

[Shri M. V. Krishnappa.]

and other areas. It is a State subject and after the Finance Commission's Report—Mr. Santhanam was its Chairman—every State has been asked to provide for a Famine Emergency Fund, and they have done so. Both Andhra Pradesh and Mysore have enough of money immediately to look to the remedial measures. Over and above that, whatever they want, they can ask the Central Government and the Centre is prepared to help them. Telangana is also a place, as Mr. Akbar Ali Khan mentioned now, which is affected. There are reports that Telangana also has been affected due to failure of rains. All these areas were expecting rains since *Vinayaka Chathurti*. But *Vinayaka* also seems to have failed them unfortunately and something has to be done—and very soon. I also intend going to Andhra Pradesh and Mysore and looking into the matter. Whatever they want, we are prepared to give—food supply, minor irrigation and . . .

SHRI AKBAR ALI KHAN: The fodder question has become very acute there.

SHRIMATI YASHODA REDDY: The hon. Minister was pleased to say that he had got absolutely no information from either Andhra Pradesh or Mysore for the last few days. Sir, a Conference of Ministers of Agriculture has been going on in Delhi for the last some days. The staff of the Agricultural Departments of these States and some of the Ministers are there. He could have got the information from them.

MR. CHAIRMAN: He will make a statement after gathering all available information.

SHRI M. V. KRISHNAPPA: Sir, broadly, we know that scarcity conditions exist there but for making a statement based on factual data, we require notice.

THE INDIAN MUSEUM (AMENDMENT) BILL, 1960—continued.

THE MINISTER OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS (SHRI HUMAYUN KABIR): Mr. Chairman, while moving the Motion for consideration of the Indian Museum (Amendment) Bill yesterday, I drew the attention of the House to two major provisions which are sought to be introduced. Out of the 13 clauses in the Bill, as I told the House yesterday, eight are verbal or consequential, three are procedural and intended to improve the working of the administration and management of the Museum and only two are substantive. On these two, I propose to go into the question of the constitution of the Board again because some Members were not present and therefore, I would like to anticipate any objection that might be raised.

[MR. DEPUTY CHAIRMAN in the Chair]

SHRI BIREN ROY (West Bengal): May I draw the attention of the hon. Minister about the formation of the Board of Trustees? He should make a statement on it after he has heard the Members. Otherwise, if he passes his own judgment on it, then it is for me to suggest . . .

SHRI HUMAYUN KABIR: I do not yield to my hon. friend. I have heard him and I shall hear him again, and if he has any constructive suggestions to offer, I shall certainly keep them in view. But let him first hear me as to what is being done before he offers any suggestions, constructive or otherwise.

As I said yesterday, there are 18 members of the Board at present of whom 7 are officials, 4 are nominees of the Government of India and three are co-opted after the first fifteen members have been nominated or appointed. When there are fifteen members and the Government of

India has 7 officers and 4 nominees, if the Government had so wished, they could have easily arranged that three members to be co-opted would also be people who would fall in line with the Government's point of view. In other words, in the present Board of 18 the Government, if they had at any time so wished, could have exerted their influence through 14 members and only four would have been persons of more or less independent authority, one representative of the Bengal Chamber of Commerce, one representative of the British Indian Association, one representative of the Calcutta University and one representative of the Asiatic Society. Government have not done so and do not wish to do so. And under the new proposal, as I told the House yesterday, the 7 officers are being replaced by only 2 and the 4 nominees, of course, remain. We are also bringing in four new members. One, of course, is the Secretary of the Ministry concerned and is an official. But the other 3 new members, namely, the Governor, the Mayor of the Corporation and the Vice-Chancellor, will be members with a certain amount of independent status and authority. In the new Board, there will be 4 independent members out of 11. I was rather surprised to see in this connection that even a very well-informed paper referred to the Governor as an official. Now, my hon. friend, Mr. Bhupesh Gupta yesterday himself conceded that the Governor is the head of the State, not the head of the Government, and that therefore, he cannot be regarded as an official.

SHRI BHUPESH GUPTA (West Bengal): The Governor cannot be called the head of the State, so to say. That is also a mistaken thing. I correct it.

SHRI HUMAYUN KABIR: He is the head of the State so far as the State is concerned and the President is the head of the Indian Union.

Now, the Government of West Bengal wished to have two representatives and the Asiatic Society also wished their representation to be increased from 1 to 2. That would have increased the strength of the Board to 13. I found that the Government of West Bengal were willing that the number might be 12. But I have felt—and this has been the advice of all the Committees which have gone into this question—that we should keep the body as compact as possible. I, therefore, propose to meet the wishes of the Government of West Bengal by moving an amendment, of which you have had notice, that out of the four nominees of the Government of India, one will be a representative of commerce and industry appointed in consultation with the Government of West Bengal. In this way, out of the 4 nominees of the Government of India, in the selection of one representative, the Government of West Bengal will have a voice. It will not have two representatives, but you might say it will have 1½ representation if you wish to put it that way. At any rate, one will be its own representative and it will have a voice in the selection of another representative.

Then, with regard to the representation of the Asiatic Society, the Asiatic Society has always been having one representative out of 21 or 18. Now, it will have one representative out of eleven and to that extent, certainly the importance of its representation goes up. Besides that, I propose to suggest one change which will go a very long way in meeting the wishes of the Asiatic Society.

The second major measure, as I mentioned yesterday, is with regard to policy directives. Government is only taking powers to issue policy directives in case of need. This is in consonance with all recent legislation, and I would say that in the case of an autonomous body like the Indian Museum, such a power seems more necessary as any directive issued by the Government will be subject to Parliamentary control. At present,

[Shri Humayun Kabir.]

the Board of Trustees is not responsible to any body at all and the only way is to exercise financial pressure which is not desirable. When the Museum is maintained largely from public funds, it is both desirable and necessary that Parliament as the supreme body of the nation should have control over all questions of policy. Even then, in order to remove any possibility of misgiving in the matter, I propose to have a proviso inserted, of which I have also given notice, that the Trustees will be given an opportunity to express their views before any directive is issued under this section.

Then, Sir, as you will find from the Statement of Objects and Reasons, there is a clause that the Trustees shall prepare and submit to the Central Government before a prescribed date budget estimates for the next financial year. Under the existing Act, only reports and audited accounts are submitted to the Government, but no proposals for the next year are submitted. There is no provision for the preparation and submission of the annual budget estimates and for advance intimation of the programme of activities for the coming year. It is obvious that it will help better working if the Trustees prepare and submit to the Central Government before a prescribed date budget estimates for the next financial year. I may add that this is a normal administrative procedure adopted in all the recognised institutions and it is surprising that this lacuna has been there for all these years.

Then you will find that the Statement of Objects and Reasons also refers to the recruitment and conditions of service of the officers and other employees of the Indian Museum. It is now proposed that rules shall be framed for the purpose and these rules will prescribe the conditions. At present the Trustees of the Board appoint employees on such pay and

conditions as they may think fit but subject to the previous sanction of the Central Government. This is more or less an *ad hoc* arrangement, and the trustees can come up with proposals as and when necessary. But in place of this *ad hoc* arrangement, we propose that there should be general rules laid down, and once this is done, and these have been approved by Parliament, they will become governing regulations for the Museum. It does not mean in any way curtailing the power of the Board of Trustees but to liberalise them—to remove the restrictions which are at present operative regarding the previous sanction of the Central Government. This also is a normal provision considered necessary for the working of any institution.

Under section 13 of the existing Act it is laid down that all officers and servants of the Museum are deemed to be public servants. This has naturally led them to expect that they would have exactly the same privileges, rights and the same conditions of service in respect of their salaries and allowances as government servants. I am not a legal expert, but reading the section, as it stands, I was inclined to agree with that view. When this was referred to higher legal authorities for their advice, they told us that this is not so; they are not entitled to the same rights and privileges as Government servants. I felt that if this is so on the advice of the highest legal authorities, it is far better that the employees of the Museum should be dissociated from Government servants and whatever be the rules and regulations, duly approved by Parliament, they should be clearly stated. There should not be any ambiguity or doubt on this question. I am sure the House will also agree with me that it is better that whatever be the position, that should be clearly stated.

Now, I return to certain misgivings, to my mind entirely unjustified, which seem to have gained certain

currency. The first of these is with regard to increasing official control of the Museum. On that point I have dealt with adequately. The number of officers on the Board is being reduced and people of independent status are being brought on the Board. The question of increasing official control cannot therefore arise. I hope I have satisfied the House completely on this point. I hope that the House will agree with me that instead of increasing official control, we are in fact giving the Board of Trustees greater autonomy needed for a national museum for the eastern part of India.

Another evidence of that you will find in the two amendments which I shall presently move. I have already mentioned that before the Government issue any policy directive, the Trustees will be given an opportunity of expressing their views. Similarly, I am also providing by an amendment that before the rules and regulations which will in future govern the conditions of service, employment and all other matters regarding the Indian Museum are placed before Parliament, the views of the Board of Trustees will be taken into consideration. In fact the rules will be framed in consultation with the Trustees.

Sir, a rumour has been circulating, which I feel has been circulated by some interested parties that the status of the Indian Museum is to be reduced and its objects will be transferred elsewhere. I am surprised that this rumour should circulate in spite of categorical assurances in Parliament and outside, both by the late Maulana Azad and also by myself. There never has been any intention of taking away any objects from the Indian Museum. How some hon. ladies and gentlemen got this idea, is entirely beyond my comprehension. We have made it perfectly clear, and the Bill is evidence of the fact, that the Indian Museum has to be developed as a National Museum and will not be an

adjunct to any other museum. Also there is no question of transferring any object from here.

Some doubt regarding this question has been raised because of a clause introduced in the Bill that rules may be framed providing for, "the conditions subject to which the Trustees may deliver possession of any property in their possession to any other person". Some people have asked as to why the Board of Trustees should be given this power. To that my answer is that full proprietary rights include the right of acquisition as well as the right of disposal. If there is no right of disposal, sometimes anomalous positions develop, something becomes superfluous, something becomes redundant. Under the existing Act the Board has no right to dispose of any object. Therefore, to that extent the existing Act limits the right of the Trustees. The new Act will give proprietary rights but to remove any misgiving that any object may be removed, I propose to provide in the rules that the Trustees can divest themselves of any property only under conditions of unanimity. In order to acquire, a simple majority will be enough but if they want to divest themselves of any property, that will be by a unanimous decision.

SHRI AKBAR ALI KHAN (Andhra Pradesh): That is a very impractical proposition. There is always a possibility of one member disagreeing. You can say three-fourths or something like that.

SHRI HUMAYUN KABIR: The hon. Member can make suggestions later on.

The rules will be before Parliament. I have felt that unanimity is desirable in the case of divestiture where anti-quoities are concerned. I believe the Trustees will all be reasonable and responsible persons of a very high quality. They will not in these matters be guided merely by votes.

[Shri Humayun Kabir.]

Therefore, in the rules I am proposing that divesting can be done only by unanimity.

Now, the Asiatic Society is one organisation which is most concerned about this question of divesting because a large proportion of the objects in the Indian Museum are the property of the Asiatic Society, and since they have a representative . . .

DR. H. N. KUNZRU (Uttar Pradesh): And of the West Bengal Government.

SHRI HUMAYUN KABIR: Not very much. The major portion was, I think, from the Asiatic Society, but in course of time, the acquisition of objects by the Government of India has given quite a substantial share. But a proviso that nothing can be divested except under conditions of unanimity should, I feel, remove any misgivings on this matter.

Therefore, Sir, I submit that the measures which are proposed in this Bill are simple and clear and in accordance with the recommendations made by a number of experts and committees who have gone into the question of improvement of the Indian Museum for almost thirty years. The main structure of the Museum remains unaltered. The Board of Trustees retain all their powers. But in order to enable the Board to function more effectively, it has been strengthened by the inclusion of the Governor, the Secretary of the Ministry dealing with the Museum, the Mayor of Calcutta, a representative of the West Bengal Government and the Vice-Chancellor of the Calcutta University. I may add that this is the general pattern we have accepted for all the national museums that we are developing in this country. Sir, I move.

SHRI BHUPESH GUPTA: It seems, Sir, that the hon. Minister had some long discussion about this matter with

the Chief Minister of West Bengal and later on he made a statement on the subject. I would like to have some light thrown on this aspect of the matter.

SHRI HUMAYUN KABIR: I certainly have had long discussions with the Chief Minister of West Bengal. Not only recently but from the very beginning we have been in consultation with each other and very largely in agreement. At the last meeting there was complete accord on every point. I did not issue any statement after my discussions with the Chief Minister but the Press people asked a few questions and I replied.

The question was proposed.

MR. DEPUTY CHAIRMAN: Now before me I have a list of ten names. So about ten minutes each.

DR. A. N. BOSE (West Bengal): Mr. Deputy Chairman, Sir, I have nothing much to object to the contents of the Bill. The Indian Museum has grown into an institution of national importance. The Government have been finding money to make grants for the maintenance of the institution and it is quite fit that they should feel some responsibility for its proper functioning.

Sir, some observations have been made about the lapses or defects in the administration under the present Board of Trustees. The House would have been benefited if the hon. Minister had elucidated this reference in the Statement of Objects and Reasons and shown exactly how the present Board of Trustees had failed in the administration. Whatever may be the defects in the running of the Museum under the present administration, there is hardly any dispute about the constitution of the new Board of Trustees. It is a very competent and responsible body consisting of such eminent persons as the Governor of West Bengal, the Vice-Chancellor of the University of Calcutta, etc. But it is doubtful whether they will find time to attend

the meetings of the Board. Under the proviso to clause 2, Sir, it has been provided that they may be represented by their nominees, but such representation by proxy will obviously detract from the weight and importance of the body.

Sir, what I am worried about is the air of hurry and secretiveness with regard to the framing of the Bill. I understand that the present Board of Trustees were not so consulted while the Bill was framed. The Bill was not referred to them for their opinion nor to the Asiatic Society which, as the hon. Minister has just said, had made the bulk of the contributions to the Museum in the early days of its existence. Sir, it is the Asiatic Society's contributions and the paintings made over by the Bengal Government School of Arts and Crafts which form the nucleus out of which the Museum has grown to its present stature. The Minister would have done well to invite suggestions from the present Board of Trustees as well as from the Asiatic Society before they had finally drafted their Bill and presented it before this House. Sir, I do not suggest that whatever suggestions they would have offered should have been accepted by the Minister, but it was just a matter of courtesy. It would have been better if the institutions which had made so valuable contributions towards the making of the Museum and which had been running the Museum for so many years had been consulted in regard to this matter and their opinions and their feelings respected.

Much of my suspicion has been allayed by the hon. Minister when he says that there is no intention to disintegrate the Museum or to take away its antiquities or valuable materials to other places. However, the apprehension does exist. Of course, I do not know whether it has been spread by interested quarters or not, but there is a genuine apprehension. The Government might have the plan to start a number of other national

museums in other parts of the country. That is very much welcome; it is very desirable that we should have quite a number of national museums in the important cities of our country, and I should go further and aspire for the days when every district will have a museum, a focus of culture and education for the district. But, Sir, it will be very sad and senseless if the valuable collections of the present Museum are depleted in any way. That will be as bad as if the present National Library is divided and split up to create a number of national libraries which we may have in contemplation. Sir, I would like to utter this word of caution to the hon. Minister that under no circumstances should we allow the collections of the National Museum—and its valuable collections of antiquities, geological materials, etc.—to be disturbed and depleted.

DR. RAGHUBIR SINH (Madhya Pradesh): Mr. Deputy Chairman, Sir, I am happy to note that at long last something is being done for the Indian museums. It is only now, after the lapse of 13 years since the dawn of independence, that Delhi is going to have a museum of its own, though the building has cracked before its inauguration.

Now, Sir, in the Statement of Objects and Reasons it has been stated that, "It is proposed to step up the pace of development of the Museum and make it a full scale National Museum for the Eastern Region of India." Quite often, Sir, we have been told that the Government is bringing forward certain comprehensive Bills. I do wish and hope that in such matters of vital and national importance the Government does think of some integrated plan and some national plan for the whole of the country, because without some definite co-ordination the growth and development of these museums has been quite haphazard, and it is high time that something should be done to bring about some definite co-ordination and

[Dr. Raghubir Singh.]

to have a well-set plan in regard to these museums throughout the country.

Now, Sir, coming to the Bill itself, the hon. Minister has rightly stated before the House that there are two major matters in regard to which he has brought about a departure in this Bill. I do admit that the new Board of Trustees which is to be constituted under the amending Bill is going to be a matter-of-fact body, but I would still like to urge the hon. Minister to give some very favourable consideration to the request of the Asiatic Society of Bengal and give them some additional representation. He has conceded to some extent so far as the West Bengal Government is concerned. I think the West Bengal Government can also get its point of view put before the Trustees through the Governor who is going to be the chairman of that body. As the hon. Minister himself has admitted, in the beginning the bulk of these exhibits were given and, I think, even now some items are donated by the Asiatic Society of Bengal and it would be only right that that Society should have a little more representation. I would like to point out to the hon. Minister that a little more consideration for these cultural and academic bodies would not harm any such Board of Trustees. I am afraid, Sir, I must say here that in spite of the dawn of independence and our national Government, we have not been able to create any right climate for cultural affairs in the country. The representations in all these academic bodies are also to be thought, as a matter of fact, not necessarily just on par with the Governments and other such institutions. In such matters, such academic bodies, largely constituted of non-officials and learned persons, should definitely have more representation.

Coming to the second point, about the greater control of the Central Government, I must admit that while I see that this new power that is be-

ing given to the Central Government may go to improve the museum, I do also feel that it is fraught with dangers also. I would point out that we have not been able to create the right type of climate for such academic matters. What happens in the Ministries is that the power given to the Central Government is generally exercised not necessarily by the Minister or the Secretary, but by some insignificant unintelligent section officers who deal with the point and then it goes on gathering support from senior officers. In certain Ministries I have heard—I have heard it on authority—that it is not only the Minister and the Secretary but there is a third body called the 'Ministry' itself, which has an opinion of its own and which propagates its own opinion and sometimes even the Minister and the Secretary have to succumb to that point of view placed by that so-called Ministry. Now because of these factors, I would rather beg of the Minister that whatever power we give should be used with care because the hon. Minister himself knows that it was in the case of the National Museum itself that a very eminent scholar and an academic man, who is well known as an eminent Director of a big Museum of India, was brought in but he did not find a wholesome climate in Delhi and within a month and a half back he went back to his own job. I know of a very eminent place, I mean an office, of the Government of India, which used to be held regularly by eminent historians at one time, has been going abegging now for the last 10 years and no eminent scholar is willing to come to Delhi. This is a very sorry state of affairs.

I would also point out that this question about the directives on matters of policy gives rise to some misgivings. I wonder sometimes the question as to who should be appointed a Director, would be deemed to be a matter of policy. I am afraid we are still having a fascination for the white skin and as the saying goes in Hindi, any good man of the place is just

a jogia and anybody coming from outside is a Sidh, similarly; anybody with a white skin coming from outside is an expert. We have to think of training our own men. Instead of calling experts from outside, we should get hold of some competent men, send them abroad and get them properly coached up. Then it will be a matter with the right spirit. What I submit to the hon. Minister is, that while in these matters we may not be very much opposed to giving the Government some additional powers, I would beg of him to ensure that these powers are used with discretion and not misused at the hands of some petty Section Officers who may do much more harm, as has been going on in many important Departments of the State.

Dr. H. N. KUNZRU: Mr. Deputy Chairman, Sir, the mover of the Bill referred yesterday to a commission appointed to enquire into the condition and administration of the museums in the country when Maulana Abdul Kalam Azad was responsible for the subjects which are now included in his portfolio. At that time it was feared, it was rumoured, that legislation might be introduced to reduce the autonomy of the Board of Trustees of the Indian Museum but an assurance was given by Maulana Azad that this was not the intention of the Government and that it wanted to introduce legislation only in order to remove certain defects. The mover of the Bill, who was at that time Secretary to the Government of India in the Ministry of Education, is also reported to have said that the Government intended, instead of reducing the powers of the Board of Trustees, to increase them. The Trustees were naturally gratified to hear all this and asked that before the contemplated legislation was brought forward, they should be given an opportunity of seeing the Bill and expressing their opinion on it. It will be admitted by the mover, I am sure, that the Bill before us, whatever its merits, does not increase the autonomy of the

Board of Trustees. It may not take away their powers but it certainly does not add to them.

The misunderstanding that has arisen in connection with this Bill is, I fear, due to the fact that the request of the Trustees that they should be shown the Bill that the Government wanted to introduce in Parliament before its introduction, was not complied with. I have no doubt that Shri Kabir, with his keen interest in all cultural matters relating to India, did whatever he could to make the provisions of the Bill understood by those who could be expected to be interested in it but this misunderstanding that I have referred to persists because of the failure of the Government to let the Trustees of the Indian Museum see the Bill before its introduction in this House.

Now it will be admitted that the Board of Trustees has done its work very efficiently and consequently the Board naturally feels that the main provisions of the Bill to which the Minister has drawn our attention, are in a way a slur on the capacity of management of the Board of Trustees and on the account they have so far given of their stewardship. I am sure that it is far from the intention of the Minister to cast any slur on the work that the Board of Trustees have done so far, but what has caused misapprehension is the power now proposed to be taken by the Government to issue directions on matters of policy. If the Minister had taken the trouble to tell us in his opening speech what the questions of policy that he had in mind, perhaps the fears in the minds of the Trustees and the Asiatic Society of Bengal would have been allayed. One of the apprehensions entertained in some quarters was that the exhibits in the Indian Museum might be required by Government to be transferred elsewhere, and this apprehension persisted in spite of the fact that the Indian Museum was to be a National Museum, it was to be a regional Museum relating to Eastern India.

SHRI HUMAYUN KABIR: National Museum . . .

DR. H. N. KUNZRU: Of a regional character?

SHRI HUMAYUN KABIR: No.

DR. H. N. KUNZRU: It was still to be a National Museum? Then there was no reason to have this apprehension, but this was not clearly understood. Besides, I should like myself to know as to what those questions are which are matters of policy and on which the Government might have to issue directives to the Board of Trustees. If this is clearly stated, much of the misunderstanding created by the Bill might be removed. Then there is the question of the rules to be framed. The Minister proposes to place two amendments before the House which, I hope, will allay the fears that are being felt by those interested in the Indian Museum. If the Board of Trustees are asked to express their opinions about the rules and are given an opportunity to express their opinions before any directive relating to a matter of policy is issued, the objection to the Bill in its present form will be greatly reduced, but I have two suggestions to make for the consideration of the Minister. One relates to the composition of the Board of Trustees. He has already said that a suggestion was made to him that the Government of West Bengal should be allowed to have one representative . . .

SHRI HUMAYUN KABIR: More.

DR. H. N. KUNZRU: . . . More. I personally think that in view of the interest taken by the Government of West Bengal so far in the Indian Museum, it would have been desirable had the Minister seen his way to accept this suggestion. It is true, as he has now stated, that one of the members to be nominated by the Central Government will be a person representing commerce and industry,

and will thus be a representative of the region in which the Museum is established.

SHRI AKBAR ALI KHAN: According to the amendment, he will be nominated in consultation with the Government of West Bengal.

DR. H. N. KUNZRU: It is good so far as it goes but the Minister has not told us as to why he could not have one more representative of the West Bengal Government on the Board of Trustees.

Another suggestion that I have to make with regard to the composition of the Board is that Government should state that the four persons to be nominated by it will be non-officials. It is true that in the past Government have nominated persons interested in cultural matters to this Board and that they have been non-officials, but now that the Bill has been brought forward, the Minister would not have gone out of his way had he assured us that the persons whom he would nominate will be non-officials who are interested in cultural matters.

The other suggestion that I have to make relates to the framing of the rules. He has told us that there ought to be rules for recruitment, etc., of the employees of the Museum. With that view, I entirely agree, but, in view of the fact that the Trustees of the Indian Museum have discharged their duties efficiently so far, would it not be desirable to ask them to frame the rules and send them up to Government? Even now, the rules that are in force have, prior to their enforcement, been approved by the Government of India. If the same procedure were followed, and if the Board were allowed to know beforehand that there were certain matters to which the Government of India attach importance, would that not serve the purpose of Government?

SHRI HUMAYUN KABIR: It is already provided for. I have already stated that.

DR. H. N. KUNZRU: Would that not have served the purpose of Government as well as the move now proposed of drawing up the rules? It is true that the Board of Trustees will now be consulted with regard to the rules, but I was suggesting that we may, in the first instance, ask the Board to draft the rules which would require the approval of the Government of India before they came into force.

SHRI K. SANTHANAM (Madras): Mr. Deputy Chairman, I have had the privilege of visiting the Indian Museum. It is no doubt a fine institution. The Statement of Objects and Reasons says that, "subject to the availability of funds, it is proposed to step up the pace of development of the Museum and to make it a full scale National Museum for the Eastern Region of India". If we read the Bill, it amounts practically to nationalisation, and I may even go further and say, centralisation of the Indian Museum at Calcutta. I do not agree with the previous speaker that according to the rules the existing autonomy is going to be preserved.

DR. H. N. KUNZRU: I did not say that.

SHRI K. SANTHANAM: If even the recruitment of servants of the Museum is to be done by the Central Government, I fail to see where . . .

SHRI HUMAYUN KABIR: I will ask the hon. Member to read the Bill. The Central Government is not recruiting anybody.

SHRI K. SANTHANAM: The recruitment and the fixation of conditions of service of officers and other employees appointed in the Museum shall be regulated by rules made by the Central Government.

SHRI HUMAYUN KABIR: It will be provided in the rules.

SHRI K. SANTHANAM: It will be the Central Government which will say as to who should be appointed as

the Secretary. The Central Government will also provide by rules as to how recruiting committees shall be appointed. In my view, Sir, this amounts to nationalisation and Centralisation of the Indian Museum at Calcutta. I do not object to it on principle, but it is said that this is going to be the National Museum for the Eastern Region of India. I do not know what conception of the "Eastern Region" is in the mind of the Minister. I believe, and it is generally understood, that the Eastern Region of India consists of Bihar, Bengal, Assam and Orissa. Am I correct?

SHRI HUMAYUN KABIR: Roughly. Manipur and Tripura are also there.

SHRI K. SANTHANAM: If that is so, why are not the Governments of Assam, Bihar and Orissa represented? In fact, this is to be a Museum of the Bengal Government supported by Central funds. Sir, every State should have a Museum. In many States, there are museums. I would like the Central Government to encourage every State to have a proper Museum and assist it. They should not be converted into National Museums in this sense. The Government of India is already building a National Museum in the city of Delhi. I think it should be content with owning and running a single Central Museum and concentrating its funds on this effort and encourage and aid the States to have State Museums. It is not wise on the part of the Central Government to gather too many white elephants under its sole protection. One certain effect of this Bill is that more and more funds would have to be borne by the Centre, by Parliament, for the support of the Museum. Instead of that, we should limit our commitments as much as possible and allow the Bengal Government and the Asiatic Society to run the Museum as they have been running it so far. Why should the Central Government take this under its wings? It is open to the Trustees now to say, "Now this is an entirely Central Government creation. We will not collect any funds

[Shri K. Santhanam.]
for it. It is their business to provide all the funds". In that condition, it becomes a liability to this country. I thought the Minister was saying that this is "one of the National Museums". Presumably, he is contemplating the establishment of National Museums elsewhere, probably one in the Western Region and one in the Southern Region. It is no doubt a very commendable idea, but I am afraid that in the name of planning we are dispersing our resources. Museums are important, and I am not here to give the idea that Museums should not be encouraged, but, Sir, I think, the time for development of very large scale Museums is to be ten years, fifteen years, twenty years hence, when the country is in a position to afford them. At present, all that will be done is to have Museums which we are not able to develop and for which we are not able to devote sufficient funds. So, I would earnestly plead with the Government that they should be content with developing the Delhi Museum and leave the Calcutta Museum to the Asiatic Society and the West Bengal Government and other Museums to other State Governments and other public agencies. They should be like benevolent helpers and they should not seek to control them. Let us look at the number of persons connected with the Government of India who are to be on this Board. The Governor of West Bengal who is the nominee of the President of India; Secretary to the Government of India; the Accountant General, West Bengal, who is a Central Government officer, four persons to be nominated by the Central Government. Sir, it is practically a board of Central Government officers, and, therefore, it can be only called a Central Government Museum and not an autonomous Museum. All these persons are bound to act under the instructions of the Ministry over which the hon. Minister presides. I do not see why it should not be left to a proper body of non-officials, the Government of India being content with rendering more assistance. I

strongly object to this policy of gathering more and more white elephants which the people and the Government of India are not in a position to maintain in a proper condition.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2-30 P.M.

The House then adjourned for lunch at four minutes past one of the clock.

The House reassembled after lunch at half-past two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

SHRI BIREN ROY: Mr. Deputy Chairman, I have heard the speech of the hon. Minister and he has confidence in assuring us on the various points of which we are afraid. Before coming to those points I would mention about the question of red-tape and officials which was raised by the second speaker, Dr. Raghubir Singh, from the other side of the House and I reciprocate the view that he has taken. I cannot, however, understand how an astute politician like Mr. Santhanam could in this House state that this kind of a Museum in Calcutta and other museums that may come into being are 'white elephants'.

Sir, the hon. Minister should have brought in a National Museum Act instead of bringing in an amendment to the Indian Museum Act because, as we now find, troubles will arise about the states and status of the Eastern Region, about states in other Regions, about control of states from Delhi and so on. It would have been far better if this measure had come in the form of a National Museum Act taking within its purview all the Indian Museums—the one that exists in Calcutta, the one that is coming into being in Delhi and also a Museum in the South at Madras and another in Bombay—and not terming them as the Museums of such and such region because we have not yet got used to regions at the present moment and we

do not know into how many more regions we may be divided in future.

Sir, the hon. Minister stated while bringing in this amendment—he has also stated it in the Statement of Objects and Reasons—that it is proposed to amend the Act in order to reorganise and improve the administration of the Museum. We do not understand what has happened. We have not been given a picture as to how the standard of administration went down and that, therefore, it has got to be toned up. And how is it to be toned up? There is not much of an amendment except that he has brought down the number of trustees from 18 to 11 which he has tried to justify. I do not quite follow it because I find that the persons who have been eliminated, namely, the Director, Geological Survey of India, the Director, Zoological Survey of India, the Director General of Archaeology and the Superintendent, Archaeological Section of the Museum, will be represented by the Secretary to the Government of India in the Ministry concerned. Why Secretary? Why should it not have been the Director General of Archaeology? That is his subject. Instead of the Secretary, he should have been there. Perhaps he will say, 'All right; the Secretary can delegate his powers'. And everybody here, it seems, will have to delegate his powers. Because the Governor of Bengal would not always come to attend the meeting. He may have to delegate his powers. Then there is the Mayor. He may come or he may not come. He may be busy and may not be able to attend every meeting. Then, Sir, it is difficult to understand who will call the meeting. Will it be the Chairman? There is no provision here as to who will act as Secretary. As the hon. Minister stated, since the Asiatic Society is practically the sponsor of this Museum from the very beginning, I think their nominee should be officially designated as *ex officio* Honorary Secretary of this body, you can have a paid Secretary too in addition.

Now, out of the 11 members, four are to be nominated by the Central Government and one person is to be nominated by the Government of West Bengal. He has conceded—he has practically stated—that this Museum has so long been administered and controlled by the Asiatic Society and the Government of West Bengal, of course, with a non-official body. Now the question is, out of the four persons to be nominated by the Central Government, he says one of them would be conceded to the West Bengal Government just because he has had discussions with the hon. Chief Minister of West Bengal and that person will have to be from the commerce and industry section. What have commerce and industry got to do with the running of a Museum which is going to be a National Museum? Unless Dr. Roy as usual has in his mind to get a Birla or a Jalan or his protégé K. K. Roy, to be nominated, I cannot understand that. If the hon. Minister wants to concede one more seat to West Bengal, there should be stated an additional seat be given to West Bengal—to that I agree. I have not understood how the hon. Minister, who had told us in the House, that he could control everything by the rules, could do so. Anyway I would suggest that two of the four persons from the Central Government quota should represent this Parliament, one from the Rajya Sabha and one from Lok Sabha and two others will be non-officials who are either big archaeologists or who know about the organisation and administration of museums or may be historians.

Now, coming to the other points, under clause 10 he is inserting a new section 12A and in 12A (2) he says that the decision of the Central Government, whether a question is one of policy or not, shall be final. What was the use of this section 12A? He will immediately explain that it will also be in consultation with the trustees; as could be seen from an amendment sponsored by him to clause

[Shri Biren Roy.]

12, where he has inserted these words in consultation with the Trustees, in the proposed new section 15A. That will then read: "The Central Government may, in consultation with the Trustees, by notification in the Official Gazette, make rules to carry out the purposes of this Act." But this phrase 'in consultation with the Trustees' is not found here in new section 12A. Why does he not put in that expression here also or delete 12A(2) altogether? West Bengal is always shown practically a step-motherly attitude. We know the Minister is not all powerful; even the rule-makers are not under Parliament and things may change. We do not know what will happen. The Indian Museum Act can be amended once again within an hour. And that is why I suggested that there should have been a National Museum Act because an amendment in such a case would affect not only one museum but all the national museums. Here it is only the Museum in Bengal and in the case of Bengal anything might happen. That is our fear and that fear, however much he may try to explain, will be there. I do not think he will be able to appreciate it because after all he is not really a politician; he is a research scholar. He is a good man and we sympathise with him and his position but he will not be able to satisfy us on that point.

Now, in the new Section 15A it is said under (d):

"the conditions subject to which the Trustees may deliver possession of any property in their possession to any other person."

And he tries to justify this by saying that because a person has got the power to acquire, he must also have the power to dispose of. My goodness! The object of acquiring the collection is to keep it, to preserve it but not in any case to dispose of the property. No Sir, not under any circumstances this should be allowed, even if there

is unanimity, why should anything be disposed of? For lack of space? If there is lack of space, money must be found to have further buildings and other things and the museum should certainly grow. The Museum should not be cut down into bits. It should not be used as the thin end of the wedge, so that the best things from there are suddenly removed here to Delhi. I know that many big institutions of Calcutta have already been removed to other parts, which I will mention in the course of the Budget debate. This is not the occasion and so I am not going into that subject. But the point is that he will not be able to preserve anything. He can only try to change the policy to the detriment of this institution and not for its betterment. That is my objection to this Bill. I hope he would at least take the following suggestions into account, namely, the Asiatic Society's member should be the *ex officio* Hon. Secretary of the body and as he has agreed with them, the West Bengal Government should be allowed to have a second member as an additional member, and of the four non-official members to be appointed by the Central Government, two should be Members of Parliament.

SHRI SANTOSH KUMAR BASU (West Bengal): Mr. Deputy Chairman, my hon. and esteemed friend, Mr. Santhanam, is to be congratulated on his very brilliant discovery that a white elephant is lurking behind the innocent looking provisions of this Bill. He has not made it clear whether the white elephant is a dead animal or it is alive. If dead, it can very well find an abiding place in the spacious show cases of the Indian Museum itself. If alive, it can find suitable accommodation in the zoological gardens of Calcutta. Certainly I do not see how this Bill can be utilised for characterising the present Indian Museum or the future museums that are to come into being as white elephants. I do not know whether my learned friend's recent

visit to Assam has made him elephant-minded. In any event, it is a far cry from the Indian Museum to a white elephant and I am amazed that a leading public man like Mr. Santhanam has characterised museums as white elephants, as if culture has got no place in the economy of this country.

SHRI K. SANTHANAM: May I offer a word of explanation? I intended it only as a costly undertaking. A proper museum is bound to be a very costly undertaking.

SHRI SANTOSH KUMAR BASU: Cost can be incurred in respect of everything else, but not in respect of the advancement of culture. If that be the view of my hon. friend, I bow down, but I differ from it very strongly and very effectively, if I can.

Now, Sir, coming to the provisions of the Bill itself, I find that there is a far-reaching and fundamental departure from the present constitution of the Board of Trustees. It has been pointed out that the present Board of Trustees have not been formally consulted. At least courtesy demanded that it should have been done. I do not know whether individual members of the present Board of Trustees have had any opportunity—even if only individually, privately or semi-officially—to have consultations with the hon. Minister before this Bill was framed and formulated in his Ministry. In any event, we have got to decide the merits of this Bill by the provisions that have been presented before us. If the Government were convinced that the management and administration of the Indian Museum, as at present done by the present Board of Trustees, required thorough overhauling, I do not think that the Minister would have been deterred from undertaking even that unpopular task, if necessity demanded it. At the same time, I must pay a tribute to those who are holding the place and managing it for such a long time with efficiency and care. Therefore while

passing this Bill in this House we ought to take this opportunity of saying a word of thanks and congratulations to the large number of non-official members, with a cultural tendency and bias, who have done this work on behalf of the country in the cultural field.

Now, Sir, coming to some of the other provisions of the Bill, I find that the long catalogue of experts and scientific specialists, who form the Trustees of the Indian Museum—some of them at any rate—do not find any place in the present constitution for example, the Principal, Government School of Art, the Director, Geological Survey of India, the Director, Zoological Survey of India, the Director General of Archaeology and the Officer in charge of the Industrial Section of the Museum. Now, rightly the hon. Minister has pointed out that they could not find time to attend the meetings of the Indian Museum's Board of Trustees. That might be a very good reason for refusing them representation on the Board itself. At the same time, they are really the backbone so far as the cultural and educational side of the Museum is concerned. They are the persons who are to organise public meetings, in their respective subjects, which draw large gatherings. And they are the persons who give a scientific bias to the activities of the Indian Museum. Therefore, I should have thought that, although not on the Board of Trustees, they should have been given some statutory place in this institution either as a body of consultants or as a consultative committee, or something of that character, whom the Trustees would be obliged to consult from time to time in order that the proper functioning of the Museum from the scientific point of view might be effective and efficient. If there had been enough time, I would have given an amendment to that effect. But there is hardly any time. The hon. Minister's amendments came very late. Otherwise, I would have framed my amendment. At the same

[Shri Santosh Kumar Basu.]

time. I would request him to see that, while framing the rules, these scientific experts are given some kind of statutory or semi-statutory place in the management and administration of the Indian Museum, because theirs is very largely the part that has got to be played if this institution is to function as it has been doing so long.

Then, there are two other matters to which I should like to draw the attention of the House before I resume my seat. Now, the hon. Minister has considered this matter from different points of view and he has found that some alterations and additions have got to be made in the body of the Bill as it has been presented before the House. Clause 10 seeks to provide by way of amendment, the Central Government with powers to issue directions to the Trustees. It reads:—

“In the discharge of their functions under this Act, the Trustees shall be bound by such directions on questions of policy as the Central Government may give to them from time to time.”

The hon. Minister has given an amendment to this which says:

“Provided that the Trustees shall be given an opportunity to express their views before any direction is given under this sub-section.”

Now, undoubtedly the Trustees will be given that opportunity, but the decision of the Central Government whether a question is one of policy or not shall be final. Somebody has got to take the final decision. I concede that. At the same time, what are the questions of policy, as Dr. Kunzru raised the question. I would like to have some indication from the hon. Minister as to what are the questions of policy. It may be a question of policy that certain exhibits from the Indian Museum, Calcutta, should be removed to some other national Museum. This particular Museum has,

for the first time, been called a regional Museum in this Bill. So long, as I knew it, the Calcutta Museum was the Indian Museum. Today we are told that it is a regional Museum or regional National Museum.

SHRI HUMAYUN KABIR: That is not correct. It is a National Museum for the eastern region.

SHRI SANTOSH KUMAR BASU:

It is a National Museum for the eastern region. It was the Indian Museum so long. Now, to this aspect of the matter Mr. Santhanam has drawn pointed reference and I am glad that he has done so. But I cannot certainly agree to his further point that it should be reduced to the status of an West Bengal Museum. From the Indian Museum it has become a regional museum, and then from Mr. Santhanam's point of view, it is the West Bengal Museum or the Calcutta Museum. I am not prepared to go down so far. If it is going to exist as a regional Museum and if it is the policy of the Government that some of these exhibits should be removed to some other Museum and that this particular Museum should confine its exhibits to the region itself, thereby limiting the bounds of knowledge, if that becomes the policy, I do say that it will be a retrograde step if the Trustees have got no final voice in such a matter.

In this connection I come to the other amendment which the hon. Minister has put forward, namely:

“15A (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(d) the conditions subject to which the Trustees may deliver possession of any property in their possession to any other person.”

Now, Sir, apprehensions have been expressed on the floor of the House that this might be the thin end of the wedge, that this might result in the removal of the very valuable treasures in the Indian Museum at Calcutta to other parts of the country. This apprehension is not altogether baseless. I might tell the House that after Sir Ashutosh Mookerjee's death, when his most valuable collections were presented by his heirs to the National Library, they made a stipulation that no part of those collections should be removed from the National Library at Calcutta. I suppose the same kind of stipulation had been attached to Sir Jadunath Sarkar's collections which have been a very valuable treasure in the National Library. So, this apprehension is there, and I would suggest to the hon. Minister that the sub-clause "the conditions subject to which the Trustees may deliver possession of any property in their possession to any other person" may be qualified with some such provision as "with the unanimous agreement of the Trustees". If the rules provide that any question of removal of exhibits must be decided with the unanimous agreement of the Trustees, then the sting will be taken away considerably, and the apprehension which is lurking in the minds of many people with regard to the Indian Museum will be removed satisfactorily. (*Interruption.*) Sometimes it so happens that some particular organisation wants a loan of some exhibits for an exhibition, and the Trustees have got to make their decision as to whether that organisation is fit to be given even temporary custody of these exhibits. Even that also would require a decision by the Trustees, so that whatever the occasion, it should be done with the unanimous agreement of the Trustees—unanimous not partial. That is what I ask the hon. Minister to provide in the rules if it is not possible to do so in the Act.

With these observations I commend the Bill to the acceptance of the House.

SHRI P. N. SAPRU (Uttar Pradesh): Mr. Deputy Chairman, I am rather disappointed at the fact that in the Third Plan draft there is hardly any reference to Museums. I am also disappointed at the fact that the question of Museums has been treated very cursorily in the Second Plan. I hope that these drafts are not indicative of lack of interest on our part in cultural matters.

Sir, I note that a Committee was appointed some time back which was called the Expert Museum Survey Committee, and its recommendations were approved by the Central Advisory Board of Museums. This is an illuminating document which has a great deal to say about the place of Museums in national life. One grievance in regard to this Bill is that the Trustees of the Asiatic Society have not been consulted. I am rather sorry that this should have been so because I am sure that the old Trustees have discharged their functions very well. Everything changes and the constitution too must change. Therefore, a constitution which was suitable in 1910 is not found suitable in 1960.

I find that the number of Trustees has been reduced from 18 to 11, and four of them will be appointed by the Central Government. I find that so far as the British Museum is concerned the Lord Chief Justice is the Chairman, and the functioning of the Museums is largely or almost entirely in non-official hands. I hope that these four persons will be non-officials. Also, Sir, I would like Parliament to be associated with the cultural life of this country, and, therefore, I should have welcomed a proposal somewhat to this effect that two or three of the members of the Board of Trustees shall be Members of the Rajya Sabha and the Lok Sabha nominated by the Chairman or the Speaker, as the case may be.

[Shri P. N. Sapru.]

Sir, this Museum has been described as the National Museum of the Eastern Region. Well, I hope that this does not mean that its position is going in any way to suffer. All I think that that word "region" indicates is that it is contemplated that there will be more such museums in the country. That is as it should be. We want the country to become museum-minded. That we want in order that there might be scientific and cultural development of this country.

Then, Sir, I should like greater autonomy to be given to the Board of Trustees. I know that the prevalent view is that the Central Government must have the power of giving directions to the autonomous organisations set up by Parliament. But I rather think that these directions make these autonomous institutions function with the leading strings of the official hierarchy. We have in Mr. Humayun Kabir, a Minister who is genuinely interested in cultural matters, but we cannot always be certain of having Mr. Humayun Kabir as our Minister, and who knows what the Secretaries of the Government of India or the Under Secretaries or the Deputy Secretaries or the Joint Secretaries might think in regard to any particular matter. Again, Sir, this provision regarding policy matters is a very vague one. Of course if you have a provision like that, it follows automatically that the deciding authority must be the Government. The proviso is a logical sequence of the provision that policy matters shall be decided by Government, that Government shall have the power to dictate to the Trustees what a policy matter is.

But why should there be this 3 P.M. distrust of the Trustees? After all, these Trustees are eminent persons. There will be the Governor of West Bengal; there will be a representative of the Government of West Bengal and there will be four representatives of the Central Government. They should be able to

function in an independent manner. I should have liked a provision to the effect that the Chief Justice of West Bengal shall also be a member of the Board of Trustees. I think that the judiciary is interested in cultural matters. At any rate, if it is not, it should be interested in cultural matters. And in the late Sir Ashutosh Mookerjee, you had an institution. You know what an enormous interest he had in the development of the cultural and scientific life of this country. I should, therefore, think that an effort should be made before this Bill leaves the House to liberalise this measure. I am certain that the intention of the Minister is that the measure should be worked in a liberal manner. But I think that the letter of the law is sometimes more important than the intention. There is a legal saying that the devil knoweth not what is in the mind of man. Therefore, I would like that some greater autonomy should be given to the Board of Trustees. I also think that it is important that the manuscripts and exhibits in this Museum which we have come to regard as a centre of great pilgrimage should not be removed from that Museum without the unanimous assent of all the Trustees. There should be some provision to that effect. Bengal is entitled to that protection because by founding this great Museum in Calcutta, the Asiatic Society and the people of Bengal have given the lead to other States in regard to cultural matters. We would like to preserve the important position which this Museum occupies in the cultural life of this country. There is a genuine apprehension—may be an unjustified apprehension—that Ministers who might follow Mr. Humayun Kabir will not respect the feelings of Bengal to the same degree or in the same manner as he, I am sure, does. Therefore the position in regard to this matter should be clarified.

Then, Sir, I think the rules should be framed by the Trustees themselves. They should be subject to confirmation by the Central Government. I am

prepared for some such proposal as that but the initiative in regard to the rules must come from the Trustees themselves. Therefore, if we have this principle in mind, the new section 15A—clause 12—will have to be worded somewhat differently.

I think that it is desirable to encourage these national museums. We want to have regional museums; we want to have State museums and we want to have local museums. And I was rather glad that a suggestion was made from Benches opposite that there should be a National Museum Act.

I hope, Sir, that the Minister will take note of the various suggestions that have been made and will, to the extent that it is possible for him to do so, liberalise the measure before it leaves this House.

SHRI AKBAR ALI KHAN: Mr. Deputy Chairman, while I fully share the compliments paid by Mr. Sapru to other friends to the able mover of this Bill, I am constrained to say that he has not given sufficient thought to this measure and I would very strongly recommend to him to withdraw this Bill and bring it before the House in a better and a more comprehensive form.

In his opening speech, he has made two fundamental propositions. One is that he wants the constitution of the Board of Trustees to be changed. In other words, we have to be satisfied with the present constitution of the Board of Trustees with the members serving for years and years, has not come up to the standard that he or the Government desired. The second fundamental proposition that he has made is that he wants to finish the autonomy of that body. So he has to justify his proposals and satisfy us that there are reasons why the Central Government should interfere so drastically in the matter and try to take more or less all the powers in the hands of the Central Government. Before he satisfies us on these two points that the previous body has

not been able to do things in the way that we desired and it has not come up to the mark, it would be very much to expect from Parliament that we should go and change fundamentally the constitution of an institution which has been held in great esteem for so many years. Though it has been in Bengal, at Calcutta, it has been dealt with as a National Museum of first class importance. Sir, from 1910 we have been having this Indian Museum Act, but this Act is confined to this National Museum of Calcutta only. So, that is one ground why I think this matter requires very serious consideration.

The other reason why I ask for the withdrawal of this Bill is that this Board which consists of eminent people and against whom we have got nothing to say, has not been consulted. The Chief Minister of West Bengal has been consulted and other Ministers also, I suppose, have been consulted. Perfectly right. But I think there was a priority. These Trustees had a greater claim to be consulted than any other people. And in a matter like this which affects them directly, if their experience is not taken advantage of, I think it is wrong and there will be no harm if you postpone the Bill and get the advice and opinion of those people. Similarly, the Asiatic Society people have had a very good connection with and attachment to this Institution. They also have not been consulted. Well, I am sure the Minister would have received very valuable suggestions they had been consulted. So, we can ask the Minister to withdraw the Bill and get the opinion of these two important bodies and then bring forward a comprehensive Bill before us. More than that, last but not the least, there is this question. Is not still the time to have an all-India Museum Act? We have got in India also about a hundred museums. Of course, compared to Britain, where there are about a thousand museums, and to the United States which has got about 1,500 museums, we are poor. But is

[Shri Akbar Ali Khan.]

it not time to take into stock all these museums and then bring an Act in which we can have, of course, the National Museum, museums of some regions and the State museums and so on and so forth?

Is there anything in this Bill to promote the educational and cultural value of this institution or the museums in general? That is a great thing. Since the World War, there is a great movement. There is a museum movement at every place. These things are taken advantage of to educate the people and to create greater interest in the culture of their country.

I think, Sir, now it is some years since the Salar Jung Museum of Hyderabad had been taken over by the Government of India. Then there is the Delhi Museum, and, as I submitted, there are other museums of quite good importance. And after thirteen years of our independence we are asked to consider a proposal which is an incomplete and halting proposal and to give our opinion. I would say that it would do away with all sorts of misgivings and apprehensions that have been given vent to by some friends, Mr. Santhanam and others, if we have one National Museum Act taking into consideration all these factors, at the same time having the opinion and advice of the Asiatic Society also, the advice of the present members and the Trustees; we will be in a better position, in a stronger position, to give our opinion.

I would not go into any details, I would not go into the amendments that my learned friend—the hon. Minister—himself has brought forward. With these observations I would request him to withdraw the Bill. There is nothing wrong in it. It has been introduced in the Rajya Sabha. If it had had approval of the Lok Sabha, probably it would have been a matter for us to consider whether

he should withdraw it or not. But presently I see no harm. That is the general consensus of opinion from this side as well as from that side.

DR. RAGHUBIR SINH: It can go to a Select Committee also.

SHRI AKBAR ALI KHAN: If we would go with these limitations, the Select Committee will not be able to do much. I would like a National Museum Act to come, of course, with due recognition of the Indian Museum, Calcutta. That is our treasure. That is not only Bengal's treasure. That is Indian treasure. If there are treasures in this country in any part, let us also preserve them. Let us also do our best to see that all the interests are safeguarded and the best advantage is taken of these things in improving the educational and the cultural activities of our country. With these observations, Sir, I would humbly request the mover of this Bill to withdraw it and come with a comprehensive Bill.

SHRI SANTOSH KUMAR BASU: Arising out of my friend's speech, may I just ask one question? Now that the Indian Museum has been in existence for a number of years. Here is an Indian Museum Bill and there is no harm in passing this measure as it is. This does not prevent the Ministry from bringing in another Bill with regard to other museums also.

SHRI HUMAYUN KABIR: Mr. Deputy Chairman, Sir, I find that except my hon. friend who spoke last everybody else was generally in agreement with the Bill even though there have been suggestions here and there. My hon. friend, who spoke last, has obviously not cared to study the provisions of the Bill and probably he does not know much about the working of the Indian Museum.

SHRI AKBAR ALI KHAN: I have seen the members of the Reviewing Committee. I know of certain attempts to control the directors . . .

SHRI HUMAYUN KABIR: While I am speaking, the hon. Member should not interrupt. I never interrupted him while he was speaking and he should allow me to continue.

There has been only one constructive suggestion from him, namely, that there should be one comprehensive Indian National Museums Act. I do not know how, when a number of museums have grown in different regions in the country and to some of which we have already given the status of national museums, they can all be lumped together. There is the Indian Museum which has developed in the course of almost a hundred years or more. It has a history, a particular kind of constitution and a particular kind of organisation. Then there is the Salar Jung Museum which we have taken over about two years ago and for which the Bill is ready, which I hope to be able to introduce during the current session. Then there is the National Museum in Delhi. I have made it clear more than once that they are all national museums, but national museums situated in different parts of the country.

DR. RAGHUBIR SINH: What about the Prince of Wales Museum in Bombay.

SHRI HUMAYUN KABIR: That is not yet a national museum, because it is the museum of the Government of Bombay. We have had discussions with them too but nothing conclusive has resulted so far. Therefore, to lump them all together and have some kind of a new National Museums Act, in which the old and the new, with different developmental history, with different backgrounds and different organisations will be lumped together is not a thing which I can understand. I do not understand how this suggestion could have been made seriously. It seems that either I was not able to make myself very clear when I spoke or perhaps the hon. Members were not listening or

perhaps they were not present in the House. I certainly take my own share because I have not been able to convey it to the hon. Members of the House. That is certainly my failure.

I find suggestions made again and again about objects not being removed from the Indian Museum. In my introductory speech I made it perfectly clear that under the rules we are providing nothing shall be removed unless there is unanimity among the Board of Trustees. Therefore, I do not know why so much stress was placed on this fact and I was requested to do something which I had already done. Similarly suggestions were made by some hon. friends in regard to things which I had already referred to in my opening speech and for which I will move three amendments with your permission. I shall deal with the various points raised by hon. friends, with all of them if time permits. However, I will begin seriatim.

A fear was expressed that if *ex-officio* members are allowed to depute somebody in their place, this might lead to a position where persons of comparatively inferior status might attend the meetings of the Museum. We have tried to safeguard against that in two ways. One is that the Governor is the Chairman and there is no question of anybody else being the Chairman. Secondly, somebody else can attend only by the previous approval of the Chairman in writing. This will ensure that if the Mayor, for example, cannot come, he would probably send his Deputy Mayor or the Chief Executive Officer. If the Vice-Chancellor cannot come, he sends somebody who is responsible. If the Secretary of the Ministry concerned cannot come, he will send somebody who is competent. It is in this way that we have tried to ensure against the fear expressed by some hon. Members.

There was another point which was raised again and again by a number of hon. Members, namely, consulta-

[Shri Humayun Kabir.]

tions with the Indian Museum authorities and the Asiatic Society authorities. It would not be correct to say that there were no consultations at all. I admit that the draft Bill was not given to them before it was introduced, but the substance of the proposals have been under discussion for a long time. Also, some time before the Bill was introduced, there was correspondence in June/July. The Board knew what changes were coming and what the general line of those changes was. And as soon as the preliminary drafts were made, the substantial changes were communicated to them before the Bill was introduced in the House. Some of them have also indicated their views. The Asiatic Society have indicated their views which I mentioned in my opening speech and I also indicated to what extent I was in a position to accept them.

The Society made two suggestions of which I have accepted one. I could not accept their second suggestion. The suggestion was that in case of a difference in respect of matters of policy between the Government and the Trustees, it should be referred to the Supreme Court. But to that suggestion an adequate answer has been given by my friend, Dr. Sapru who, as a lawyer, knows that in the matter of directives, the Government cannot be subject to anybody excepting Parliament. It is Parliament and Parliament alone which can give the Government any directive about policy. It is neither the Supreme Court nor any High Court.

(*Interruption*).

Sir, I have dealt with the three major points raised by Dr. Bose with regard to the question of there being proxies and the question of depletion of the Museum. About the depletion of the Museum, as I have already stated, there is no such possibility and more so when the rules provide that there shall be unanimity before

any object can be given even on loan. At present, strictly speaking, the Trustees do not have the legal power of giving anything even on loan, and if they give anything, as they have given at times, it is not, strictly speaking, according to law.

Then my hon. friend, Dr. Raghubir Singh, spoke of a comprehensive Bill or a national plan.

DR. RAGHUBIR SINGH: I did not say 'comprehensive Bill'. I only said 'comprehensive plan'.

SHRI HUMAYUN KABIR: Well, Sir, I have indicated that it is our aim to see that there are national museums in different parts of the country. India is such a vast country that the idea that there will be one national museum in Delhi only and nowhere else will not work. (*Interruption*.) I am stating the policy; I am not criticising my hon. friend there. I think he and I will be in agreement that there should be in different parts of the country national museums fully equipped and able to serve the people and by their very existence they will be centres of education, learning and culture.

My hon. friend pleaded for additional representation for the Asiatic Society, but in my opening speech I have already indicated that the Asiatic Society will have one member out of 11. In the past they had one member at first out of 21; later on, one member out of 18, and to that extent I do not think that there is any justification for any addition to their strength.

Then, Sir, about this policy directive there has been a lot of discussion. I have been asked by many hon. Members as to what this policy directive means. The policy directive, I expect and hope, will never be issued. It is just like a reserve power so that if any such situation arises, the Government might have the power of issuing such policy

directives. It is a general kind of reserve power and, as I have stated in my opening speech, if at any time such a policy directive is to be issued, it will be done subject to the consent of Parliament. I have also provided that before any question of issuing a directive arises, the Trustees will be given an opportunity of expressing their views, and that will be part of the Act itself, so that to that extent any fears in this respect would be quite unfounded. This was also the suggestion which Dr. Kunzru had made, that the Trustees should be given an opportunity of expressing their views before any such directive is issued. I am providing for that by my amendment of which I have already given notice.

Then, Sir, there was the question of additional representation for the Government of West Bengal. I hope that my hon. friend, Dr. Kunzru, will agree that when the Government of West Bengal themselves are satisfied with the present state of affairs and do not want any further representation, we in this House need not give it to them.

Then he expressed his wish, and very correctly so, that the nominees of the Government of India should, as far as possible, be experts. I entirely agree with that view. Some opinion was also expressed that there should be Members of Parliament. Now these two views have to be reconciled. I do know that in this House and also in the other House there are some hon. Members who are experts and I hope some of them may be there on the Board of Trustees in their capacity of experts. Incidentally, they will also serve as a link between Parliament and the Board. But I hope that the House will agree that Parliament as such need not be represented on such learned bodies.

Then, Sir, with regard to the framing of rules, I have already provided that in framing these rules the Trustees will be consulted. A suggestion was made that the Trustees

may frame those rules and the Government may improve upon them. Now, Sir, this term 'in consultation with' is a fairly wide term, and it is a matter of detail as to who will frame the first draft. The main point is that these rules will not be framed till the Trustees have had some opportunity of expressing their views and till in fact they have helped in shaping the rules themselves. Then they will be placed on the Table in Parliament and they will remain here for a period of 30 days during which hon. Members can make any suggestion that they like for improvement or amendment, and all these things will be taken into consideration.

Then with regard to the points made by Mr. Santhanam, whom I do not find here at the moment, I don't think I need speak much because other hon. Members have disposed of most of his arguments. I may only say that I was rather surprised when he made certain statements about the Government taking charge of this Museum. This Museum has always been a Government of India Museum and, therefore, there is nothing new which is now being done. From the very beginning. Sir, it has been a Government of India Museum. Probably my hon. friend, who is usually a very careful lawyer, did not in this case study his brief.

Then, Sir, I come to Shri Biren Roy's observations. He raised the question about members not being able to attend and all that. Well, if members do not attend, nothing can be done. There are cases here also where hon. Members of this very hon. House do not always attend. But we are providing that, as far as possible, they should attend and that is why in the case of certain busy officials we are also providing that there will be substitutes.

Then he made a statement which, I thought, was amazing, that the Indian Museum had been run by the Asiatic Society and the Government of West Bengal. This certainly was

[Shri Humayun Kabir.]
news to me. There was also a suggestion, I think, by my friend, Shri Santhanam—Shri Biren Roy also repeated it—that they should manage it. I need not say that the hon. Member knows that the Asiatic Society makes no contribution whatsoever and, in fact, as a learned society it is itself in receipt of certain grants without which it cannot function. It had one member in the past out of 21. At present it has one out of 18 and in the future it will have one out of 11. The Government of West Bengal makes, I believe, a donation of something like Rs. 8 thousand to Rs. 10 thousand. Now if my hon. friends think that the Indian Museum, as a National Museum can be run with a budget of Rs. 10 thousand a year, well, I can only say that Finance Ministers of all countries in the world will come to them for advice and find out how national museums are to be run. The present budget of the Indian Museum is in the neighbourhood of Rs. 1,60,000. I have no doubt that it will go up. My hon. friend, Mr. Santhanam, was apprehensive that it might go up. Well, in a growing economy and in a country where education, science and culture are spreading, these expenses over museums must gradually increase.

Then, Sir, my hon. friend, Mr. Santosh Kumar Basu, raised certain points but, I believe, I have covered all of them. I will only make a remark about one statement which he made and which I could not understand. I could not understand why he went on saying that the Museum had been reduced to a regional museum, especially when it is clear from the Statement of Objects and Reasons, from my opening speech and from this reiteration in this House that all the national museums will be of equal status. It is this kind of suggestion which creates a certain amount of doubt and misgiving in the minds of the

people. But I am sure that was not my hon. friend's intention.

SHRI SANTOSH KUMAR BASU: All that I wanted to say was that this idea of a regional museum had found some place for the first time in the Statement of Objects and Reasons of this Bill.

SHRI HUMAYUN KABIR: I have already stated that there will be a number of national museums in the different regions of India, because in a vast country like India there cannot be one national museum alone.

Then I come to the remarks of my friend, Dr. Sapru. I think I have replied to all the three points which he mentioned. I was very glad to find that he supported the idea of more national museums in different parts of the country. In fact, I visualise that a time will come when, apart from these great national museums in the different regions of the country, there will be a State museum in every State and also there may be a museum in every district. Some beginning in that direction has been made, and when we have made sufficient progress in that direction, the time will then come for bringing forward a Bill which will be about the organisation and the set-up and the relation between different museums. But the great independent museums even then, I feel, will probably have to be administered according to their own special Acts.

With these words, Sir, I commend my Bill for acceptance by the House.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Indian Museum Act, 1910, be taken into consideration."

The motion was adopted.

MR. DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill.

Clause 2—Amendment of section 2

SHRI HUMAYUN KABIR: Sir, I move:

"That at page 1, lines 18-19, after the words 'Central Government' the words 'one of whom shall be a representative of commerce and industry chosen in consultation with the Government of West Bengal' be inserted."

The question was proposed.

SHRI BHUPESH GUPTA: Sir, here you will see that this provides for 4 persons to be nominated by the Central Government. The hon. Minister, after coming back from Calcutta and having made some comments to the press and having met the Chief Minister of Bengal, has introduced an amendment. He says, "One of whom shall be a representative of commerce and industry chosen in consultation with the Government of West Bengal". I could have understood it if he had just said 'one of whom shall be chosen in consultation with the Government of West Bengal'. He adds 'a representative of commerce and industry.' Everybody knew it that Dr. Roy had made the suggestion to him and it was stated in the papers, I think. He was just now saying that Parliament gave him the directions. After introducing the Bill in this House, he met the Chief Minister of Bengal. A suggestion was given, some bargaining went on—I believe sometimes bargaining is good and I am not opposed to it as such—but then, he suggested that a representative of commerce and industry should be there. I do not know why the Government of India should restrict its choice—it may consult the Bengal Government—by statutorily restricting its choice and confining it to a representative of commerce and industry. Just now he was stating that a Member of Parliament can come into this body as an expert. Here, of course, the representative of the Chamber of Commerce would not come as an expert. He would come just because the Bengal Government would suggest his name and he would come. The question of his being an

expert or not does not arise at all. I do not know what this representative of commerce and industry has got to do with a museum. This is a tendency in our State. Your State does not suffer from it. Always, wherever you find a committee formed, a representative of commerce and industry comes in. If it is dancing, a commerce and industry man comes in. In Rabindranath Centenary a commerce and industry man comes in, in Museum a commerce and industry man comes in, in acrobatics a commerce and industry man comes in . . .

SHRI BIREN ROY: In elections also.

SHRI BHUPESH GUPTA: In that they come directly. Why should it be like that? My friend was saying here, 'Would it be a Jalan or a Birla put here?' You will see it. I can give 10 names privately in an envelope and in the representatives appointed you will find one out of that list.

SHRI BIREN ROY: Only four will be enough.

SHRI BHUPESH GUPTA: He can give 4 even. I can give 10 names and you will find one of them out of that list.

SHRI AKBAR ALI KHAN: What is the harm if such an important organisation is given a representation?

SHRI BHUPESH GUPTA: You do not say that of the organisation of commerce and industry. I do not see what they have to do with this. They can go in for big money, for profiteering, for the Finance Ministry and so on. I think they are now encroaching on the Ministry of Cultural Affairs here. Therefore I would like the hon. Minister to consider this because I want this thing to be exposed. I think the hon. Members should take note of this. I have no objection to the Bengal Government being consulted and if two people are given to them, I have no objection. The choice should be open. You can say that a representative should be appointed in consultation with the West Bengal Government. He may be a

[Shri Bhupesh Gupta.]
commerce and industry man or may be somebody else. That choice the Government should retain in its hands. Why should the Government or the Minister submit to this kind of thing? It demoralises. First of all you are taking away from the Board the archaeologists and others who were there in the name of reducing the number of officials. We do not quarrel with officials as such but certainly we would not like an important archaeologist to be replaced by a man of commerce and industry in the matter of museums. I cannot understand this kind of thing. He smiles, it seems, but does he realise that he permitted himself to doing something which is incomprehensible to good sense in this matter? You kindly get it deleted.

SHRI SANTOSH KUMAR BASU: My hon. friend has evidently forgotten that in the existing Act, there is a provision for representation of the Bengal Chamber of Commerce.

SHRI BHUPESH GUPTA: The English did it.

SHRI SANTOSH KUMAR BASU: The reason behind it was, running a museum of such a superior order requires money and that money cannot be supplied by persons about whom my learned friend is thinking. So far as Dr. B. C. Roy is concerned, had his name not been mentioned in the House, probably my friend's objection would have been reduced to a considerable extent.

AN HON. MEMBER: He is allergic to that name.

SHRI SANTOSH KUMAR BASU: Like King Charles's head it had to be brought in every time by my friend—the name of Dr. Roy. The only reason why commerce and industry has to be represented is that they are a fruitful source of funds which are required for running an institution of this kind.

Secondly, there is a large commercial section in which exhibits are collected relating to commerce and industry and that is an important section of the Indian Museum exhibits. Therefore I would suggest that it is a very salutary provision that commerce and industry should be represented on the Board of Trustees so that they can give necessary and effective advice on that particular aspect of the function of the Museum.

SHRI BIREN ROY: Will he state how much the British Chamber of Commerce paid to this Museum?

SHRI HUMAYUN KABIR: I think the reasons are obvious and my friend Shri Basu has given the arguments why there should be some representative of commerce and industry. I think it is better in this way that we have a representative of commerce and industry. My hon. friend has no hesitation in giving a complete *carte blanche* to the Government of Bengal . . .

SHRI BHUPESH GUPTA: To the Central Government.

SHRI HUMAYUN KABIR: To the expression, "one of whom shall be chosen in consultation with the Government of Bengal" he has no objection. Therefore if his amendment is to be accepted, that is far wider. On the contrary I am keeping the choice of the West Bengal Government restricted to the industrial people in a consultative capacity. The Government of India will have a voice in these cases. I say that in the running of museums like this, especially as there are sections like the industrial section and particularly an art section and because under the art section not only fine arts come but also industrial and commercial arts and these are continuously expanding, I do not think there should be any objection to this representation being given.

SHRI BHUPESH GUPTA: How much money you got from the industry and commerce?

SHRI HUMAYUN KABIR: We will get from them in the future.

DR. H. N. KUNZRU: I would like to know how the Secretary of the Board of Trustees will be selected. Is he to be selected in accordance with the rules made by the Central Government or are the Trustees going to be allowed to appoint him? He may be an honorary Secretary in which case the Board should be allowed to elect him.

SHRI BIREN ROY: I suggested in the beginning that the Asiatic Society Member should be the *ex-officio* Secretary.

SHRI HUMAYUN KABIR: That is not acceptable to me but it will be done under the Rules. I do not rule it out. It may be a member of the Board but it may also be otherwise. It will be provided under the Rules.

MR. DEPUTY CHAIRMAN: The question is:

"That at page 1, lines 18-19, after the words 'Central Government' the words 'one of whom shall be a representative of commerce and industry chosen in consultation with the Government of West Bengal' be inserted."

The motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clauses 3 to 9 were added to the Bill.

Clause 10—Insertion of new section 12A

SHRI HUMAYUN KABIR: Sir, I move:

"That at page 3, after line 29, the following proviso be inserted, namely:—

'Provided that the Trustees shall be given an opportunity to express their views before any direction is given under this subsection.' "

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 11 was added to the Bill.

Clause 12—Insertion of new section 15A

SHRI HUMAYUN KABIR: Sir I move:

"That at page 4, line 3, after the words 'Central Government may' the words 'in consultation with the Trustees' be inserted."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 12, as amended, stand part of the Bill."

The motion was adopted.

Clause 12, as amended, was added to the Bill.

Clause 13 was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI HUMAYUN KABIR: Sir, I move:

"That the Bill, as amended, be passed."

The question was proposed.

DR. H. N. KUNZRU: Sir, the Minister has made it clear that the Secretary of the Board of Trustees will

[Dr. H. N. Kunzru.]

be appointed under the rules to be made by the Central Government. May we take it that he will not be appointed by the Central Government itself and that the Board of Trustees will be allowed to appoint him under the conditions prescribed in the rules?

SHRI BIREN ROY: When it is a question of making the rules, it is also a question of practically appointing him. It is already in the Bill that the Governor of West Bengal would be *ex-officio* Chairman. That is why I suggested in my speech that the Member representing the Asiatic Society of Calcutta should also be the *ex-officio* Hon'y. Secretary. That would have solved the whole problem.

SHRI SANTOSH KUMAR BASU: I just wanted to say this that so far as the Secretary is concerned, it is very important that he should be an officer appointed by the Board of Trustees. Arranging meetings, calling of meetings, etc., will be in his charge, and if unanimity of decisions is very vital and important in certain respects, then the calling of meetings and securing the presence of the members is also very vital in that connection. Therefore, the Trustees should have the power under the rules to be framed by the Government, to appoint the Secretary.

SHRI HUMAYUN KABIR: I thank the House for passing the Bill with only those amendments which have been moved by me, and for the general support it has given to the measure.

I would like to re-assure the House on two points about which doubts have been raised. One is about the Secretary. It is not the intention of the Government to appoint the Secretary. In fact, Government cannot appoint the Secretary after this Bill is passed; the appointment would have to be made by the Trustees according to the rules framed for the purpose. Government will come only at the stage of framing the rules, and those

rules, as already provided for in the Bill, will be made in consultation with the Trustees and they will be placed before Parliament. Once they have been approved and have become part of the constitution of the Indian Museum, then appointments will be made thereunder. I cannot anticipate but it is my expectation that perhaps the Secretary will be a whole time officer. One of the major drawbacks from which the Museum has suffered till now is the absence of a whole time officer. As I said, I cannot anticipate it, but it is my hope and expectation that there will be a whole-time officer who will look after the Museum and will be under the authority of the Trustees.

I would like to add one more word. I find that there is a desire in the House that the Asiatic Society might to be given one more representative. In the nomination by the Central Government, at least in regard to one, I propose to consult the Asiatic Society. I have already said that one of the nominations will be done in consultation with the West Bengal Government, and at least in the case of the first Board of Trustees I can give you the assurance—I cannot bind my successor, but so far as the first Board of Trustees is concerned, I can give you the assurance—that one of the four Trustees to be nominated by the Government of India will be nominated in consultation with the Asiatic Society. This, I hope, will satisfy all the Members.

MR. DEPUTY CHAIRMAN: Even under the Act as it is, the Board of Trustees can appoint the Secretary and other officers.

SHRI HUMAYUN KABIR: Yes, even now they can.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.