

Home (1916) Department.
(Education)

Ordinary SERIES.

G.O., No. 1412-13

DATED Re 21.12.1916

INDEXED

13

[Despatch Abstract.]

Patna University Bill.

Reporting to the Government of India the date of publication in the Fort St. George Gazette of the ----- with Statement of Objects and Reasons and stating that His Excellency the Governor in Council has no observations to make on the Bill.

PAPERS PUT UP WITH CURRENT No. _____

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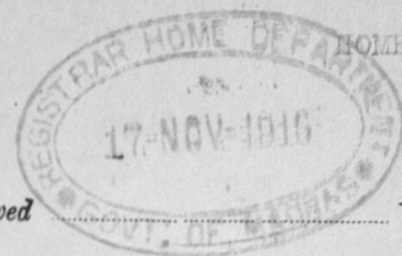
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Edl 4239
17. 11. 16

C.F.—29.



HOME DEPARTMENT.
EDUCATION

Received 191 . Registered 191 .

Subject.

Replying to G. O. No. 1120 Home (Education) Department dated 26th October 1916 on the establishment of the Patna University.

Submitted that the Syndicate reply to G.O. No. 1120 Ed. D. No. 26 of 26.10.1916 may be awaited.

ENCLOSURES.
No. _____
Spare copies _____

Dis No. 7646

Station Madras, Dated the 16th November 1916

From (Name) the Hon'ble Mr. J. H. Stone, M.A., C.I.E., F.R.H.S.,
(Designation) Director of Public Instruction, MADRAS.

To The Secretary to the Government of Madras,
HOME DEPARTMENT.
EDUCATION

Sir,

With reference to G. O. No. 1120 Home (Education) dated 26th October 1916, I have the honour to state that since I am unable to foresee any way in which the establishment of the Patna University will exert any direct influence on education in this Presidency, I have no remarks to offer.

I have the honour to be,

Sir,

Your most obedient Servant,

G. V. Srinivasan

for Director of Public Instruction

EDV

14.11.16

1082.1.28
21.11.8

PEEP



No. 9539

UNIVERSITY OF MADRAS

Enclosures.

SENATE HOUSE, 17 - DEC 1916

Vol 4530
8.12.16.

3

FROM

FRANCIS DEWSBURY, Esq., B.A., LL.B.,

Registrar, University of Madras,



TO

The Secretary to Government

Home (Education) Department.

Sir,

With reference to G.O. No.1120, dated 26th October 1916, forwarding a copy of a Bill to establish and incorporate a University at Patna for the opinion of the Syndicate thereon, I am directed to state that the Syndicate is unable to offer any collective opinion upon the Bill.

I have the honour to be,

Sir,

Your most obedient servant,

Francis Dewsbury

Registrar.

SAV

Home (Education) Department.

Read again--

G.O.No.1120, dated the 26th October 1916. (R)

Read also--

C.No.4239, from the Director of Public Instruction,
Dis.No.7646, dated the 16th November 1916.

U.No.4530, from the Registrar, University of Madras,
No.9539, dated the 7th December 1916.

Subject.

The Patna University Bill.

Neither the Director of Public Instruction
nor the Syndicate of the University of Madras to
whom the Patna University Bill was referred for an
expression of opinion has any remarks to offer.

2. In regard to the Bill itself it may be
noted that it differs from the existing law in
several respects. Clauses (4), (5) and (6) of sec-
tion 5 and section 12 invest the Chancellor with
final powers in certain matters. Thus section 5(4)
provides--

"The Chancellor shall finally decide any
"dispute with regard to the election of any
"person to be a member of the Syndicate or
"Senate".

There is no corresponding provision in the Indian

pages 1 & 2 of the C. F.

4.3 of G.O. 1120 dated 26.10.16
(R)

page 3 at slip (R)

ibid

page 3 at slip (R)

page 3 at slip (R)

NOTES.

Universities Act, 1904. Under section 5(5) the Chancellor may cause an inquiry to be made on any question connected with the administration of the University; and he may pass such orders as seem to him right and proper, and the same shall be binding upon every authority and officer of the University. This power is vested in the Senate under section 4(3) of the Indian Universities Act, 1904. Section 5(6) provides that the Chancellor may nominate four persons to be members of the Syndicate; while under the Indian Universities Act the Chancellor has no such powers and section 15 of the Act provides that the Syndicate shall consist, besides the Vice-Chancellor and the Director of Public Instruction, of not less than seven or more than fifteen ex-officio^{or} ordinary Fellows elected by the Senate or by the Faculties. And under section 12 the University staff shall be appointed by the Chancellor on the recommendation of the Syndicate, ^{but} under regulation 95 framed under the Indian Universities Act, 1904, the University staff is appointed by the Syndicate.

Again, under section 6 the Vice-Chancellor shall be a whole time officer of the University,

shall be the principal executive officer of the University and shall be charged with the due carrying out of the provisions of the Act. It may be observed that under section 15(1) of the Indian Universities Act, 1904, the executive government of the University is vested in the Syndicate. Further, section 8(4) of the Bill provides that the resolutions of the Senate shall not be binding on the Syndicate and section 9(3) denies facilities for opening colleges at centres other than those specified therein.

3. From the above it will appear that the provisions of the Bill tend to centralize the executive administration of the affairs of the University in the Chancellor and Vice-Chancellor.

Both in the Province of Bihar and outside there appears to be dissatisfaction with the scheme of the Bill. Perhaps the Government of India do not consider it expedient to entrust larger powers to the Senate and the Syndicate at the initial stage.

4. As observed by the Director of Public Instruction the establishment of the Patna University is not likely to exert any direct influence on education in this Presidency and it therefore

Page 5 at slip (R)

We have nothing to do with (B)

Page 1 of 1

Write So (B)

James

appears hardly necessary for this Government to make any observations on the Bill.

5. Subject to approval a draft letter to India intimating the date of the publication of the Bill and stating that the Governor in Council has no observations to make on the Bill is submitted.

E.A.V.
15-12-16.

T.K.
15-12-16.

C.R.
17-12-16.

⑨ full do report

Box 27
Circ 19/12/16
Refd 20 12 16

HE and the Hon. Sec. P. S.

Santham G.

19.12.16.

P
19.12.16.

I should have liked to condemn the bill. But I don't wish to raise any controversy & accept the proposed report

20/12/16

John M. 21.12.16.

Patna University Bill.

Reporting to the Government of India the date of publication in the Fort St. George Gazette of the ----- with Statement of Objects and Reasons and stating that His Excellency the Governor in Council has no observations to make on the Bill.

(9) *Copy of the Bill sent to the Government of India for their consideration.*

Read again--G.O.No.1120, Home (Edn.), dated the 26-10-1916. R

Read also--

C.No.4239, from the Director of Public Instruction, Dis.No.7646, dated the 16th November 1916.

C.No.4530, from the Registrar, University of Madras, No.9539, dated the 7th December 1916.

best copy
ORDER: No. 1412 Edn., dt. the 21st Dec. '16
MIS.

The Government of India will be addressed.

LETTER: No. 1413 Edn., dt. the 21st Dec. '16

To

The Secretary to the
Government of India,
Legislative Department.

*Recd for file
ms
21.12.16*
Sir,

With reference to your letter

No.3752, dated the 10th October 1916,

I am directed to state that the Bill

*Copy of G.O. 1120 Home-Edn.
26.10.16. (R)*

*Copy of G.O. 1120 Home-Edn.
26.10.16. (R)*

to establish and incorporate a University at Patna, with Statement of Objects and Reasons, was published in the Fort St. George Gazette in English on the 17th

October 1916 and that publication in the vernaculars was considered unnecessary.

2. His Excellency the Governor in Council has no observations to make on the Bill.

I have etc.

E.A.V.
15-12-16.

T.K. 15-12-16. C.R. 17-12-16.

19.12.16

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
2. Published at— *In Madras.*
3. Dated— *9.12.16.*

THE SYNDICATE OF THE UNIVERSITY of Madras has, we are informed, replied to the Local Government who referred the Patna University Bill to it, that it has no opinion to offer. This is an amazing answer coming from a body which does not particularly practise moderation when it opposes popular views. Our readers may recollect that at the time when the Bill was introduced in the Imperial Legislative Council, we wrote: "It would look from some of these provisions that the Syndicate of the Madras University must have had a hand in the framing of them. The Madras Syndicate would certainly welcome a provision that the Resolutions of the Senate are not binding on it." This opinion receives remarkable corroboration from the attitude which the Madras Syndicate has now adopted which is in accord with the sentiments which animate the body in respect of Indian views and Indian demands. It is because we think that the Syndicate, which consists of a majority of Europeans, is not in disagreement with the main provisions of the Bill which gives to the people of Behar a University only in name, with absolutely no place for popular representatives and completely bereft of independence, that it has assumed this superior attitude. The Bill, it must be remembered, is condemned universally, by Indian and influential Anglo-Indian journals, and the people of Behar who asked for bread, now indignantly refuse the gift which they find is nothing but stone. In these circumstances, if the Syndicate in Madras sympathised with this view, it should have said so. What are we to think of a body, consisting of the pick, as it is claimed, of the members of the Senate, which has decades of University administration behind it, and manages an institution which, according to its official apologists, has earned a name for aiming at higher standard of efficiency than in other Universities, should now say that it cannot express an opinion on a measure of such a retrograde character. The Chairman of the Reception Committee of the Extraordinary Session of the Behar Provincial Conference which was held the other day to consider the Bill warned the public in other Provinces—a caution to which we referred in our leading article on the subject on Friday before the last—that what was attempted now in the Bill might be attempted in the case of the older Universities also. It would almost appear that he spoke with knowledge of the views of the Syndicate in Madras in the matter of reducing the Senate to a mere debating club. To those, however, who have followed its doings, it is clear that the public have in the Syndicate a reactionary body, with an European majority, which is not responsive to the new ambitions surging

in the breasts of Indians, treats with contempt public opinion and looks with apprehension on the spread of the University idea. It may not be generally known that, when the Syndicate was asked to express its opinion on the proposed establishment of the Mysore University, it tried the obstructive tactics of requiring more time to consider the matter than was possible to be given to it. It was an urgent request that was made to the Syndicate on an urgent matter affecting a Native State. But the sedate body would not be hurried—it wanted time to consider the Mysore University Bill. But the Local Government was in no mood to wait and it made its recommendation to Lord Hardinge who had to give his sanction before he left India, which he did without waiting for the opinion of the Madras Syndicate. We may commend to the Syndicate the views which the Senate of the Bombay University has been asked to express on the Bill. Sir Narayan G. Chandavarkar, Kt., Ex-Judge of the Bombay High Court and Ex-Vice-Chancellor of the Bombay University has given notice of his intention to move the following Resolution which will be taken into consideration at the meeting of the Senate to be held on Thursday, the 21st instant:—

"That, in the opinion of the Senate, 'the Bill to establish and incorporate a University at Patna' contains provisions which are of a

highly retrograde character, being repugnant to the time-honoured and traditional idea of a University, and being inconsistent with the principles and policy which dictated the establishment of the existing Universities in British India and which, by means of the Acts relating to them, have since their foundation regulated their Government, inasmuch as the Bill in question proposes—

"First," to invest the Chancellor by clauses 4, 5 and 6, of section 5 with arbitrary powers such as (a) of deciding and, that again, of deciding "finally," any dispute with regard to the election of any person to be a member of the Syndicate; (b) of passing orders, and those "final" orders, on any question connected with the administration of the University; (c) of nominating four persons to be members of the Syndicate; and (d) of appointing the University staff: and

"Secondly," the Bill relegates the Senate to the "status" of a merely deliberative body without any power or control over the Syndicate.

That the Registrar be directed to reply in the terms of the resolution above stated to the letter of Government inviting the opinion of this Senate on the provisions of the Bill."

vide next page

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper— *The Hindu*
 2. Published at— *Madras.*
 3. Dated— *1. 12. 16.*

THE PATNA UNIVERSITY BILL.

WE DESIRE TO OFFER OUR SINCERE congratulations to the organisers of the special Provincial Conference of Behar and Orissa on the complete and deserved success that has attended their efforts to hold a special sitting to consider the Patna University Bill. The idea of holding a special Conference for discussing the most retrograde and reactionary measure about education that has been proposed in recent times by the Government of India was very happily conceived, and the preliminary preparations made by the authorities of the Conference to educate the public on the question constitute an example of organised agitation that older political organisations in other parts of the country may usefully follow. Prompt steps were taken to apprise the different parts of the Province of the urgent necessity that existed to protest against the Bill and a few pamphlets were published to disseminate widely knowledge of that legislative measure. The Conference, therefore, which met on Sunday last, was thoroughly representative in character, delegates having come from all parts of the Province, and was quite prepared for a calm and dispassionate consideration of a question which has created quite a stir in the Province. The proceedings, which were characterised throughout by intense enthusiasm, were conducted with dignity and due restraint, and we are confident that the Government of India will, before taking further steps in the matter, give their best consideration to the weighty pronouncements made in the Conference. Babu NANDKISHORE LAL, the President of the Behar Provincial Association, welcomed the delegates in a short and lucid speech explaining why it had been found necessary to convene a special session of the Conference. Mr. NANDKISHORE LAL pointed out the danger that lurked in allowing a Bill of the kind to go unchallenged. It was possible that the experiment proposed to be introduced in Behar may be introduced in other Provinces for which University schemes are being discussed, and he continued: "Who knows that in future even the old-established Universities may be remodelled and assimilated to the type of the University proposed for the sturdy loyal people of Behar evidently under the impression that our loyalty can stand

any strain." The most noteworthy contribution to the Conference was, however, the address of the President, the Hon'ble Rai Bahadur PURNENDA NARAYAN SINHA. It was a weighty pronouncement on the whole question, which showed to the best advantage, the deep culture, the unrivalled experience and learning of the President. Mr. SINHA subjected the Bill to a searching scrutiny and proved, by apt examples of University management in the west and quotations from recent reports on University reform, how distinctly retrograde and objectionable were the proposals made by the Government of India. The large and unprecedented powers of inspection and nomination given to the Chancellor, the entrusting of the whole administration to a paid Vice-Chancellor, the vesting of executive control on an irresponsible, officialised Syndicate, the conversion of the Senate into a glorified debating club, the mischievous principle of concentration, the denial of facilities for opening Colleges in centres other than those (except one) where there were Colleges in exist-

ence, and other features went far to officialise the University, prevent the spread of higher education, reduce the academic and administrative body the Senate is and should be in other Universities, to a life-less, powerless body and render the whole scheme a veritable mockery. The President asked whether the calling into existence of such a body of persons—(most of whom would owe their position to the Government,) with no superintendence, no authority, no responsibility of any kind whatever, no power except to pass Resolutions which are not binding on the Syndicate—and the consequent utter emasculation of the University, will educate the people in self-Government. Mr. SINHA urged on the Government the supreme necessity of encouraging popular enthusiasm, popular interest and popular control and popular co-operation and not to attempt, as has been done in the present case, to stifle them. "Great," he said, "is Diana of Ephesus; great is officialdom in India; but it is not and should not be omnipotent, nor can it be omniscient. There is and should be a place for an educated and progressive people in the divine order of things, and we yet venture to hope that it may be so in the scheme and constitution of the Patna University." According to the state-

CUTTINGS FROM NEWSPAPERS.

1. Name of Paper—
2. Published at—
3. Dated—

ment made by Sir SANKARAN NAIR, post-graduate studies and honours courses (except in one or two cases) are to be concentrated at Patna, an existing College at Monghyr is to be killed, the patriotic desire of various towns in the Province to establish Colleges is to be ruthlessly suppressed, no facilities for medical, engineering, agricultural education are to be provided. The people, in short, are to have the name of a University, without the substance. Under these stultifying and depressing conditions, would the public care to have a University at all? The answer has come in an emphatic and unmistakable form both from the President and the Conference. Mr. SINHA said: "It will be an insult to Behar which is just waking up to the rich, intellectual and spiritual heritage of its historic past, Behar which has begun to ponder on the hoary traditions of its once imperial greatness, if an every-inch reactionary and every-step-retrograde measure like the present University Bill be thrust upon it on the ground of its supposed backwardness. Let us all earnestly press upon the Government that if a liberalised University is not to be given to us, it is much better for us to be left alone for the present without a University." The Conference cordially endorsed this opinion and requested the elected Non-official Members of the Imperial Legislative Council to strenuously oppose the further progress of the Bill unless the Government gave an assurance that the objectionable proposals will be abandoned. The Conference passed many well-thought out Resolutions criticising the various provisions and making constructive proposals which, we hope, will be considered by the Imperial Government in view to ensure the healthy progress of higher education in the country.

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When copied 21.12.1916

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When signed

1916

18/12

READ AGAIN G.O., No.
19

DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH LISTS.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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