँ भी हो सकती है। अगर इस का देखते हुए हम अटानामी के नाम पर, डिमोक्रेसी के नाम पर चुपके बैठे रहेंगे तो वह हमारा धर्म नहीं होगा।

यहाँ पर जब यह बिल आया है और हम यहाँ बातें कर रहे हैं तो ज्यादातर हम अपने देश की हायर एजुकेशन की परम्परा को सामने रख रहे हैं। हमारे देश में जो शिक्षा प्रणाली हमारी गवर्नमेंट चलाती है उस में हायर एजुकेशन के बारे में हमारी शिक्षा संस्थाओं का ठाँवा आजकल कारखानों जैसा बन गया है।

मैं पर हमें ज्यादा गौर करने की जरूरत है। जिस प्रकार आजकल कारखानों में मजदूरों को यूनिवर्सिटी में भेजे जाते हैं, वैसे ही आजकल हमारी शिक्षा संस्थाओं में हो रहा है। चाहे शिक्षक हों, चाहे प्राफेसर हों, वह भी अपनी यूनिवर्सिटी बनाते हैं। उन को कोई रिकग्नाइज करे या न करे, मगर उन के संगठन बनते जाते हैं। मजदूरों की यूनिवर्सिटी की तरह वे लोग अपनी डिमान्ड्स पेश करते हैं, इमानिये जो विद्यार्थी उन के साथ हैं उन के माइन्ड्स भी उन्हीं तरह के बन गये हैं। सब को शिक्षा पाने का अधिकार है, हमने यह मान भी लिया है कि हर एक को शिक्षा मिलनी चाहिये, लेकिन विद्यार्थी इसमें भी आगे बढ़ कर कहते हैं कि हम फॉर्म देते हैं और इमानिये शिक्षा संस्था पर पूरा पूरा हमारा अधिकार है। शिक्षक हैं विद्यार्थी हैं सब लोग अपने अधिकारों पर बल देते रहते हैं। जब वह मिलते जुलते हैं और उन की बातें होती हैं तो इस प्रकार की ही बातें होती हैं। उस में शिक्षा की बाने कम होती हैं, कारखाने के मजदूरों की तरह बहने होती हैं, विद्यार्थियों की यूनिवर्सिटी है, शिक्षकों की यूनिवर्सिटी है, आजकल शिक्षा संस्थाओं में यह हाल है। इमानिये मैं अपने एजुकेशन मिनिस्टर से यह प्रार्थना करूँगी कि अगर हम इस बारे में नहीं सोचेंगे तो जो हाल बनारस यूनिवर्सिटी का हुआ वही जो देश की सारी की सारी यूनिवर्सिटी हों उन में भी होगा, थोड़ा बहुत तो आज भी है ही, मगर आगे और ज्यादा परिमाण में होगा। हम लोग ऐसा मानते हैं कि शिक्षा पाने से, विद्या के पाने में मनुष्य ज्यादा नम्र, ज्यादा चिन्तयशील, ज्यादा चरित्रवान् और ज्यादा

[श्रीमती जयाबेन शाह]

देशप्रेमी और कर्तव्य पालक बनता है और बनना चाहिये। प्रच्छी शिक्षा में ऐसी बातें होनी चाहियें। लेकिन हम देख रहे हैं कि आज हमारे विद्यार्थियों के मन दूसरी दिशा में चलते हैं और इसलिये मैं फिर अपने शिक्षा मंत्री से प्रार्थना करूंगी कि बनारस हिन्दू यूनिवर्सिटी के ऊपर विचार करने का जो मोका आया है उस से हमारी अपनी आत्मा भी खुलना चाहिये। अगर ऐसी ही शिक्षा हम देने रहेंगे, ऐसे ही कल कारखाने की तरह से हमारे शिक्षा केन्द्र चलते रहेंगे तो हिन्दुस्तान का कोई भी कल्याण नहीं होगा। इस से जो हमारे यूथ हैं, जो युवक हैं, उन के दिल में कोई देशप्रेम नहीं बढ़ेगा, इस से तो नुकसान ही होगा। हमें इस बात को समय निकल जाने से पहिले ही समझ लेना चाहिये।

मैं समझती हूँ कि इस बिल को लाने में सरकार को कोई खुशी नहीं है।

परिस्थितियों के वश हो कर उन्हें लेनी पड़ी है। मैं भी किसी भी यूनिवर्सिटी की धाट्टी नमी को छीन लेने के बिल्कुल खिलाफ हूँ। मगर बनारस हिन्दू यूनिवर्सिटी का हम बहुत रिसर्च करते हैं और जो उस का पुराना गौरवपूर्ण इतिहास रखा है उस को देख कर हम गर्व अनुभव करते हैं और हम सब लोग दिल में यह चाहते हैं कि बनारस हिन्दू यूनिवर्सिटी की जो पुरानी हालत थी उसे हम फिर वापिस ले आये। गवर्नमेंट ने इस के लिये जो यह बिल पेश किया है मैं उस का पूरा समर्थन करते हुए यह प्रार्थना करती हूँ कि इस बिल को जल्दी से जल्दी हटा कर इस की जगह एक परमानेंट बिल अध्यातिशीघ्र लाया जाय।

**Dr. K. L. Shrimall:** Mr. Deputy-Speaker, I have already answered many of the points which have been raised in the course of the discussion, and I do not like to bore the House again by going over the points raised in the minutes of dissent. I would, however, like to touch a few points.

One hon. Member desired that a

time should be fixed by which the new measure should be brought forward. In a matter like this, though it may be our constant endeavour to bring forward the comprehensive measure as quickly as possible, I cannot give a definite assurance with regard to time-limit. It may be six months or even twelve months. As I explained, we will have to consult the various bodies and various Universities. The University Grants Commission will have to be consulted. Since the Mudaliar Committee has raised certain points with regard to State Governments, they will also have to be consulted. Unless all these consultations have taken place it is not possible to bring a comprehensive measure. I will only give this much of assurance that as early as possible it will be our earnest endeavour to bring forward this comprehensive measure.

I think my hon. friend, Shri Kar, suggested that teaching staff should not be associated with the Selection Committee. I have already explained that our endeavour has been to disturb the various bodies as less as possible. This question was considered in the Select Committee also and they laid down certain procedure with regard to the Selection Committee, which is more or less on the same lines on which the Selection Committees were composed before the promulgation of the Ordinance. Now I would like to submit most humbly to this House that I should not like to see that the Selection Committees, where the selection of the teachers and the professors are being made, should be completely dissociated with the teaching staff. It is true that there have been complaints about the University. But we do not think that there is nobody in the University, or that there is nobody in the whole world, who can guide us in selecting the staff, and so the bringing in of such a provision would be too drastic a step. The Visitor had appointed the Executive Committee. Now to say that these Executive Committee mem-

bers should not go to the Selection Committee would amount to indirectly questioning their own *bona fides*.

Now a question has been raised about the Reviewing Committee. I am glad, my hon. friend, Shri Asoka Mehta is also here. I would like to submit—and I hope the House will believe me when I say that—that during the last few days I have passed through mental agony. During the last three decades I have spent all my life with students and teachers. Having been a teacher all along my life, it is not a very pleasant thing for me, as the Minister of Education, to appoint a Reviewing Committee, which should examine the conduct of the teachers in the University.

**Shri D. C. Sharma:** Then why appoint it?

**Dr K. L. Shrimali:** I will answer my hon. friend, Professor Sharma later.

It is a painful task. But, however unpleasant the task may be, if the task has to be done, we must do it. And it is in that spirit that I have undertaken this responsibility.

A certain situation arose in the University. Years after years we find that there is intransigence of certain groups inside the University, who were not prepared to carry on the responsibilities which were laid down by the society. Now, what are we to do? Vice-Chancellor after Vice-Chancellor left the University in sheer disgust. The other alternative is that we should allow the things to drift and Government should do nothing with regard to the reconstruction of university education. Several times hon. Members have raised here the question that Government had done very little with regard to the reconstruction of education. Now, here some action has been taken and then we begin to question the rightness of that action. I would like to submit

that however unpleasant this task may be it has to be gone through in the interest of the University. There is no other way in which this situation can be faced.

A question was raised with regard to the election of hon. Members of Parliament. I said yesterday also that I have very little objection on this point, but I have requested the House not to press this point too far. The reason is the whole principle of nomination with regard to this emergent measure and the Speaker and the Chairman of the Lok Sabha and the Rajya Sabha have taken care that only those persons are nominated who were elected by this House and therefore I would request the House not to press that point too far and disturb the Select Committee's report.

My hon. friend, Shri Braj Raj Singh, I think, spoke in an angry tone.

**Shri Braj Raj Singh:** I am sorry if I created that impression.

**Dr. K. L. Shrimali:** I do not want to enter into any heat in regard to this matter, but I would like to repeat that in the University today and for the last several days there have been people who are not connected with the University. They have gone there. They have addressed meetings. They have incited the students and have made violent speeches. I do not think it is proper for me to name them in this House.

**Some Hon. Members:** No, no.

**Dr. K. L. Shrimali:** But I do wish to maintain that people who are not connected with the University in any way have gone and have incited the people to do all kinds of things. Violent speeches have been made inside the campus of the University. I have already made an appeal to this House. My hon. friend, Shri Asoka Mehta, made a proposal that let the political parties keep their hands off

[Dr. K. L. Shrimali]

the Universities and let us work in the spirit of co-operation and raise the morale of the University. The future of our country depends on the future of our universities and as he rightly pointed out the Banaras Hindu University is at test case. If we can reconstruct the University life in this University, it will have an effect on the other universities in the country also. I would therefore request hon. Members not to press these amendments. This is after all an emergent measure—a short-term measure—and I would come to this House again with a comprehensive measure and they will have full opportunity to express their opinions on that measure.

**Mr. Deputy-Speaker:** Am I required to put any particular amendment separately?

**Some hon. Members:** No

**Shri Braj Raj Singh:** Yes, the one about the Screening Committee.

**Mr. Deputy-Speaker:** What is the number?

**Shri Braj Raj Singh:** No. 16.

**Mr. Deputy-Speaker:** He has moved amendments No. 7, 8, 9 and 19.

**Shri Braj Singh:** This is with regard to the Reviewing Committee.

**Mr. Deputy-Speaker:** He may give me the number of that amendment.

**Shri Braj Raj Singh:** It is number 13.

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

"pages 5 and 6 omit lines 8 to 39 and 1 to 20 respectively."

*The motion was negatived.*

**Mr. Deputy-Speaker:** I shall now put all the other amendments to the vote of the House.

The question is:

Page 3,—

for lines 18 to 22, substitute—

"(g) three representatives of Parliament; two to be elected by the Lok Sabha in such manner as the Speaker of the Lok Sabha may direct and one to be elected by the Rajya Sabha in such manner as the Chairman of the Rajya Sabha may direct."

*The motion was negatived.*

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

Page 3,—

after line 27, add—

"Provided that out of the twenty-nine persons nominated, four persons at least shall be from amongst the donors and five persons at least shall be persons who represent respectively the Hindu, the Buddhist, the Sikh and the Jain culture and learning."

*The motion was negatived.*

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

Page 3,—

omit lines 12 to 17.

*The motion was negatived.*

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

Page 3,—

for lines 18 to 22, substitute—

"(g) twelve members of Parliament, eight to be elected by the House of the People from among the members thereof and four to be elected by the Council of States from among the members thereof."

*The motion was negatived.*

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

Page 3, line 23,—

for "twenty-nine" substitute "twenty"

*The motion was negatived.*

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

Page 3,—

after line 27, add—

"(i) one member from each State Legislative Assembly to be elected by the respective State Legislative Assembly."

*The motion was negatived.*

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

Page 4,—

for lines 16 to 40, substitute—

"appointment for (i) Professor, (ii) Reader or Lecturer, (iii) Registrar shall consist of five experts nominated by the visitor. No member of the Executive Council shall be a member of the Selection Committee."

*The motion was negatived.*

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

Page 3,—

after line 27, add—

"Provided that no member of Parliament shall be nominated under this clause by the Visitor."

*The motion was negatived.*

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

Page 3, line 28,—

for "seventeen" substitute "eighteen"

*The motion was negatived.*

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

Page 5,—

for lines 32 to 34, substitute—

"(a) two persons who are or have been Judges of a High Court nominated by the Central Government one of whom shall be nominated to be the Chairman of the Committee; and"

*The motion was negatived.*

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

Page 5, line 35,—

for "two persons" substitute "one person"

*The motion was negatived.*

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

Page 5,—

(i) line 15, for "an" substitute "the" and

(ii) lines 18 and 19, omit "of the nature referred to in this sub-section"

*The motion was negatived.*

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

"That clause 7 stand part of the Bill."

*The motion was adopted.*

*Clause 7 was added to the Bill.*

*Clauses 8 and 9 were added to the Bill.*

**Clause 1 (Short title).**

**Mr. Deputy-Speaker:** Is there any amendment to be moved?

**Shri Braj Raj Singh:** Yes.

**Mr. Deputy-Speaker:** Which one:

Shri Braj Raj Singh: No. 5.

उपाध्यक्ष महाशय, मैं अपना अमेंडमेंट नम्बर ५ को मूव करता हूँ जो कि इस तरह है।

That on page 1, after line 4, add—

“(2) This Act shall remain in force for a period of eight months only from the date of its coming into force.”

मुझे इस सम्बन्ध में ज्यादा नहीं कहना है। सिर्फ मैं आप के द्वारा सदन को यह याद दिलाना चाहूंगा कि जब प्रधान मंत्री महोदय ने पहली मर्तबा यहां इस विषय में भाषण दिया था तो यह आश्वासन दिया था कि हम जो स्थायी कानून बनायेंगे उस में छः से आठ महीने लग सकते हैं। उन्होंने ने बड़ी से बड़ी तादाद आठ महीने की बतायी थी। मैं चाहता हूँ कि यह चीज कानून की शकल ले ले। यह कानून केवल आठ महीने तक ही रहे। अगर आठ महानों के अन्दर सरकार दूसरा कानून नहीं बनाती तो यह कानून न रहे। जब नया कानून बनने जा ही रहा है और जब कि इस तरह का आश्वासन है प्रधान मंत्री महोदय का और शिक्षा मंत्री महोदय भी कहते हैं कि यह काम छः या आठ महीने में हो सकता है तो यह अवधि निश्चित हो जानी चाहिये। क्योंकि शिक्षा मंत्री महोदय ने यह भी कहा है कि चार महीने और ज्यादा लग सकते हैं, १२ महीने हो सकते हैं, इधर से कहा गया कि ६ साल हो सकते हैं। मैं चाहता हूँ कि निश्चित तौर से यह तै कर दिया जाय कि यह नया कानून आठ महीने से आगे जाने वाला नहीं है, आठ महीने के अन्दर ही बन जायेगा। यदि शिक्षा मंत्री महोदय यह आश्वासन दें कि ८ महीने में इस काम को पूरा कर सकेंगे तो मैं यह सोचूंगा कि इस अमेंडमेंट को ज्यादा प्रेस न किया जाये लेकिन मैं समझता हूँ कि वह इस के लिये तैयार नहीं हैं क्योंकि उन्होंने ने फरमाया है कि यह मुश्किल मामला है, पता नहीं कि क्या क्या कठिनाई सामने आये, और यह काम आठ

महीने में न हो सके। इसलिये मैं चाहता हूँ कि इस प्रश्न पर विचार किया जाये। अगर आप सीमा निश्चित कर देंगे तो सरकार इस पर गम्भीरतापूर्वक विचार करेगा और इस समय के अन्दर इस काम को कर डालेगी।

इसलिये मेरा निवेदन है कि शिक्षा मंत्री महोदय प्रधान मंत्री महोदय के आश्वासन को पूरा करने के लिये इस अमेंडमेंट को स्वीकार कर लें।

Dr. K. L. Shrimali: The hon. Member has said that the hon. Prime Minister has given an assurance. I will read the statement which he made on the floor of the House:

“And what had been done, it should be remembered, is a temporary expedient to pass over a provisional period, so that this House may consider the matter fully and amend the old Act in such manner as it wishes, and then it may go on. So this is a temporary expedient to cover this hiatus. I do not know how long it will last. It may last a year; it may last six months; it may last eight months, that is, till the framing of the new Bill or the new Amending Bill.”

I have already given an assurance to the House and it will be my earnest endeavour to bring about a comprehensive measure as quickly as possible. Under the circumstances I cannot say anything more and I will request the hon. Member not to press his amendment.

Mr. Deputy-Speaker: The question is:

“That on page 1, after line 4, add—

“(2) This Act shall remain in force for a period of eight months only from the date of its coming into force.”

The motion was negatived.

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

"That clause 1 stand part of the Bill"

*The motion was adopted*

*Clause 1 was added to the Bill*

*The Enacting Formula and the title were added to the Bill*

**Dr. K. L. Shrimali:** Sir, I beg to move

That the Bill be passed

**Mr. Deputy-Speaker.** Motion moved

"That the Bill be passed"

Hon Members will remember that by 4 O'clock we will have to conclude This was decided by the House, not by me

**Pandit K. C. Sharma** Sir, to my mind, this is a sad day that a measure like this should have been thought necessary to be enacted I appreciate the painful feeling and sorrowful sentiments of my hon friend Pandit Govind Malaviya I am one with him so far as his feelings are concerned But his strenuous advocacy that because the lawyers have gone wrong because the doctors are not doing their duty, because the industrialists are demoralised, therefore, the University has the right to go a bad way is a sort of advocacy

**Mr. Deputy-Speaker:** He did not say that the University has a right to go that way

**Pandit Govind Malaviya** That is how he has understood it?

**Pandit K. C. Sharma:** I understand according to my light You need not worry about it

This strenuous argument for non-inter-vention is an advocacy which is archaic and reactionary in conception and would be dangerous in practice I would quote him When the question of origin of appointing a king is discussed in the Mahabharata, it is said when the people are good, no law was necessary, no king existed no government, no rule was necessary and nothing of the sort existed People were extremely good They went about in the jungles, they did their duties scrupulously and everything went on nicely Then, the people got corrupted Brahma was approached and the king was brought in This is the story which relates to the beginning of time in the Mahabharata The world has changed, my friend, the world has changed tremendously Even when the holy waters of the Ganges are taken for the irrigation of the fields When the Ganges canal was first taken, somebody protested and said, Oh, the holy waters being taken away? What for? For raising crops The object of your argument relates to that man alone

**Mr. Deputy-Speaker.** I would request the hon Member to kindly address me

**Pandit K. C. Sharma.** While appreciating my hon friend's feelings, I want to tell him that he is living in an age which is thousands, hundreds of thousands of years past All these thousands of years, the evolution of man has gone on

**Pandit Govind Malaviya:** May I submit humbly that the hon Member does not seem to know the facts even about the Ganga water dispute?

**Pandit K. C. Sharma:** Your name does not come in here

**Mr. Deputy-Speaker:** Order, order That is not the way

**Pandit K. C. Sharma:** I will quote you Here it is

"From that day this party (referring to the teachers party)

[Pandit K. C. Sharma]

has made it its every day determined task to oppose the Vice-Chancellor in every manner possible."

The teacher is an instrument for light and culture. For your information and enlightenment I say, even the wolf does not devour its young ones. It is worse than a wolf, a teacher that would corrupt his young ones. What are you talking about a University which spends crores of rupees, founded by one of the ablest educationists, going the way it is going....

**Mr. Deputy-Speaker:** I would solicit the attention of the hon. Member that he should address me.

**Pandit K. C. Sharma:** Yes, Sir. I am saying that the University was founded by a very great man and it was founded with a certain objective. That objective was to create a balanced development of the body, mind and the spirit. Pandit Malaviya as I knew him—and I knew quite enough of him—laid stress throughout his life on the development of the spirit. He was a very frail man. But, still he had the courage of a great heroic person a spirit that knew no giving away. He laid stress in laying the foundation of this University on the development of the spirit. Now, as things stand, that objective is not only not fulfilled, but a situation has arisen in which it cannot be fulfilled. You have to improve it. Here may I suggest that this measure, good enough as it is, is not sufficient, unless certain necessary steps are taken.

My suggestions are these. This University is too large a body, too large an institution and it is unscientifically laid out. I suggest that the Sanskrit and Ayurveda colleges should be removed from the campus of the University and they should be located somewhere else, may be under the jurisdiction of the University. Then, a number of very eminent foreign professors should be appointed.

**Some Hon. Members:** Foreign?

**Pandit K. C. Sharma:** That may raise the dignity of the institution. In any University worth the name all over the world it is not confined to those nationals only. To limit the temple of learning and culture to certain nationals is wrong in principle. Therefore, I plead that a number of very great professors and eminent scholars from outside India should be appointed. That would raise the moral tone of the University and also its dignity. (*Interruption*).

**Mr. Deputy-Speaker:** Order, order; though I am sure the hon. Member can very well look after himself, yet I think that he should be allowed to go on uninterrupted.

**Pandit K. C. Sharma:** My third suggestion is that the appointment of professors should be made only for five years. After five years, their teaching work and their contribution to literature and science should be judged and then their contract be renewed. It is wrong in principle to make permanent appointments in a University. In many Universities this is the rule and this rule is very salutary.

My fourth suggestion is that research work should be developed and adequate arrangements should be made. It is a pity that for the last many years, as you look at the list of great and eminent scholars, the contribution of the Banaras Hindu University is not very complimentary, is not very encouraging. I plead that more money should be allotted to the Banaras Hindu University. It is a great University. I have every respect and very great regard for this University. I plead for more funds. I do not like this solicitation that Rs. 55 lakhs are given to day it is a large sum. This is a University to which crores of rupees should be given. It should be well managed; better staff should be provided for. Knowing full well that men of science and men of letters would

behave better if a law is there to help them, I have every hope that things would not go the way they have gone I have every hope that our teachers and students are not worse off than any of their counterparts in any other country I may say for the information of the House that recently some statistics were taken Students were put questions in India as they were put questions in other countries and the replies that all the students gave were almost the same with regard to ideal of life, as the ones given in any other country So, we are as good or as bad as our counterparts, in other countries whether as citizens, whether as students or whether as professors We are not worse off I am not pessimistic so far as the future of this University is concerned, if we take courage and do the right thing in the right spirit My only concern is that we should take into consideration the future of this great University, allot larger sums and see that things are done in a better way I hope my wishes would be realised I assure Pandit Govind Malaviya that nobody in the House is less painful about the situation, about the shape that things have taken and everybody, every Member of the House is as much solicitous about the future of this great University as he rightly is

**Pandit Govind Malaviya:** May I request the favour of two minutes, Sir?

**Mr. Deputy-Speaker:** My difficulty is, now, the hon Members have to blame themselves because they fixed one hour and that is exhausted How can I extend any time now? That is not in my power now

16 hrs

**Dr. K L. Shrimall:** I do not wish to take any more time of the House I would only like to say just one or two sentences

This University has to play a very important role in our national life We have undertaken big plans and

projects, and success of these plans and projects would depend not only on material resources, but more on human resources and human talent, and it is only from the universities that we can get men of leadership, talent character Our country has been fortunate in having great men in the past, and I think we should do everything that is possible to reconstruct this university and other universities, so that the cultural heritage may not be lost

It is in that spirit that I have come before this House

**Mr Deputy-Speaker:** The question is

"That the Bill be passed"

*The motion was adopted*

16 02 hrs.

**SEA CUSTOMS (AMENDMENT)  
BILL**

**The Minister of Revenue and Civil Expenditure (Dr B. Gopala Reddi):** I beg to move

"That the Bill further to amend the Sea Customs Act, 1878 be taken into consideration"

This Bill embodies a simple amendment to the Sea Customs Act which seeks to give formal legal authority to a long-established practice in Custom-houses whereunder bonds are accepted from importers and exporters for the fulfilment of certain conditions imposed by law for allowing the import or export of goods For example, section 17 of the Tea Act provides that no tea shall be exported unless covered by a licence issued by or on behalf of the Tea Board Section 18 of the same Act also provides that no consignment of tea or tea-seed shall be shipped until the owner has delivered to the Customs Collector a valid export licence or a valid permit for the export of the tea It, therefore, follows that if an exporter is unable