

**VIDHAN SABHA SECRETARIAT
MADHYA PRADESH**



REPORT
THE SELECT COMMITTEE
ON THE
GWALIOR UNIVERSITY BILL, 1962
(No. 31 of 1962)

Together with the Bill as amended by the Select Committee.

BHOPAL
GOVERNMENT CENTRAL PRESS
1963

COMPOSITION OF THE SELECT COMMITTEE ON THE
GWALIOR UNIVERSITY BILL, 1962

(No. 31 OF 1962)

Chairman

1. Shri Gautam Sharma.

Members

2. Shrimati Chandrakala Sahai, Deputy Minister for Education.
3. Shri Ram Krishna Dixit.
4. Shri Ramnivas Bangad.
5. Shri Rajaram Singh.
6. Shrimati Manorama Trivedi.
7. Shri Ramdayal Singh Raghuwanshi.
8. Shri Kamta Prasad Saxena.
9. Shri Gulsher Ahmad.
10. Shri Ramswaroop Khare.
11. Shri Jabar Singh.
12. Shri Naval Kishore Garg.
13. Shri Laxmi Narayan Gupta.
14. Shri Suryadeo Sharma.
15. Shri Krishna Pal Singh.
16. Dr. Shankardayal Sharma, Minister for Education.
17. Shri Narsingh Rao Dixit, Minister for Industries.
18. Shri Mahesh Datta Mishra.
19. Shri Premchand Kashyap.
20. Shri Vrinda Sahai.
21. Shri Narendra Singh.

Secretariat

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

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REPORT OF SELECT COMMITTEE

1. I, the Chairman of the Select Committee to which the Gwalior University Bill, 1962 (No. 31 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 8th August, 1962. The motion for reference of the Bill to a Select Committee was moved by Dr. Shankardayal Sharma, Minister for Education on the 8th August, 1962, was discussed in the House and adopted on the same day.

3. The Committee held 10 sittings in all.

4. In the first sitting held on the 18th September, 1962 the Committee decided to invite opinions or suggestions to reach the Madhya Pradesh Vidhan Sabha by the 5th October 1962 from—

- (a) the public of Revenue Districts of Gwalior, Bhind, Morena, Shivpuri, Guna and Datia,
- (b) all educational institutions and organizations concerned with the Bill situated in the said Revenue Districts,
- (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 Gwalior on the 22nd and 23rd October, 1962.

5. In the second and the third sittings held on the 22nd and 23rd October, 1962 at Gwalior the Committee heard the evidence tendered by 6 Associations and 7 individuals specified in Appendix I. 19 Memoranda containing opinions/suggestions on the Bill were received by the Committee from different associations/individuals as mentioned in Appendix II.

6. In the fourth, fifth, sixth and seventh sittings of the Committee held on the 19th, 20th and 30th November and the 1st December, 1962 the Committee considered the Bill clause by clause.

7. The eighth sitting of the Committee was adjourned for want of quorum on the 9th December, 1962.

8. In the ninth sitting held on the 11th December, 1962 the Committee considered the draft of the amendments to various clauses of the Bill and approved them, subject to certain modifications.

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9. In the tenth sitting held on the 15th February, 1963 the Committee approved the Report.

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

11. Long and short title.—The Committee considered that as the Late Maharaja Jiwajirao Scindia donated very large sums of money for the cause of education and in the Gangajali Fund Trust in his life time which has the major share in the contribution of the funds for the University and that the University when established would continue to be patronised and financially assisted by the descendents of late Maharaja Jiwaji Rao Scindia, the University should be named after him as "Jiwaji University". The Committee are given to understand that there are some other Universities in India named after individuals who provided most of the funds for the University.

The long title and the short title have been amended accordingly.

12. Clause 2, item (i).—The Committee feel that an "affiliated College" should provide instructions at least up to Bachelors 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 restrict a constituent College to provide teaching in atleast 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 should better be defined.

The new item has been inserted accordingly.

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

The item has been revised accordingly.

13. 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 for looking after the financial matters of the University.

The sub-clause has been amended accordingly.

14. Clause 4, item (2) sub-item (i).—The Committee consider it desirable to add the subjects of Home Science, Social Science, Agriculture, Veterinary, Physical Education, Ayurved and Journalism. The Committee also feel that the subject teaching may better be called "Education".

The sub-item has been revised accordingly.

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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 (3), sub-item (a).—The Committee are of the view that no diploma, degrees or academic distinction should be granted to or conferred on a person who has not undergone prescribed military training.

The sub-item has been amended accordingly.

New sub-item (c).—The Committee think that provisions should be made in ordinances for examination in and conferral of degrees and other academic distinctions upon members of the naval, military or air forces of the Union.

New sub-item (c) has been added accordingly.

New item (5-a).—The Committee consider it necessary that the University should have substantive power to withdraw degrees, diplomas, certificates and other academic distinctions as clause 37 (h) provides for making such provisions in the statutes.

This new item has been inserted accordingly.

Item (9).—The Committee are of the opinion that as Emeritus professorships and Assistant professorships are also teaching posts in the University like professorships, readerships and lecturerships, they should be included in this item.

The item has been amended accordingly.

New item (10-a).—The Committee feel that there should be a provision to recognise persons eminent in any subject to guide research in that subject.

New item (10-a) has been inserted accordingly.

Item (18)—New sub-item (d).—The Committee are of the view that there should be a Bureau for development of Hindi for publications of books and translation in Hindi.

A new sub-item has been added accordingly.

Item (20), new sub-item (d).—The Committee feel that an explicit provision should be made for practical training of students in prescribed subjects.

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.

15. Clause 6.—The Committee are of the opinion that the words “political or other opinion” are, in keeping with the times, not at all necessary. The Committee are further of the opinion that Universities should be able to exempt members of the schedule caste or schedule tribe and other indigent persons from payment of fees.

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

The clause has been revised accordingly.

16. Clause 13, sub-clause (2).—The Committee are of the opinion that the Chancellor should be free to call for fresh recommendations if any 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 clause has been amended accordingly.

Sub-clause (7).—The Committee consider that the Vice-Chancellor should be a 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 meagre and feel that it should be raised to Rs. 10,000.

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.

17. Clause 14, sub-clause (1).—The Committee are of the view that in the absence of the Chancellor the Pro-Chancellor, if present, should preside at the meetings of the Court and a any Convocation of the University.

The sub-clause has been amended accordingly.

18. 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 so made 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 the Vice-Chancellor should be more rigid so that it may not be possible to bring such a motion easily. The Committee think that the procedure on the lines of the provisions contained in the Constitution of India for the removal of the Judges of the Supreme Court would be appropriate for the removal of the Vice-Chancellor.

The clause has been revised accordingly.

19. 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.

20. 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 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.

21. 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.

22. 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 and Secretary to Government, Madhya Pradesh, Law Department should also be members of the Court.

These new items have been inserted 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.

The item has been revised accordingly.

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 clear as to what the expression “learned profession” means 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 this item.

The item has been amended accordingly.

New item (xviii-a).—The Committee are of the opinion that two Chairmen of the Zila Panchayats comprised within the territorial jurisdiction of the University should also be included as members of the Court.

New item (xviii-a) has been inserted accordingly.

Item (xix).—The Committee consider that the two nominees of the Chancellor on the Court are redundant.

This item has, therefore, been omitted.

Item (xxi).—The Committee are of the opinion that instead of four nominees of the State Government there should be six nominees of the Chancellor representing distinguished educationists, women, representatives of cultural organisations, Harijans and Adivasis.

This item has been revised accordingly.

New item (xxi-a).—The Committee feel that three Head Masters of the Higher Secondary Schools nominated by the Chairman, Madhya Pradesh Board of Secondary Education, should also be included in the Court.

New item (xxi-a) has been inserted accordingly.

Item (xxii).—The Committee consider that the donation of a sum of Rs. 5,000 for being a member of the Court is too low and feel that it should be raised to rupees one lakh. The Committee further consider that five persons should be included duly elected by the donors-donating Rs. 10,000 or more from themselves in the ratio of one representative for every ten such donors or part thereof not less than five in accordance with statutes.

The item has been revised accordingly.

Explanation.—The Committee feel that the word, bracket and figure “item (xxi)” are misprint for “items (xvi) to (xxi-a)”.

The explanation has been corrected accordingly.

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Sub-clause (2).—The Committee are of the opinion that the term of office of members nominated or elected under items (xiv) to (xxii) of sub-clause (1) should be five years and co-terminus with the term of the Court and the term of the first Court should be co-terminus with the term of the first Vice-Chancellor.

The sub-clause (2) has been revised accordingly.

New sub-clause (4).—The Committee consider it necessary to include the representative nominated by the donor specified in item (xxii) of sub-clause (1) if the donor is an undivided Hindu family, Trust, firm, Company or body corporate and the right of such nomination should be for twenty-five years from the date of acceptance of the donation.

New sub-clause (4) has been added accordingly.

23. Clause 22, sub-clause (3).—The Committee feel that the requirement of twenty-five members signing a requisition for convening a special meeting of the Court is rather low and should be raised to 40.

The sub-clause has been amended accordingly.

Sub-clause (6).—The Committee think that in order to avoid complications the notice of meeting of the Court should be sent to the members by registered post.

The sub-clause has been amended accordingly.

24. Clause 24, sub-clause (1)—Item (iv).—The Committee consider that all deans should be members of the Executive Council.

The item has been revised accordingly.

Item (vi).—The Committee feel that the places in the constitution of the first Executive Council should be filled by persons nominated by the Chancellor till such time as other members are duly elected by the court.

The proviso to this 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 has been inserted accordingly.

25. Clause, 25, sub-clause (1)—

Item (viii).—The Committee are of the view that the Executive Council should be free to admit colleges to the privileges of the University according to the provisions of the statutes and the Act and no previous sanction of the State Government should be necessary.

The item has been amended accordingly.

26. Clause 28, sub-clause (1).—The Committee are of the opinion that independent faculties of Ayurved, Physical Education, Music and Fine Arts should also be included in this sub-clause.

The sub-clause has been amended accordingly.

27. Clause 35, sub-clause (1)—

New item (iv-a).—The Committee feel that as the office of Treasurer has been omitted from the Finance Committee, the addition of the Secretary to Government, Madhya Pradesh, Finance Department in that Committee will be of great help to the Committee.

New item (iv-a) has been inserted in this sub-clause.

28. Clause 37, item (c).—The Committee are of the view that the statutes should also provide for the emoluments and other terms and conditions of service and the duties of the Vice-Chancellor.

The item has been revised accordingly.

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

The item has been amended accordingly.

30. Clause 47, sub-clause (1).—The Committee are of the opinion that all examiners should be appointed by the Vice-Chancellor from the panel of names recommended by the Committee under this sub-clause.

The sub-clause has been amended accordingly.

31. 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 has been revised accordingly.

32. 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.

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

The Committee further feel 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.

34. Clause 59—Proviso and New Clause 59-A.—The Committee are of the opinion that the matter provided for in the

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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 inserted accordingly.

35. 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.

36. Clause 62.—The Committee feel that due to printing error the word "readers" has been printed for the word "teachers".

The clause has been corrected accordingly.

37. 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 rearranged.

The clause has been revised accordingly.

38. Clauses 64 and 65.—The amendments made in these clauses are of consequential nature.

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. Gwalior University Association, Gwalior—
 - (1) Shri Brijraj Narayan—President.
 - (2) Shri R. M. Karkare.
 - (3) Dr. Mahavir Singh.
 - (4) Shri G. R. Garde.
 - (5) Shri Y. Bharadwaj.
 - (6) Shri G. G. Bansal.
 - (7) Shri N. K. Shejwalkar.
 - (8) Shri T. M. Harkhawat.
2. Shri V. S. Dubey, M.Sc., Ph.D., Ex-Member, Benaras and Vikram University Courts.
3. Maharaja Jiwajirao Smarak Samiti, Gwalior—
 - (1) Shri Rambabu Vaishya.
 - (2) Shri G. R. Garde.
 - (3) Shri Shejwalkar.
 - (4) Shri Shrikrishnadas.
4. Government Ayurved College Students Union—
 - (1) Shri V. S. Gupta, Secretary.
 - (2) Shri G. K. Garg, Under Secretary.
 - (3) Shri K. C. Chaturvedi, Representative.
 - (4) Shri K. K. Datre, Representative.
5. The Madhya Pradesh Chamber of Commerce, Gwalior.—
 - (1) Shri G. G. Bansal, Vice-President.
 - (2) Shri S. K. D. Garg, Honorary Secretary.
 - (3) Shri Madanlal Garg.
 - (4) Shri B. B. Bhargav.
 - (5) Shri Rambabu Vaishya.
 - (6) Shri Govardhan Das Vaishya.
 - (7) Shri Manikchand Jain.
 - (8) Shri K. B. Ghorpare, Office Secretary.
6. Shri N. V. Kelkar, Gwalior.
7. Rajkumar Ayurved and Unani Chikitsak Sangh, Madhya Pradesh—
 - (1) Shri Pooranprasad Tiwari, Secretary.
 - (2) Shri G. P. Sharma.
8. Shri R. S. Khandekar, Member of Parliament.
9. Shri Shyamlal Pandviya, former Minister Madhya Bharat.
10. Shri Vimal Kumar, Member, Executive Board, National Academy of Fine Arts, Lashkar.
11. Madhya Pradesh Panchayat Parishad—
 - (1) Shri Rajkumar Chaubey, Secretary.
 - (2) Shri Prahlad Singh, Bhind, Member.
12. Shri C. S. Modi, Mayor, Gwalior Corporation.
13. Dr. Hasan Mohammed.

APPENDIX II

(See paragraph 5)

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

Serial No.	From whom received	Action taken
(1)	(2)	(3)
1	Government Ayurved College Students Union, Gwalior.	Circulated to members (came to give evidence).
2	Shri V. S. Dubey, M. Sc., Ph. D., Ex-Prof. Benaras Hindu University.	Do.
3	Shri Baboolal Gaur, Sabalgarh	Circulated to members.
4	Shri G. L. Datta, Vice-Chancellor, Vikram University.	Do.
5	Shri M. N. Kaul, Principal, M.L.B. College, Gwalior.	Do.
6	Shri R. M. Karkare, Advocate, Lashkar.	Circulated to members (came to give evidence).
7	Principal, Government Ayurved College, Gwalior.	Do.
8	Shri Shyamacharan, Head of the Department of Zoology, Bhopal.	Circulated to members.
9	Shri G. C. Kasliwal, Dean, Faculty of Law, Vikram University.	Do.
10	Shri Balkrishnarao, Dean, G.R. Medical College, Gwalior.	Do.
11	Principal, M.L.B. Girls Higher Secondary School, Datia.	Do.
12	Principal, Government College, Guna	Do.
13	Gwalior University Association, Gwalior	Circulated to members (came to give evidence).
14	Maharaja Jiwajirao Smarak Samiti, Gwalior.	Do.
15	National academy of Fine Arts, Lashkar	Do
16	Madhya Pradesh Chamber of Commerce, Gwalior.	Do
17	Shri N. V. Kelkar, Gwalior	Do
18	Government Ayurved and Unani Chikitsak Sangh, Madhya Pradesh.	Do
19	Shri Y. Bhargava, Former Vice-Chancellor, Vikram University.	Do.

GAUTAM SHARMA,

Chairman,
Select Committee.

BHOPAL:

The 15th February, 1963.

विमति टिप्पणियाँ

विश्वविद्यालय के अधिकारियों की श्रेणी में एक पद प्रति-कुलपति का भी रहे मैं इसके पक्ष में नहीं हूँ। जब तक अपरिहार्य ही न हो अधिकारियों की संख्या बढ़ाये जाने से न केवल संस्था पर अनावश्यक व्यय ही पड़ता है वरन् कार्य संचालन में भी उलझनें बढ़ जाती हैं।

प्रति-कुलपति का पद कायम रखने के पक्ष में कुछ दलीलें अवश्य दी जा सकती हैं किन्तु उन सबका खण्डन करने के लिये निम्नलिखित दो ही प्रबल तथ्यों को देना पर्याप्त है :

प्रथम तो यह कि भारतवर्ष में विद्यमान लगभग ५० से भी अधिक विश्वविद्यालयों में से अधिकांश में प्रति-कुलपति के पद का अस्तित्व नहीं है एवं उनका कार्य उसके बिना ही सुचारु रूप से चल रहा है। उदाहरणार्थ कलकत्ता, बम्बई, इलाहाबाद इत्यादि प्राचीन सुविख्यात विश्वविद्यालयों के नाम गिनाये जा सकते हैं।

दूसरी दलील जिसे मैं और भी महत्वपूर्ण मानता हूँ वह यह है कि डा. सर्वपल्ली राधाकृष्णन् की अध्यक्षता में उच्च स्तरीय शिक्षा शास्त्रियों का एक सुविख्यात कमीशन विश्वविद्यालयों में शिक्षा के सर्वांगीण विकास के ऊपर अपनी रिपोर्ट देने के लिये निर्मित हुआ था उसने भी प्रति-कुलपति के पद को रखे जाने की अनुशंसा नहीं की है। ऐसे कमीशन का मत जिस कमीशन के चेयरमैन कि एक ऐसे विश्वविद्यालय अर्थात् बनारस विश्वविद्यालय के भूतपूर्व उप-कुलपति रहे हों जहाँ कि प्रति-कुलपति का पद तब भी विद्यमान था, मेरी इस धारणा को और भी मजबूत करता है कि अनुभव और व्यवहारिक ज्ञान के आधार पर ही प्रति-कुलपति के पद को अनावश्यक समझ कर उसकी अनुशंसा उस कमीशन के किसी भी सदस्य ने नहीं की।

किसी अन्य प्रकार की भ्रांति विचारण हेतु मैं यह स्पष्ट कर देना आवश्यक समझता हूँ कि जो मत मैं आज व्यक्त कर रहा हूँ वह मेरा बहुत पूर्व से है। विक्रम विश्वविद्यालय विधेयक जिसका कि प्रारूप तैयार करने का अवसर मुझे पूर्व मध्यभारत राज्य के शिक्षा मंत्री के नाते प्राप्त हुआ था। इसका प्रत्यक्ष प्रमाण है।

विश्वविद्यालयीन पदाधिकारियों की संख्या में राज्य शासन के अधिकारियों की पदेन रूप से अधिक भरमार होने से भी मुक्त विचार और कार्य सञ्छन्दता में बाधा पड़ने की संभावनाएँ प्रबल व अधिक हो जाती हैं। इसलिये मैं इस पक्ष में भी नहीं हूँ कि राज्य का शिक्षा मंत्र पदेन रूप से प्रति-कुलपति के पद पर आसीन हो जैसा कि इस विधेयक में प्रावधान किया गया है। इस तथ्य को भी पृष्टि करना यहाँ अप्रासांगिक न होगा कि वर्तमान में देश में विद्यमान लगभग ५० विश्वविद्यालयों में से केवल ५ ही विश्वविद्यालय ऐसे हैं जहाँ पर राज्य के शिक्षा मंत्री पदेन रूप से विश्वविद्यालय के प्रति कुलपति हैं। इन चार में से भी दो विश्वविद्यालय अर्थात् जबलपुर व सांगर तो हमारे ही राज्य के हैं। यदि इसमें इन्दिरा कला संगीत विश्वविद्यालय की भी गिनती कर ली जाय तो देश भर में सब मिलाकर पांच स्थान ऐसे हो जाते हैं जहाँ पर प्रति-कुलपति पदेन रूप से राज्य का शिक्षा मंत्री है और इन ५ में से ३ स्थान मध्यप्रदेश राज्य के ही हैं।

उपरोक्त कारणों से मेरा व्यक्तिगत मत है कि प्रति-कुलपति का पद रखा जाना अनावश्यक है। अतः विधेयक की धारा ६ में से तथा जहाँ-जहाँ भी शब्द "प्रति-कुलपति" आया है वहाँ-वहाँ से उसे कम किया जाकर तत्संबंधी धाराएँ तदनुसार संशोधित कर दी जावें। उदाहरणार्थ धारा १२ सम्पूर्ण रूपेण कम की जाना आवश्यक होगा, इत्यादि। इस टिप्पणी के अनुरूप संबंधित संशोधनों के साथ मैं प्रस्तावित रिपोर्ट से सहमत हूँ।

विश्वविद्यालय के अधिकारियों की श्रेणी में एक पद प्रति-कुलपति का भी रहे, मैं इसके पक्ष में नहीं हूँ। जब तक अपरिहार्य ही न हो अधिकारियों की संख्या बढ़ाये जाने से न केवल संस्था पर अनावश्यक व्यय ही पड़ता है वरन् कार्य संचालन में भी उलझनें बढ़ जाती हैं।

प्रति-कुलपति का पद कायम रखने के पक्ष में कुछ दलीलें अवश्य दी जा सकती हैं किन्तु उन सबका खण्डन करने के लिये निम्नलिखित दो ही प्रबल तथ्यों को देना पर्याप्त है।

प्रथम तो यह कि भारतवर्ष में विद्यमान लगभग ५० से भी अधिक विश्वविद्यालयों में से अधिकांश में प्रति-कुलपति के पद का अस्तित्व नहीं है एवं उनका कार्य उसके विना ही सुचारु रूप से चल रहा है। उदाहरणार्थ कलकत्ता, बम्बई, इलाहाबाद इत्यादि प्राचीन सुविख्यात विश्वविद्यालयों के नाम गिनाये जा सकते हैं।

दूसरी दलील जिसे मैं और भी महत्वपूर्ण मानता हूँ वह यह है कि डा. सर्वपल्ली राधाकृष्णन् की अध्यक्षता में उच्च स्तरीय शिक्षा शास्त्रियों का एक सुविख्यात कमीशन विश्वविद्यालय शिक्षा के सर्वांगीण विकास के ऊपर अपनी रिपोर्ट देने के लिये निमित्त हुआ था, उसने भी प्रति-कुलपति के पद को रखे जाने की अनुशंसा नहीं की है। ऐसे कमीशन का मत जिस कमीशन के चेयरमैन कि एक ऐसे विश्वविद्यालय अर्थात् बनारस विश्वविद्यालय के भूत पूर्व उप-कुलपति रहे हों जहाँ कि प्रति-कुलपति का पद तब भी विद्यमान था, मेरी इस धारणा को और भी मजबूत करता है कि अनुभव और व्यावहारिक ज्ञान के आधार पर ही प्रति-कुलपति के पद को अनावश्यक समझ कर उसकी अनुशंसा उस कमीशन के किसी भी सदस्य ने नहीं की।

अतः मेरा मत यह है कि विधेयक की धारा ६ में से जिसमें कि विश्वविद्यालय के अधिकारी दशयिे गये हैं व जहाँ-जहाँ अन्य स्थानों पर शब्द "प्रति-कुलपति" आया है वहाँ-वहाँ से वह शब्द कम किया जा कर धारयें तदनुसार संशोधित कर दी जावें। विधेयक की धारा १२ संपूर्ण रूप से अर्थहीन हो जाती है अतः कम की जानी चाहिये। इस धारा को हटाने का प्रमुख कारण निम्न प्रकार है:—

विश्वविद्यालयीन पदाधिकारियों की संख्या में राज्य शासन के अधिकारियों की पदेन रूप से अधिक भरमार होने से भी मुक्त विचार और कार्य स्वच्छन्दता में बाधा पड़ने की संभावनायें प्रबल व अधिक हो जाती हैं। इसलिये मैं इस पक्ष में भी नहीं हूँ कि राज्य का शिक्षा मंत्री पदेन रूप से प्रति कुलपति के पद पर आसीन हो, जैसा कि इस विधेयक में प्रावधान किया गया है। इस तथ्य की भी पुष्टि करना यहाँ अप्रसंगिक न होगा कि वर्तमान में देश में विद्यमान लगभग ५० विश्वविद्यालयों में से केवल ४ ही विश्वविद्यालय ऐसे हैं जहाँ पर राज्य के शिक्षा मंत्री पदेन रूप से विश्वविद्यालय के प्रति-कुलपति हैं। इन चार में से भी दो विश्व विद्यालय अर्थात् जबलपुर व सागर तो हमारे ही राज्य के हैं। यदि इनमें इन्द्रिरा कला संगीत विश्व-विद्यालय को भी जोड़ दिया जाये तो चार और एक अर्थात् कुल ५ स्थान ऐसे हो जाते हैं जहाँ पर प्रति कुलपति राज्य का शिक्षा मंत्री है, और इन ५ में से ३ स्थान मध्यप्रदेश राज्य के ही हैं।

दिनांक १४ फरवरी, १९६३.

महेशदत्त मिश्र

I have always been of the view that providing with the office of the Pro-Chancellor would inevitably curb the autonomy of the University a great deal, which, to my way of thinking, must be safeguarded at all costs so as to allow the great Institution to grow in the proper prespective, hence my dessenting note on the inclusion of Pro-Chancellor in section 9 of the Bill and to such other sections in so far as the word Pro-Chancellor appears there.

PREM CHAND KASHYAP.

(As amended by the Select Committee)

MADHYA PRADESH BILL

No. 31 OF 1962.

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

THE [GWALIOR] JIWAJI UNIVERSITY BILL, 1962.

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