

want me to sit down, I will sit down. Now, I do not think there is any insinuation; but anyway, when I am admitting a question, the consideration should not be that somebody does not like it, or likes it. Let us be fair to it. The question says: "(b) if so, facts about (i) when the appointment has been given; (ii) procedure followed for finalising the appointment; (iii) the emoluments drawn by him from the University; and (iv) terms of reference of his appointment." I do not know whether I can take objection to it. If you read something into it and which is beyond the question, I do not know; I am not able to answer for it. I myself do not know whether he has been appointed or not. Even to this minute I do not know what he has been paid, and all that. I do not know unless I hear the answer along with all the other Members of the House. I did not see anything objectionable when I admitted it.

**SHRI VASANT SATHE:** Sir, I rise on a point of order. Rule 54 says:

"(1) A question relating to a matter of public importance may be asked with notice shorter than ten clear days and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and, if so, on what date."

So, if the Minister gives his consent, then you may put it. The requirements are two, namely, (1) that it must be of public importance and (2) that it must be of an urgent character. Now, Sir, you have read the question. I would like to know what is the public importance in a Professor being appointed today... (*Interruptions*) Sir, there are five Central Universities. Can the appointment of any professor in any of these universities be a matter of public importance... (*interruptions*)

**MR. SPEAKER:** If it is an ordinary appointment of somebody, it would not have come as a question at all... (*Interruptions*) I am still in the Chair, and not in the Treasury Benches. So, you have all to sit down. If it is the appointment of an ordinary Professor, as my friends have pointed out, I would not have admitted it. I would have put it down as some starred question or something in the routine way. But, as your know, Shri Nurul Hasan happens to be an ex-Minister. They want information on when he has been appointed as a Professor, the criteria followed etc. There is no insinuation there... (*Interruptions*). Whatever it is, the Chair has considered the question and admitted it. When questions are put as Short Notice Questions, if they are questions of importance, they are admitted. So, why do you not hear the answer to see if there is any insinuation in that? Now, let there be no more discussion on it. Let us take up the question.

#### SHORT NOTICE QUESTION

**Appointment of Mr. Nurul Hasan as Emeritus Professor in Delhi University.**

**S.N.Q. 13. SHRI SAMAR GUHA:  
DR. MURLI MANOHAR  
JOSHI:**

Will the Minister of EDUCATION, SOCIAL WELFARE AND CULTURE be pleased to state:

(a) whether Mr. Nurul Hasan, former Minister of Education has been appointed as an Emeritus Professor of History, Delhi University;

(b) if so, facts about—(i) when the appointment has been given; (ii) procedure followed for finalising the appointment; (iii) the emoluments drawn by him from the University; and (iv) terms of reference of his appointment;

(c) whether Delhi University has laid down specific qualifications for appointment of an Emeritus Professor;

(d) if so, facts thereabout; and

(e) whether Mr. Nurul Hasan's appointment fulfilled those conditions?

THE MINISTER OF EDUCATION,  
SOCIAL WELFARE AND CULTURE  
(DR. PRATAP CHANDRA CHUNDER):  
(a) to (e). A statement is laid on the Table of the Sabha.

#### Statement

(a) and (b). According to the information furnished by the University of Delhi, Professor S. Nurul Hasan was not appointed as an Emeritus Professor of History in the University. However, at its meeting held on October 25, 1975, the Executive Council of the University, in exercise of the power vested in it by Clause (2) of Statute 6 of the Statutes of the University, decided to create a supernumerary post in the Department of History under the scheme of the University Grants Commission for creation of such posts, and to appoint Professor Nurul Hasan as a Professor against that post. The scheme which was circulated to all Universities by the Commission in August, 1975, envisages creation of supernumerary posts, as and when needed, with the prior approval of the Commission, in respect of Professors/Readers of the University concerned or of another University, who are invited to accept positions of national importance for a period exceeding the period of their lien in the University in order to enable the University to utilise the services of those teachers on termination of their aforesaid assignments. In addition to the proposal for the Department of History, the University also submitted for approval of the Commission two other such proposals, one each for the Departments of Economics and Law. After receiving the approval of the Commission Professor Nurul Hasan was offered the post by the University on 30th December 1975. Professor Nurul Hasan actually joined

the University on the 25th March, 1977 and was given a starting salary of Rs. 2,375 in the Professor's scale of pay, namely Rs. 1500—2500, in accordance with the usual norms of the University for pay fixation.

(c) to (e). As indicated above, Professor Nurul Hasan was not appointed as a "Professor Emeritus". The Ordinances of the Delhi University, however, contain detailed guidelines for appointment of "Professor Emeritus."

SHRI VAYALAR RAVI: Sir, I rise on a point of order. I will draw your attention to rule 41. Sub-rule (xxii) says:

"it shall not ordinarily ask about matters pending before any statutory tribunal or statutory authority performing any judicial or quasi-judicial functions or any commission or court of enquiry appointed to enquire into, or investigate, any matter but may refer to matters concerned with procedure or subject or stage of enquiry, if it is not likely to prejudice the consideration of the matter by the tribunal or commission or court of enquiry."

There was a question on the death of Mr. Anand which is before a court of law

MR. SPEAKER: Which court?

SHRI VAYALAR RAVI: We have discussed the question of the death of Mr. Anand, which is before a court of enquiry. Moreover, I myself gave notice of a short notice question regarding cases against Mr. Badal, Chief Minister of Punjab. There are 30 cases. But you are not admitting my question. So, it has become a private affair between the Government and the ruling party to malign and indulge in political blackmail. (*Interruptions*).

MR. SPEAKER: Let us hear the answer. There may not be any vilification at all. Why are you anticipating vilification? (*Interruptions*)

**THE PRIME MINISTER (SHRI MORARJI DESAI):** May I request you, Sir, to suggest to the Members not to create such a scene in the House? It is not good for the House. If anybody wants to raise an objection, he can raise it but not create this kind of a situation. Why shout, I cannot understand. We all can hear. I am suggesting it to the entire House. I am not saying it to any one section of the House. Otherwise, we may lose our reputation.

**SHRI YESHWANTRAO CHAVAN:** I am not speaking on the merits or demerits of the question concerned, but certainly we are watching and observing the pattern of the Short Notice Questions that are raised in this House. Many times Members on this side of the House had given notices of Short Notice Questions, and I am making this grievance on behalf of my party when the Prime Minister is present here and when you, Sir, are present here. I know that sometimes you are handicapped in this matter because it is at the discretion of the Minister.

**MR. SPEAKER:** The Chair has no authority.

**SHRI YESHWANTRAO CHAVAN:** But there seems to be a pattern that only such questions as have been agreed to, where there is some sort of political motivation, are admitted because very important and urgent matters on behalf of our party were raised, but they were very coldly rejected. I would request the Prime Minister to instruct his colleagues and Cabinet Ministers to use their discretion in a more judicious manner, when you are talking about judiciousness here. You, Sir, can possibly add your weight in this matter.

**SHRI MORARJI DESAI:** May I request my hon. friend to send me copies of such short notices which have not been accepted? I will see to it that no cause of grievance arises. (*Interruptions*)

**MR. SPEAKER:** No more points of order on this. Please see the grace and the beauty of it. The Leader of the House and the Leader of the Opposition both have spoken and they have solved this problem so well. If there is any problem, the Leader of the Opposition is asked to send instances to the Leader of the House. After this graceful ending, if everybody shouts.

**श्रीधरी बलवीर सिंह :** मेरा व्यवस्था का प्रश्न है। ऐसी व्यवस्था कहीं नहीं है कि लीडर आप दि अपोजीशन लीडर आप दि हाउस को क्वेश्चन भेजे। इसका फैसला आप को करना है, लीडर आप दि अपोजीशन या लीडर आप दि हाउस को नहीं। जो क्वेश्चन मेम्बर भेजेगा आप को उसे डिसाइड करना है।

**SHRI SHYAMNANDAN MISHRA:** Now the matter has been, as you have been pleased to say, very beautifully solved between the hon. Leader of the Opposition and the hon. Prime Minister. But may I make this humble submission that this is not a matter between them? Here the determining factor should be the Chair, if at all. On this matter, we also have, sometimes, some grievance. In the last session I had given a short notice question and I was promised that it would be taken up during this session, but it has not been accepted by the hon. Minister. So, I feel aggrieved that this question has not been admitted. Therefore, it would be proper if you call the meeting of the Rules Committee and amend the rules in regard to the short notice questions.

**MR. SPEAKER:** I accept your suggestion. Now, the Minister.

**DR. PRATAP CHANDRA CHUNDER:** A Statement is laid on the Table of the Sabha.

**SHRI SAMAR GUHA:** Prof. Nurul Hasan belongs to the same fraternity of education to which I also belong.

But I would be the last person to raise such a question if it involves the question of personal importance or any question of person honour. The question involves here is about the basic principle in the matter of appointments in educational institutions. A new concept of supernumerary post has been created in the University. When Prof. Nurul Hasan was the Education Minister, at the time of Emergency, in the month of August, 1975, the Delhi University created a new post which is called supernumerary. The Chairman of the UGC, Shri Satish Chandra, is a close friend of Prof. Nurul Hasan. I say with a sense of responsibility that the appointment of the Chairman of UGC is a political one. This appointment was made by Prof. Nurul Hasan and immediately he had agreed to such a new concept of professorship. I want to know whether this new supernumerary post has been created only to provide a job to Prof. Nurul Hasan when he would be jobless, as it happened. If not, whether in any other university, such a type of new professorship has been introduced; if so, what is the number of such professors and what are their names?

**DR. PRATAP CHANDRA CHUNDER:** In August, 1975, the University Grants Commission issued a circular sent to different universities for the purpose of creation of super-numerary posts of professors. . . . .

**AN HON. MEMBER:** What is that word?

**DR. PRATAP CHANDRA CHUNDER:** Super-numerary. That means, in addition to the existing number, more than the usual number. A guideline was also indicated. In October, 1975, the Delhi University in its Executive Council decided to create some posts of this nature. It concerns not only the Department of History but also the Department of Law and another Department. It was sent to the UGC for approval because, without the UGC's approval, such professorship could not be created. In December, 1975, the ap-

proval was conveyed and on 30th December, 1975, the offer was made to Dr. Nurul Hasan.

It has been asked whether such offer has been made by other universities also to others. I find from the note that the Delhi University created this type of post for Professor of Economics, Prof. S. Chakravarty, one post Professor of Law, Prof. R. K. Tripathi and one post for Professor of History, Prof. Nurul Hasan. Similarly, the Rajasthan University has got one post; the Sardar Patel University has got one post, Prof. R. D. Dayal; the Jadavpur University has got one post for Professor of Food Technology and Biochemistry, Prof. A. N. Bose, one post for Professor of Mechanical Engineering, Dr. A. Bhattacharyaji and one Post of Reader in Philosophy for Dr. D.P. Chattopadhyaya. Finally, the Banaras Hindu University has got one post of Professor of Chemistry, for Prof. G.B. Singh. In all, 25 posts have been created throughout the country.

**SHRI SAMAR GUHA:** It is obvious that this new concept of super-numerary professorship has been created for certain persons. There has been a professorship created for such kind of posts to eminent scholars for imparting education and special knowledge to the students. But this kind of professorship which is called super-numerary has been created, as we find from the names of gentlemen who have been offered the posts, for persons who were in some way or other connected or posted or were in the previous Government and some of them were Ministers or some of them were in the Planning Commission or some of them were like the Secretary of the former Prime Minister. If it is said that this post has been created only to provide for political elements and that this post has been created only out of political motivation, would I be wrong?

I want to know from the hon. Minister as to why this post has been described as "a position of national importance". If it is a position of national importance, I want to know from the

hon. Minister what are the special qualifications that are required for the appointment of an Emeritus Professor and what are the special intellectual qualifications that are also required for the appointment of a professor as has been designated now. If he finds that it is not a position of national importance, I want to know whether the hon. Minister will ask the U.G.C. Chairman to have a reconsideration about the necessity of creating such a professorship.

DR. PRATAP CHANDRA CHUNDER: With your permission, Sir, I would like to place facts only without any comment.

From the guidelines for creation of such posts which have been circulated by the U.G.C. I find:

"Distinguished members of the academic community from universities, namely, professors/ readers are from time to time invited to accept for specified period posts of national importance. Vice-Chancellorship, Academic Research Administration or some other assignments in or outside the country. In such cases, universities find it difficult to permit such professor/reader to retain lien on his post beyond a limited period as prescribed in the rules of the universities."

On the other hand, the actual period of assignment may exceed the period of lien. In order to enable the services of such persons to be utilized and to enable them to return to their positions in the universities on the termination of their assignment, it would be desirable to create such posts. But not only to return to their old posts, it is also provided that it would be open for the university concerned or any other university which desires to have the services of such an individual to approach the Commission for provision of this type of posts.

SHRI SAMAR GUHA: My question has not been answered. There is a special type of Professorship called Emeritus Professor. I want to know

why the Emeritus Professor can be called the Professorship of national importance? I also want to know what are the comparative qualifications necessary for the Emeritus Professor and the supernumerary Professor and how it can be called the Professor of national importance?

(Interruptions)

In view of the glaring instances of appointment of this new type of Professors, only those persons were involved who were either Ministers or officers of the Government. It was politically motivated. I want to know whether a second consideration would be given by the hon. Minister to this aspect?

(Interruptions)

MR. SPEAKER: Will you kindly sit down, some of you? Nobody is hearing. Nothing is being noted now. First of all, I want order from both sides. I would appeal to you to kindly sit down. People will laugh at us. There is another friend who has put the question. He has taken the trouble of putting the question. So many of you getting up like this is not proper.

DR. PRATAP CHANDRA CHUNDER: Sir, I would like to submit that there is some misconception about this particular type of posts. It is not declared to be a post of national importance; it is simply providing professors and Readers who have accepted some position of national importance or Vice-Chancellors or research administrator for certain assignment and their lien period will be over so that after the lien period, they may not get back their jobs. Prof. Nurul Hasan had a lien at the Aligarh Muslim University and his lien period was almost going to be over and he has satisfied the conditions which have been laid down. (Interruptions). Whether that was rightly done or properly done or not, it is not for me to comment. (Interruptions).

DR. MURLI MANOHAR JOSHI: He had the premonition of the fall of Mrs. Gandhi's Government and so he had

arranged for the post, as early as 1975. I wonder why he did not advise other colleagues to take similar measures in their Ministries. My question is that the Chairman of the UGC was promoted—whether it is a fact or not—to the post of Chairmanship by Prof. Nurul Hasan, and in return, it was a distribution of favour on behalf of the Chairman of the UGC to Prof. Nurul Hasan. I want to know whether it is not a misuse of emergency provisions for the UGC and whether in the light of such appointments having only political overtones and very little academic relevance, the entire working of the UGC has to be thoroughly reviewed and a committee should be appointed by the hon. Minister to go into the working of the UGC so that such misuse of authority is not done for making political appointments?

DR. PRATAP CHANDRA CHUNDER: Regarding the first question about the promotion of Prof. Satish Chandra. I require notice because I will have to check up the facts.

As regards the other comments and inferences, it is, of course, for the hon. Member to draw his inferences. I cannot reply to this part.

SHRI K. LAKKAPPA: Prof. Nurul Hasan is an eminent historian. He was a professor in the Muslim University, Aligarh. (Interruptions).

MR. SPEAKER: I am only worried, we are losing time. I am prepared to call one from this side and one from that side. There has been no insinuation in the answer. The answer was good. Will the hon. Members kindly keep peace? Let us go ahead. There is also a call-attention which is fairly important.

SHRI K. LAKKAPPA: Prof. Nurul Hasan was one of the eminent professors of the Muslim University, Aligarh, which is one of the important Universities in the country. Such an eminent person as Prof. Nurul Hasan has been appointed in the Delhi University where for a long time, there was

shortage of such eminent persons... (Interruptions).

MR. SPEAKER: Order, please. Let him put the question.

SHRI K. LAKKAPPA: There was a great appreciation from the University students after the appointment of Prof. Nurul Hasan. In every university, on a contract basis, persons of eminence are appointed. There is nothing wrong in this. My friend, Mr. Samar Guha, has pointed out that it is a political appointment. Such an eminent person having been appointed ought not to have been questioned at all. My question is this. Is it not a fact that a great appreciation has been expressed after the appointment of Prof. Nurul Hasan, by the students and others in the University that it is a matter of great satisfaction and that the University has richly benefited by this appointment?

DR. PRATAP CHANDRA CHUNDER: I have no information on this.

PROF. P. G. MAVALANKAR: In our country in various Universities professors who are described either as emeritus professors or honorary professors are appointed at their age of retirement because the Universities feel that their scholarship, knowledge and experience are necessary; therefore, they are continued either as emeritus professors or honorary professors. But the Minister's reply clearly indicates that the supernumerary posts which have been created at the instance of the UGC are neither emeritus nor honorary. From the answer I find that the list is much longer; apart from our old friend, Prof. Nurul Hasan, the list includes Prof. D. P. Chattopadhyaya and it also includes several people who have been connected with the Establishment and with Government of India, I am not referring to individuals; they are very eminent people; I agree. My question is this. The whole proposal of having supernumerary posts at various Universities, he says, was mooted during the Emergency period, in August 1975.

and the Delhi University implemented that at its meeting held on October 25, 1975. Prof. Nurul Hasan accepted that position after March 25, 1977—that is, he waited for his party's defeat to be over and then got into it! So my point is whether the UGC themselves brought up this proposal of having such types of Additional Professors or whether it was at the instance of the then Minister of Education who advised the UGC that they should go in for this type of thing? Who are the originators? And if it was the UGC how did the then Minister of Education agree to such a proposal when Emeritus and Honorary Professors are already there?

DR. PRATAP CHANDRA CHUN-  
DER: I have already explained that it was the UGC which issued the circular to different Universities. As regards what went behind these circulars, I am not in a position to say. You are aware that the UGC is a statutory body created under the Act and, therefore, the Ministry cannot control the activities of the statutory body in every case. This Parliament has entrusted the UGC with the power to improve the standard of Higher Education and it has acted on those lines.

श्री नरूप सिंह : यह बहुत ही गम्भीर मामला है और इसको लेकर पूरे देश के विश्व-विद्यालयों के छात्रों और अध्यापकों में भारी असन्तोष है। इस तरह की गलत नियुक्तियाँ दिल्ली विश्वविद्यालय में ही नहीं, बल्कि देश के दूसरे विश्वविद्यालयों में भी की गई हैं। ऐसा महसूस हो रहा है कि ये नियुक्तियाँ एकेडेमिक प्वाइंट आफ व्यू से न होकर राजनीति से प्रेरित हैं। इस बारे में विभिन्न विश्वविद्यालयों के छात्र और प्राध्यापक लिख-लिखकर उपकुलपतियों, राज्य सरकारों और केन्द्रीय सरकार को भेज चुके हैं। मैं मंत्री महोदय से जानना चाहता हूँ कि इस प्रकार की जो गलत नियुक्तियाँ की गई हैं इन के बारे में वह कोई कार्यवाही करेंगे या कार्यवाही करने का आदेश देंगे? कब तक इस पर कार्यवाही हो जाएगी ?

DR. PRATAP CHANDRA CHUN-  
DER: I would like to take legal opinion on the point whether we are at all authorised to have such an enquiry.

MR. SPEAKER: Now I would request all of you to sit down: I am on my legs. He has answered the question. At least 30 more people are there wanting to ask questions and already we have spent 40 minutes on this, without any new light being thrown. Everybody is making insinuations. I would appeal to you that there have been enough of insinuations and replies thereto—though of course the replies have been quite good. Any more supplementaries are not going to throw any new light and I am therefore not going to allow any. The Budget Demands are still there to be taken up. I can allow one more hour if you want without losing anything thereby; but it is the House that will lose. I am therefore not going to allow any more supplementaries. Kindly excuse me and don't misunderstand me.

We will now take up the next item.

## WRITTEN ANSWERS TO QUESTIONS

### Settlement of Claims against Portuguese Government

\*370. SHRI EDUARDO FALEIRO:  
Will the Minister of EXTERNAL AFFAIRS be pleased to state:

(a) whether Government are aware that several individuals and organisations have some outstanding claims against the Portuguese Government and also against some Portuguese institutions such as the "Banco Nacional Ultramarino"; if so, what is the precise nature of these claims; and

(b) what steps have Government taken and/or propose to take towards settlement of these claims?

THE MINISTER OF EXTERNAL AFFAIRS (SHRI ATAL BIHARI VAJ-PAYEE): (a) Yes, Sir. These claims