

VIDHAN SABHA SECRETARIAT, MADHYA PRADESH



REPORT
OF THE
SELECT COMMITTEE
ON THE
RAIPUR UNIVERSITY BILL, 1962
(No. 14 OF 1962)

Together with the Bill as amended by the Select Committee.

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COMPOSITION OF THE SELECT COMMITTEE ON THE ~~RAIPUR~~
UNIVERSITY BILL, 1962

(No. 14 OF 1962)

CHAIRMAN

1. Shri Narbadaprasad Shrivastava,

MEMBERS

2. Shri Shyamacharan Shukla,
3. Shri Shardacharan Tiwari,
4. Shri Bisahudas Mahant,
5. Rani Padmawati Devi,
6. Shri Rukmani Raman Pratapsingh,
7. Shri Bhuwan Bhaskarsingh,
8. Shri Ramkrishna Dixit,
9. Shri Gangaram Tiwari,
10. Shri Umraosingh,
11. Shri Yeshwantrao Meghawale,
12. Shri Rameshwar Agnibhoj,
13. Shri Ramdas Agrawal,
14. Shri Shivprasad 'Satyendra' Khujneri,
15. Dr. Shankardayal Sharma, Minister for Education.

SECRETARIAT

1. Shri Madan Gopal, Secretary,
2. Shri R. R. Kanhai, Under Secretary.

REPORT OF THE SELECT COMMITTEE

1. the Chairman of the Select Committee to which the Raipur University Bill, 1962 (No. 14 of 1962) was referred, having been authorised to submit the report on their behalf, present this, their Report, with the Bill as amended by the Committee annexed thereto.

2. The Bill* was introduced in the Vidhan Sabha on the 28th June, 1962. The motion for reference of the Bill to a Select Committee was moved by Dr. Shankardayal Sharma, Minister for Education, on the same day. The motion was discussed on the 6th and 7th August, 1962, and was adopted on the 7th August, 1962.

3. The Committee held 6 sittings in all.

4. In the first meeting of the Committee held on the 17th September, 1962, the Committee decided to invite opinions or suggestions, so as to reach the Madhya Pradesh Vidhan Sabha by the 4th October, 1962, from—

- (a) the public of Revenue Districts of Raipur, Durg, Bastar, Bilaspur, Raigarh and Sarguja;
- (b) all educational institutions and organizations concerned with the Bill located in the said Revenue Districts; and
- (c) all the Vice-Chancellors of Universities in Madhya Pradesh.

The Committee also decided to examine, if necessary, witnesses at their next meeting to be held at Raipur on the 15th October, 1962.

5. In the second sitting held on the 15th October, 1962, at Raipur, the Committee heard the evidence tendered by one association and three individuals specified in Appendix I. Thirteen Memoranda containing opinions/suggestions on the Bill were received by the Committee from different associations/individuals as mentioned in Appendix II.

6. In the third, fourth, fifth and sixth sittings of the Committee held on the 13th and 14th November and 10th December, 1962, and the 15th February, 1963, respectively, the Committee considered the Bill clause by clause and authorised the Chairman to approve the Report.

7. The observations of the Committee with regard to the principal changes proposed in the Bill are detailed in the succeeding paragraphs.

8. Citation and short title.—The Committee consider that the University should be named as Ravishankar University, after the late Pandit Ravishankar Shukla, the first Chief Minister of the new Madhya Pradesh who, during his life-time contributed much for the advancement of education, specially in the Chhattisgarh Division. The Committee are given to understand that there are some other Universities in India named after individuals.

The citation and the short title have been amended accordingly.

*Published in English and Hindi in the "Madhya Pradesh Gazette" Extraordinary, dated the 21st June, 1962.

(ii)

9. Clause 2, Item (i).—The Committee feel that an affiliated College should provide instructions at least up to Bachelor's Degree and that it should not be a Constituent College.

The item has been amended accordingly

Item (iii).—The Committee are of the opinion that it will not be proper to necessarily require a constituent College to provide teaching in at least two faculties. The item has been amended accordingly.

New Item (iii-a).—The Committee feel that the expression "Head of the Department" which occurs in many places in the Bill, had better been defined. The new item has been inserted accordingly.

Item (iv).—The Committee consider that "hostel" should be a recognised unit of residence for students rather than a place of residence. The item has been revised accordingly.

Item (vi).—The Committee are of the opinion that, as "Assistant Professors" are also teachers of the University, like Professors and Readers, they too should be included in this item. The item has been amended accordingly.

10. Clause 3, sub-clause (1).—The Committee consider that the post of Treasurer is redundant. The purpose will be better served if a Finance Officer is appointed under the provisions of the Statutes for looking after the financial matters of the University. The sub-clause has been amended accordingly.

11. Clause 4, item (2), sub-item (i).—The Committee consider it desirable to add the subjects of Home Science, Social Sciences, Physical education, Journalism, Veterinary and Ayurved and feel that the subject "Teaching" had better be called "Education". The sub-item has been amended accordingly.

New sub-item (iii-a).—The Committee consider that the University should also promote the study of Industrial Organisation and Business Management. A new item has been added to meet this purpose.

Item (9).—The Committee are of the opinion that Emeritus Professorships and Assistant Professorships are also teaching posts in the University, like Professorships, Readerships and Lecturerships, and they should be included in this item. The item has been amended accordingly.

Item (18), new sub-item (d).—The Committee are of the view that there should be a Bureau for Publications and Translation in Hindi. A new sub-item has been added accordingly.

New item (22-a).—The Committee consider that development of the study of Hindi is very necessary as it is the National Language and the Official Language of the State. The University should, therefore, have also the powers to develop it. A new item has been inserted accordingly.

12. Clause 5, New sub-clause (3).—The Committee feel that educational institutions imparting instructions exclusively in music and fine arts and admitted to the privileges of the Indira Kala Sangit Vishwa Vidyalaya of Khairagarh under the Indira Kala Sangit Vishwa Vidyalaya Act, 1956 (No. 19 of 1956), should be excluded from the jurisdiction of this University. A new sub-clause (3) has been added accordingly.

13. Clause 6.—The Committee are of the opinion that the words “political or other opinion” are, in keeping with the times, not necessary. The Committee are further of the opinion that Universities should be able to exempt members of the Scheduled Castes or Scheduled Tribes and other indigent persons from payment of fees.

The Committee are also of the opinion that the explanation with respect to indigent persons should be liberalised so as to include all persons of income of less than Rs. 2,400 per annum. With a view to incorporating the above, as also to make the clause more precise, opportunity has been taken to carry out the necessary amendments as also to redraft the provisos.

The clause has been revised accordingly.

14. Clause 13, sub-clause (2).—The Committee are of the opinion that the Chancellor should be free to call for fresh recommendations if the person approved by him, out of those recommended by the Committee, is unwilling to accept the appointment, and his choice should not be limited to the remaining person or persons for such appointment, even if he does not approve him or them. The sub-clause has been amended accordingly.

Sub-Clause (7).—The Committee consider that the Vice-Chancellor should be whole time salaried officer and his emoluments, etc., should be prescribed by Statutes instead of by Ordinances. The Committee further consider that the grant of a sum of Rs. 5,000 by way of sumptuary allowance to the first honorary Vice-Chancellor is rather meagre and feel that it should be raised to not exceeding rupees five hundred per month. The sub-clause has been amended accordingly.

New Explanation after sub-clause (9).—The Committee feel that for the purposes of clause 13, a member of the governing body of any college affiliated to the University should not be deemed to be a person connected with the University or college. In order to make this intention clearer, an explanation has been added after this sub-clause.

15. Clause 15.—The Committee consider it essential that the position of the Vice-Chancellor should be reasonably secure to enable him to devote his full attention to the work of the University and discharge his duties without let or hindrance. The Committee are apprehensive that in case the position of the Vice-Chancellor is not made reasonably secure that office may not attract suitable talent. The Committee feel that the procedure envisaged in the present clause requires modification to make it less flexible. The Committee are of the opinion that the procedure for bringing a motion of no-confidence against a Vice-Chancellor should be such that it may not be possible to bring such a motion lightly. The Committee think that the procedure on the analogy of the provisions contained in the Constitution of India for the removal of a Judge of the Supreme Court would be appropriate for the removal of the Vice-Chancellor.

The clause has been revised accordingly.

16. Clause 16, sub-clauses (1) and (3).—The Committee feel that the appointment of a Rector is not necessary when there is a paid Vice-Chancellor but in case the Vice-Chancellor is an honorary one, a Rector may be appointed and his term of office should be co-terminus with that of the honorary Vice-Chancellor.

These sub-clauses have been revised accordingly.

17. **Clause 17.**—This clause has been omitted consequent upon the earlier decision to drop the post of Treasurer. It has been proposed to distribute the powers conferred on Treasurer under this clause between the Finance Committee and the Registrar. The power of general supervision over the University fund has been entrusted to the Finance Committee while power regarding signing contracts, etc., has been assigned to the Registrar. Necessary modifications have been proposed in clauses 18 and 35 accordingly.

18. **Clause 18.**—The Committee are of the opinion that the first Registrar should be appointed by the Chancellor. The clause has been amended to make it comprehensive.

19. **Clause 21, sub-clause (1)**—

New items (vi-a) and (viii-a).—The Committee are of the opinion that ex-Vice-Chancellors of the University residing in Madhya Pradesh and Secretary to Government, Madhya Pradesh, Law Department should also be members of the Court. New items (vi-a) and (viii-a) have been inserted accordingly.

Item (ix).—The Committee consider that the Commissioner, Bilaspur Division should also be a member of the Court. This item has been amended accordingly.

New item (xi-a).—The State Government has created a separate Directorate for collegiate education. The Committee feel that it is necessary to associate the Director of this Directorate with the University. A new item has been inserted accordingly.

Item (xii).—The Committee consider that the intention in this item will be clearer if it is split into two separate items. The item has been split in two items (xii) and (xii-a) accordingly.

Item (xiv).—The Committee feel that instead of five Professors the Principals of affiliated colleges should be nominated by the Chancellor by rotation according to seniority in such proportion as may be prescribed by statutes.

Item (xv).—The Committee are of the opinion that out of the five teachers to be nominated by the Chancellor at least one should be from each college from which no teacher has become a member of the Court, such nomination being made from such colleges by rotation. The item has been revised accordingly.

Item (xvi).—The Committee consider that in order to make the intention clearer as to what should be the ambit of the "learned profession" it should be defined by statutes. The item has been amended accordingly.

Item (xvii).—The Committee are of the view that one person representing labour should also be included in the Court. The item has been amended accordingly.

Item (xviii).—The Committee consider that the representation of five representatives of the State Legislative Assembly is insufficient and should be raised to eight representatives. The item has been amended accordingly.

Item (xix).—The Committee consider that the provision for two nominees of the Chancellor on the Court is redundant. This item has, therefore, been omitted.

Item (xxi).—The Committee are of the opinion that the four nominees of the State Government should be persons eminent in the field of Art, Science, Education, Law and Social Service. The item has been amended accordingly.

Item (xxii).—The Committee consider that the donation of a sum of rupees five thousand for being a member of the Court is very low and feel that it should be raised to a sum of rupees fifty thousand in case of an individual and rupees one lakh in case of a undivided joint Hindu family, trust, firm, company or body corporate. The item has been amended accordingly.

Sub-Clause (2).—The Committee are of the opinion that the term of office of the members nominated or elected under items (xiv) to (xxi) of sub-clause (1) should be co-terminus with the term of the Court which should be five years. The sub-clause has been amended accordingly.

New sub-clause (4).—The Committee consider that the donor specified in paragraph (b) of item (xxii) of sub-clause (1) should cease to have the right of being the member of the Court after a specified period from the date the donation is accepted by the University. In the opinion of the Committee fifteen years period would be sufficient for this purpose. New sub-clause (4) has been added accordingly.

20. *Clause 22, sub-clause (3).*—The Committee feel that the requirement of the number of twenty-five members' signing a requisition for convening a special meeting of the Court is rather low and it should be raised to forty. The Committee further feel that the period of forty-five days within which the special meeting should be convened after the receipt of requisition for the same is long and consider that it should be reduced to thirty days.

The sub-clause has been amended accordingly.

Sub-clause (6).—The Committee think that in order to avoid complications, the notice with respect to the meeting of the Court, should be sent to the members by registered post with acknowledgement due. The sub-clause has been amended accordingly.

21. *Clause 24, Sub-clause (1), item (v).*—The Committee are of the view that the Principals to be nominated by the Chancellor should be by rotation and one principal should be from each category of the Colleges mentioned in the item. The item has been amended accordingly.

New item (vii-a).—The State Government has created a separate Directorate for collegiate education. The Committee feel that it is necessary to associate the Director of this Directorate with the executive authority of the University. A new item (vii-a) has been inserted accordingly.

22. *Clause 25, sub-clause (1), item (xiii).*—The Committee consider that the Executive Council should also have the power to institute a bureau for publications and translation in Hindi. A new sub-item (d) has been added accordingly.

Item (xxv).—The Committee are of the view that the manner to recognise a member of the staff of an affiliated college or recognised institution as a teacher of the University and withdrawal of such recognition should be prescribed in the Statutes. The item has been amended accordingly.

23. Clause 28, sub-clause (1).—The Committee are of the opinion that the University should also have independent faculties of Ayurved, Physical Education, Music and Fine Arts. The sub-clause has been amended accordingly.

Sub-clause (3).—The Committee feel that the Deans for each faculty should be appointed by the Chancellor according to some principle keeping in view that teaching of the subjects assigned to the Faculty and according to seniority by rotation and not merely according to seniority determined in accordance with the length of service. The sub-clause has been revised accordingly.

24. Clause 31, new sub-clause (5).—The Committee are of the view that the term of the Board of studies should be five years and the term of the first Board of studies should be co-terminus with the term of the first Vice-Chancellor.

25. Clause 32, sub-clause (2).—The Committee consider that the term of other Boards under sub-clause (1) should also be prescribed by the Statutes. This sub-clause has been revised accordingly.

26. Clause 34.—The Committee consider that the University fund should also be applicable to the payment of fellowships, scholarships, studentships and other awards to students in recognition of their merit. A new item has been added accordingly.

27. Clause 35, sub-clause (4).—In view of the earlier decision not to keep the office of Treasurer this sub-clause has been revised accordingly.

28. Clause 37, Item (6).—The Committee feel that the Statutes should also provide for the emoluments and other terms and conditions of service and powers and duties of the Vice-Chancellor. The item has been revised accordingly.

Items (o-i) and (o-ii).—The Committee are of the opinion that the Statutes should also provide for the establishment and constitution of Bureau for publications and translation in Hindi and prescribe the duties of officers of the University. New items (o-i) and (o-ii) have been added accordingly.

29. Clause 39, Item (xiii).—The Committee feel that it will be improper to make provisions in the Ordinances for imparting religious instructions. Provision may be made for giving moral instructions instead. The item has been amended accordingly.

30. Clause 49, Item (b).—The Committee consider that any graduate of any University in India of at least three years standing and residing in Madhya Pradesh should be enrolled as a registered graduate in the University. The item and the proviso have been revised accordingly.

31. Clause 52.—The Committee are of the opinion that the meaning of the word "body" occurring in this clause should be made clearer. An explanation has been added to this clause accordingly.

32. Clause 58.—The Committee feel that the intention of the word "bona-fide done" should be made clearer to bring out clearly that what is done in good faith.

The Committee consider that the protection under this clause should also be given to the authorities, bodies or officers of the University.

The clause has been revised accordingly.

(vii)

33. **Clause 59, Proviso and new Clause 59-A.**—The Committee are of the view that the matter provided for in the proviso should be provided for in a separate clause to make its intention clearer.

The proviso has been omitted and a new clause 59-A has been added accordingly.

34. **Clause 60, sub-clause (1), item (a).**—The Committee feel that in view of the provisions of clauses 38 and 43 for drawing up the first statutes by a Committee and the fact that first statutes are not to be given in the Schedule to be appended to the Act the words "in the Schedule" are redundant. The item has been amended accordingly.

35. **Clause 63.**—The Committee are of the view that the intention will be clearer if the word "qualifications" is used instead of the word "teaching" and the clause is re-arranged. The clause has been revised accordingly.

36. Other amendments made by the Committee are of minor or consequential nature and are self explanatory.

37. The Select Committee recommend that the Bill as amended be passed.

APPENDIX I

(See paragraph 5)

Names of individuals and names of members of the Associations present who tendered evidence before the Committee

1. Shri Radheshyam Purohit, Honorary Magistrate, First Class, Raipur.
2. Steel Works Union, Bhilai—
 - (i) Shri R. N. Sahu, Lecturer, Bhilai Vidyalaya, Secretary, Education Wing.
 - (ii) Shri D. N. Pal, Organising Secretary.
3. Shri V. K. Joshi, Principal, Shri Ram Sangeet Mahavidyalaya, Raipur.
4. Shri Baldeo Prasad Mishra, M.A., D.Lit., President, Hindi Sahitya Samiti, Rajnandgaon.

APPENDIX II

(See paragraph 5)

Associations and individuals from whom memoranda of opinions/suggestions were received

S. No.	From whom received	Action taken
1.	Dr. Khubchand Baghel, Ex-member of the Madhya Pradesh Vidhan Sabha and others.	Circulated to members.
2.	Shri K. K. Pandey, Member, Saugar University Court, Bilaspur.	Circulated to members.
3.	Shri Baboolal Gaur, Sabalgarh.	Circulated to members.
4.	Shri Ranjit Singh Satyasray, Bhopal.	Circulated to members.
5.	Dr. B. P. Mishra, M.A., LL.B., D.Lit., President, Hindi Sahitya Samiti, Madhya Pradesh, Rajnandgaon and other citizens of Rajnandgaon.	Circulated to members. (Came to give evidence).
6.	Secretary, College Council, Digvijai Mahavidyalaya, Rajnandgaon.	Circulated to members.
7.	Shri H. Yona, Attendance Officer, Municipal Council, Raipur and others.	Circulated to members.
8.	Shri S. A. Das, Principal, Government Basic Training College, Mahasamund, Madhya Pradesh.	Circulated to members.
9.	Head Master, K. G. B. T. School, Kirodimal Nagar. District Raigarh, Madhya Pradesh.	Circulated to members.
10.	Principal, Lahiri College, Chirimiri.	Circulated to members.
11.	Shri V. K. Joshi, Principal, Shri Ram Sangeet Mahavidyalaya, Raipur.	Circulated to members. (Came to give evidence).
12.	Shri T. C. Wadhvani, Principal, Government College of Engineering and Technology, Raipur.	Circulated to members.
13.	Shri A. L. Pande, Convenor of the Mahakoshal Education Society, Bilaspur.	Circulated to members.

NARBADA PRASAD SHRIVASTAVA,
Chairman, Select Committee.

BHOPAL:
The 25th February, 1963.

(As amended by the Select Committee)

MADHYA PRADESH BILL

No. 14 OF 1962

[Omission made by the Select Committee are enclosed in square brackets and additions and alterations made by them are underlined.]

THE [RAIPUR] RAVISHANKAR UNIVERSITY BILL, 1962

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