

ing the Railway Budget speech in the other House. But at least one of the Deputy Ministers could have come here and laid it on the Table of the House. I am sorry that this thing should have happened—scant courtesy to the House. I expect better courtesy.

THE MINISTER OF RAILWAYS (SHRI JAGJIVAN RAM) : Sir, I was going to preface it myself. There was no intention at all to show any discourtesy to the House, and if it has any feeling like that, I apologise to the House. But it arose, Sir, as a result of some misunderstanding on the part of the Deputy Minister. He was informed by some authority that it could be laid only after it had been presented in the Lok Sabha

MH. DEPUTY CHAIRMAN: It was on the Order Paper that the Railway Budget would be laid at 1 o'clock. In fact, normally we do send word to the hon. Minister, and I did send word this morning.

SHRI JAGJIVAN RAM: I say, Sir, that it has been as a result of some misunderstanding. And I myself rang up Mr. Mukerjee to ascertain the convention.

MR. DEPUTY CHAIRMAN: Anyway, I expect that such a thing would not happen again.

SHRI JAGJIVAN RAM: It would not happen in the future. And for the present, Sir, I express my apology to the House.

MR. DEPUTY CHAIRMAN: You may lay it on the Table now.

SHRI JAGJIVAN RAM: Sir, I beg to lay on the Table a statement of the estimated receipts and expenditure of the Government of India for the year 1959-60 in respect of Railways.

THE CINEMATOGRAPH (AMENDMENT) BILL, 1958—continued Clause 4—continued

SHRI AMOLAKH CHAND: Mr. Deputy Chairman, I have moved my various amendments to clause 4. I am now referring to my amendment No. 5. It seeks to omit 'the words "or having the film examined in the prescribed manner" from clause 4(1). In clause 5A the wording used is "If, after examining a film or having it examined in the manner provided in this Act..". What I am trying to suggest is that the same wording should be used in both the clauses. There should be no conflicting words, which only create some confusion. Therefore, Sir, I suggest that the hon. Minister should accept only one kind of wording, of course, whichever he thinks to be better. My amendment No. 6 also suggests that particular thing.

Then, Sir, I come to my amendment No. 7. By this amendment I have suggested that two weeks' time should be mentioned. This can be done by adding the words 'within a period of two weeks of the receipt of the intimation' after the word 'matter'. The reason is that when you give any notice to a person or to a representative of some industry to make his observations, it is necessary that you should prescribe some time-limit. Therefore, Sir, I have suggested this two weeks' period, and I feel that that will help the Board to come to an early decision.

Then, Sir, regarding the advisory panels it is said "_____ each of which shall consist of such number of persons, being persons qualified in the opinion of the Central Government. ..". Now, Sir, there is no limit as to how many persons are going to be there on the advisory panels. When we are making these specific provisions, I feel, Sir, that the number of persons should not exceed seven. That is all that I have to say.

SHRI ANAND CHAND: Mr. Deputy Chairman, I am glad that the hon.

[Shri Anand Chand.] Minister has accepted in essence, or I might say, in principle, the amendment which I have got here. He has stated that the only difficulty that stands in the way is that there are not enough children's films for which a separate classification could be provided in the body of the Act itself. Now, Sir, I would like to submit in this connection, that so far as my amendment goes, it seeks to add cultural and children's films. Of course, at the present moment we have not got enough children's films for this classification to be really effective, but what I am going to submit is that laws are not amended every now and then. It is only after some time that these amendments are brought forward before the House. Therefore, Sir, if we realise some necessity for having such a kind of classification in the Bill, I do not see why the hon. Minister should have any objection to incorporating this amendment there.

Now, Sir, as for cultural films, I would like to say that there was some discussion about these films yesterday also. So far as I have been able to find it, 'culture' really means, if I might quote from the Oxford Dictionary, training and refinement of the mind, tastes and manners', i.e. the intellectual side of civilisation. Therefore, Sir, I submit that it is not an easy thing to find out what, a cultural film really is. Probably, Sir, there would be some difficulty in placing that nomenclature in the Act. My reply to that point is that already there are certain films which have been admitted as cultural films. I find that there were certain films like '*Mother India*', '*Jhanak Jhanak Payal Baje*' and '*Do Ankhen Barak Hath*' which had even been exempted from the tax levied by the Government.

DR. B. V. KESKAR: Not on cultural grounds alone.

SHRI ANAND CHAND: I accept that position. But I feel that there would be no difficulty in providing ,

for such a kind of classification in the Bill, which would do much good to the people. In the case of children's films, of course, the obvious advantage would be to the parents of children and also to their teachers and others. They would be able to know that they are children's films because, they would be dubbed as such. So, they would certainly have something to gain by those films. Now there might be some difficulty to follow them for there might be some subtle distinction in the matter of interpretation. But if the hon. Minister feels that there is some basis in my amendment, it can be differently worded to suit his point of view. That is my submission, and I do not think that there can be any harm done if this amendment of mine is accepted, because as I submitted, we do not make these amendments every now and then, and if the object is laudable, it might be accepted. That is all that I have to say.

DR. H. N. KUNZRU: Sir, I support the amendment that has been moved by Shri Anand Chand. It occurred to me, Sir, when I read the amendment, as it did to the hon. Minister, that there were only a few children's films, probably only half a dozen of them. This is unfortunately true at the present time. But their number can be increased in two ways which I ventured to suggest to the hon. Minister some time ago when we had the general question of children's films under discussion. He referred to one of them himself, and that is that prizes should be given to the best children's film that was produced, not by the Children's Film Society, but by the ordinary picture-makers. I think that way the thing can be encouraged and it is not necessary, Sir, that the production of children's films should be confined to the Children's Film Society. I think others too should be encouraged to produce films suitable for children and this would be one way of doing it. I think the hon. Minister, when Mrs. Munshi's resolu-

Hon which he referred to yesterday, was under discussion here, said that Government would be ready to pay the cost, in whole, of the first good film and about 75 per cent, of the second good film or' to the good film next year and half the cost the third year. I do not know what happened to that scheme. I ventured to suggest then too, that there should be more than one prize and that it should be given every year. It may not amount to the entire cost of the production of the film. It may amount to only about half or one-third of it. But if this encouragement is given, it is quite possible that those who are engaged in the film industry may produce films that are suitable for children. Again, Sir the .hon. Minister of Information and Broadcasting said it himself that it was suggested to him that children's films should be exempted from "the entertainment tax. It is true that this tax is levied by the States and that the Central Government cannot interfere in this matter. They cannot compel the States to forego this tax In the case of children's films. But even the little success that has attended his efforts makes me hope that if he keeps on trying, his efforts may be more successful in the near future.

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I come now to the subject of cultural films. My hon. friend Shri Amolakh Chand asked the hon. Minister in charge of the Bill how guidance could be given to the producers of films. Well, Sir, whatever may be the difficulties in the way of defining a cultural film, if Government gave, say, a certificate or small prize, to persons who produce cultural films^ films that will be both interesting and instructive, it is quite' possible that the exhibitors at whose mercy the producers are at present, may consider it worth while to show ' these cultural films also. At the present time, a good film may be produced, but the exhibitors with their conventional ideas, may refuse to show the film. I do not say that a cultural film will necessarily be

successful, it may not. As I said yesterday, some of the films that were regarded as very good, those which received the;first prize in this country or internationally, found no favour with cinema audiences, and had therefore to be withdrawn. But there are instances also of films which the exhibitors refused to show at first, but were shown afterwards when the merit of those films was recognized by the Government concerned. I think, therefore, that there iG a cway of encouraging the production of cultural films. Their number i may not be very large, but to the extent that we can help in the production of such films, I think we should do so. When such films are produced and are shown to approving audiences, I have' nd doubt that the demand for them will increase. The public has perforce, to see pictures many of which are far from satisfactory! But if it can have opportunities of seeing good films, it will then be able to distin-r guish between what is first-rate and 6econd-rate or third-rate. That is the only way of improving the public taste and enabling or bringing the pressure of public opinion to bear on those people who want to make money at the expense of the society, at the expense of our young men and our children, who believe in individual gain at the expense of the nation. I hope for these reasons, Sir, that the hon. Minister of Information and Broadcasting will consider this amendment moved by my hon. friend Shri Anand Chand favourably. Even if the number of cultural and children's films may be small, the acceptance of this amendment can do no harm whatsoever. On the contrary, it will do some good to society and to that extent the hon. Minister concerned will be entitled to our gratitude.

SHW V. K. DHAGE (Bombay): Sir, I will not, take more than two minutes. I rise to support the amendment moved by Shri Anand Chand and I feel there is a great necessity even now to have the provision in the law to classify

[Dr. B. V. Dhage] pictures as cultural pictures and children's pictures. To my mind, the classification for children's pictures is even more urgent than that for cultural pictures. Whatever the position with regard to the production of children's pictures in India be, so far as the Children's Film Society is concerned, it does not look at the problem from the commercial point of view, but only from the point of view of providing entertainment, and as such, they do not intend to make any profit. And they will not be able to produce as many pictures as are probably needed. Nevertheless, the Ministry can certainly think in terms of encouraging private producers as has been pointed out by Dr. Kunzru, to produce children's pictures. There must, therefore, be the possibility or provision in the law for classifying pictures as children's pictures.

There is another point which I would like the Ministry to consider. While the Children's Film Society has not been able to produce enough number of such pictures, they have another programme of acquiring pictures from outside and dubbing them into Hindi or into any of the regional languages. I understand that this Society has done some dubbing in pictures that were acquired for nominal prices from countries that are well-known for producing children's pictures. If that be so, then it is an additional reason why we should have that classification of children's films incorporated in the law itself and I do not think that the Ministry will find any impediments in the acceptance of this proposal.

Coming to the question of cultural films, I remember to have seen a film in the Minister's house, produced, I think, by Mrs. Arundale. That could be classified as a cultural picture. That picture was something which could really be called cultural. It was really entertaining and educating.

SHRI V. PRASAD RAO: Do you mean to say that the other pictures are uncultural?

SHRI V. K. DHAGE: We are now talking in terms of separate entities, like adult films separately, cultural films separately, etc.

SHRI V. PRASAD RAO: You can say films for adolescents.

SHRI V. K. DHAGE: Yes, if you can have that classification, I will not oppose it.

I think, Sir, that pictures of that type should be encouraged so that we can advance in that direction.

With these words, Sir, I support the amendment moved by Mr. Anand Chand.

SHRIMATI RUKMINI DEVI ARUNDALE: Mr. Deputy Chairman, I would like to say a few words about what I feel in regard to this subject. I do not really know what is meant by children's films except perhaps that the idea is to entertain children. I would like to say that although it is true that the film is one of the most important media of education, not only for the education of the children but the education of the grown-ups also—and let me say that we need to be educated also just as much as the children—I do feel that it is much better to have few productions that are excellent than to have mass production. I do not think in our country the artistic capacity has developed well enough to be able to do justice to the art of the film. I also think, since I have had much to do with education and children, that it is not a very good habit to encourage everybody wanting to be entertained every single day by films and so on. There are also other entertainments like drama, music and so on and all these have to be included. These produce as important an effect upon the mind of the audience as films.

As regards cultural films, I do not understand what is meant by the words "cultural films". Nobody has mentioned films of nature. Amongst the foreign films, one of the most outstanding productions is that of

Walt Disney. Some of his productions of nature are something marvellous and outstandingly beautiful. I think Walt Disney is a person in the West just as Einstein is in the scientific world and incidentally here I might mention that such films would have a tremendous effect both on the grown-ups and upon the children. Nature films should be encouraged far more. We should not think of films only in terms of human beings acting in them.

DR. H. N. KUNZRU: But that is nobody's idea. We do include natural films in cultural films.

SHRIMATI RUKMINI DEVI ARUN-DALE: I know but I just wanted to emphasise a little bit more strongly. I also want to emphasise that such rare films like Walt Disney's which are rich in quality should be presented in different parts of the country with the commentaries in the Indian languages because I think we must make exceptions even with regard to foreign films, films which we want dubbed in our own languages. Such films will be very useful for our children because we cannot quite equal that artistic perfection.

With regard to the cultural films, I also want to say that every film ought to be a cultural film. I cannot think of a separate cultural film. What I define as culture is that which is harmonious to our aesthetic sense, which does not jar us, which ennobles us; which inspires. As long as it inspires us and as long as it is aesthetically pleasing, I consider that to be a cultural film whether it is on a religious subject or a natural subject or a social subject or a historical subject. It does not matter what the subject-matter is; it is the way that it is produced that makes up for culture, not what it is produced of. In this connection, I might mention religious pictures. If we object to some religious pictures being very crude and vulgar it is because of the way it is produced not because of the subject. Somebody said yesterday that we should not

have love scenes at all. I know something of *Natya Shastra*, and *Sringara Rasa* is supposed to be the most important part. If that is taken away, I am afraid it is going to certainly become very uninteresting but it all depends upon the kind of *Sringara Rasa*. You can portray Krishna and the Gopis but it all depends upon whether you want to make Krishna like you or whether you want to be like Krishna. That really makes all the difference. When I say cultural films, I would like people to keep in mind the fact that culture is something which must be in every film in the quality of it and there can be one group of films called cultural films which include films on music, on dance and the other allied subjects.

In this connection, I would like to say that the present film industry does not merely corrupt human character by the stories and the acting and the vulgarity of it all but it also corrupts art, for example, music and dance are much corrupted by the films. I know in South India in many homes when marriages took place, they used to play the *Nadhaswaram* before the marriage begins but now-a-days they have cinema music instead. The loudspeakers that shout these most horrible songs are supposed to be the auspicious beginning for marriages. You can see how much the film has invaded the ordinary daily life of the individual.

I would like to mention now about the crime films. I am very happy to hear the Minister saying that certain foreign films are appalling and I agree with that but, Sir, let us also consider amongst crime films, the films perpetrating crime on animals. I saw the other day a picture containing scenes of bull fighting. You may say, "After all, what is there in bull fighting?". People do not know what bull fighting is. It is not just two bulls fighting with each other but it is just one of the most horrible and cruellest sports in the whole world. In Western countries, particularly in America, they do not allow this. In Cuba—even though

[Shrimati Rukmini Devi Arundale] people there are of Spanish origin, they have abolished this bull fighting. If you go to Spain, the biggest building you will find is the bull fighting ring. In India it might be a cinema house but there the most important and the biggest building is the bull fighting ring. I saw such a film, the other day and I think that such films will add to the number of crimes in our country because if people are encouraged to see such cruelty, then later on they will be inclined to see cruelty being done to human beings as well. Since it is very important to educate the young and the old in aesthetic sense,—we also want to have humane education—this type of pictures must be avoided.

Incidentally, we are emphasising so much on children's films but actually the children are less corruptible than youth. It is the young men and women of the college-going age that are influenced most by the films, especially the cheap vulgar films. I think we should, when we are discussing children's films, plan to provide the sort of flints that are most inspiring and at the same time enjoyable so far as the young men and women of this country are concerned.

These are the few points that I wanted to bring before the House and, of course, I am very happy to support the amendment.

DR. B. V. KESKAR: Mr. Deputy Chairman, I might say that there is some misunderstanding in Mr. Amolakh Chand's mind so far as his amendment No. 5 is concerned. He wants the examination and other procedures to be gone through by the Board and not be left to the panels. The whole question boils down to a practical question. The Board will have up to nine members. There are about 500 or 600 films or even more sometimes to be examined—I am taking the documentaries and all the rest of it—and it is physically impossible for the Board to get the films examined, ed. The Board has to take the help of

a body of people to help it in examining the films and advising it. Therefore taking out these words would take away quite a big part of the proposed Bill itself. I am not, therefore, able to agree to this amendment.

3 P.M.

Mr. Amolakh Chand has also proposed that in the Act itself we should lay down "within a period of two weeks of the receipt of the intimation". Now, Sir, time is always given; there is no need to put down in the statute itself a small period. In fact, instead of two weeks more time might be given—even four weeks—and there has never been any complaint that sufficient time has not been given. And sometimes, not once but twice time is given. So this kind of limitation of the time to a particular period in the Act itself is not going to serve the interest of the person who wants to appeal or who is aggrieved. I do not think therefore that practically this will be of much use or will be of any help to the producer who is aggrieved.

The other amendment of Mr. Amolakh Chand is also related to the first one. He wants to restrict the number of members of the panels to seven. Now, in my speech I gave an idea to the hon. Members that the work before the panel is so big and the procedure is such that a film has to be seen by an examining committee of three to four members; after that if the producer is aggrieved there is 3 revising committee in which practically all the members of the panel available sit and there is a special revising committee which may be called in if the producer so desires. And just as Prof. Wadia mentioned yesterday if we ask seven people to see 200 films continuously, I think it is asking too much of them. So the number will have to be large enough. It has also to be large enough in order to see that a cross-section of the society—lawyers, doctors, journalists, social workers, 1 educationists etc.— is available and turn by turn all of

them see films. Therefore, it is not practical to suggest that the number should be restricted to seven. I am, therefore, not able to accept this amendment.

As regards Mr. Anand Chand's amendment, as I said in the course of the debate I am in sympathy with the object of his amendment. After hearing carefully the speeches delivered by my hon. friend, Pandit Kunzru and Mr. Anand Chand, while I am entirely for encouraging children's films and even cultural films, I am not convinced that simply creating two categories—cultural films and educational films—is going to encourage both these things. As has been mentioned by some hon. Members the word 'cultural' will require to be defined and there might be a lot of controversy as to what is a cultural film and what is not. If we want to encourage these two types of films, the mere creation of two categories will not serve the purpose of encouraging them. Rather the concrete suggestion of Pandit Kunzru that we should give certificates of merit or prizes or some such thing is more likely to serve that purpose. I am, therefore, not able to accept his amendment, not because I am against the objective proposed, but because I am doubtful whether the particular objective will be achieved by simply creating these two categories, in the censorship stage, of films which are called children's films or cultural films. In fact, there is a proposal—and I think it is a useful one—that certain films should be declared, not by the Censor Board but by Government, as educational films which, therefore, can enjoy certain privileges. Now, that can be done and for that we need not load the censors with the additional job of creating these classifications. As I told Mr. Anand Chand before, I will certainly have this examined as to how this objective can be achieved regarding which, both he and I, are in entire agreement.

I now come to the amendments of Mr. Prasad Rao. He has suggested that

the advisory panels should be in regional languages. I think probably he has not understood the composition of the panels as it exists today. The factual position is this. There are three centres in the country where films are produced. Practically 95 per cent, of the films produced in the country are produced in those three centres, Bombay, Madras and Calcutta. All the important studios are there. Stray films might be produced here and there outside those centres. Or it might be that in future some other centres may come up but at present these three centres together cover more than 95 per cent, of the films produced in the country. So the panel will have to work in these three centres; that is inevitable, and what we have done is, we have kept the membership of the panel sufficiently large and the number of members whose mother tongue and knowledge of a particular language is sufficiently high has been prescribed. For example, in Madras a certain number of members must be Tamil-knowing, a certain number Telugu-knowing, a certain number Malayalam and Kannada-knowing. It is possible that we may vary the proportion. But it is not possible to get members from outside because the member has to be available at the regional centre because he has to see films every day. We cannot expect people from outside to come for that purpose. So the purpose that he has in view is fully served by the present composition of the panel. He can certainly suggest that a particular language might be more represented; that can be certainly considered but I do not think that the question of . . .

SHRI V. PRASAD RAO: May I know whether those people who do not understand the particular language of the film will also be there at the time of screening? Supposing the appeal is to a full Board, then certainly many members of the Board may not be knowing the language of the film that is being censored.

DR. B. V. KESKAR: Every committee has got a certain number of people whose mother tongue and

[Dr. B. V. Keskar] knowledge—I am talking of the members of the panel—of the language is the language of the area. For example, in a place like Madras—I am taking a stray example—there are persons who know Tamil and Telugu equally well. Of course, they may not know Malayalam well enough and for a Malayalam film, Malayalam-knowing members are called. It does not mean that every member included is Malayalam-knowing but the Malayalam-knowing people are there in sufficient numbers. My point is, in order to see that the films are effectively reviewed I am prepared to consider any increase in the number of members of particular languages. But his suggestion will not serve the purpose and there is a practical difficulty also. If I put three panels in Madras for each separate language, it will create a good many other problems. There are certain languages in which you have only a few pictures, for instance, Kannada and Malayalam. Large number of pictures are in Tamil and Telugu. So, I think, this composite panel is far better than having a separate panel for each language.

The second amendment of Mr. Prasad Rao is this. He wants the addition of these words "or is likely to strengthen superstition among the people." Sir, I am afraid that this amendment is likely to raise a lot of confusion and controversy. The word 'superstition' itself might have to be defined—it might have been defined in the dictionary—and its definition here is likely to lead to the greatest amount of controversy. For example, we might say that the strong religious beliefs of certain people are superstition.

SHRI V. PRASAD RAO: Also on the moral side decency and other things.

DR. B. V. KESKAR: As you know, religious beliefs are not the same thing as moral things. Moral side relates to questions of behaviour. What you may consider superstition may be a matter of faith with some people. I do not say that there is no supersti-

tion but the question is how to draw the line and whether we should bring in a statute something which might raise controversies so that the courts of law will say that we have enacted a law which is confusing and which cannot be denned. So I am afraid this addition will be a very controversial one and in certain cases its interpretation is likely to hurt the religious feelings of large numbers of people. Therefore, I do not think that for the smooth working of the Act such an addition is desirable. I sympathise with the ultimate objective that he has in view, but I do not think that this addition in such a form, is likely to serve the purpose.

Lastly, he has brought forward the proposal for a tribunal, to which he has referred in his speech and about which I also spoke before. Now, his speech has not convinced me that it is necessary. His main point was that the final appeal should not be heard by an Under Secretary or Deputy Secretary. If I may say so, today in India we are censoring about 250 to 300 films. At the most about two dozen appeals come to Government. In quite a number of these cases I myself see the appeals and very responsible persons are called. I might inform the House that we have here a panel of advisers some of whom are called. Some of them are leading educationists and social workers and even some Members of Parliament. They are called in order to give us their opinion as to what they think when we feel that we are in doubt.

SHRI V. PRASAD RAO: Why not constitute them into a tribunal?

DR. B. V. KESKAR: No, Sir. This is an informal consultation. It is not a statutory committee. If the appeal is to Government, the Government has to give its opinion and the Government certainly has got the right to fortify its opinion in the best way possible. We, therefore, do not get things simply on the opinion of the Under Secretary or Deputy Secretary, but on responsible information. As I said, the question of

expense is there. He might say it is a small expense, but if he will carefully look into the composition of the tribunal, he will find that it is pretty expensive. The producers complain even about the present expenditure, that the procedure is too expensive and the expenses should be reduced. So, I am sorry that I am not able to accept his amendment. That is what I have to say.

SHRI AMOLAKH CHAND: Sir, I beg leave to withdraw my amendments.

•Amendment Nos. 5 to 7, 9 and 10 were, by leave, withdrawn.

SHRI ANAND CHAND: In view of •She assurance of the hon. Minister, I would not press my amendment. I beg leave to withdraw my amendment.

•Amendment No. 8 was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: The question is:

12. "That at page 2,—

(i) in line 23, after the words 'may establish' the words for every language in which the cinemas are produced' be inserted; and

(ii) in lines 23-24, for the words 'advisory panels each of which' the words 'an advisory panel which' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

13. "That at page 3, at the end of line 23, after the word 'offence' the words 'or is likely to strengthen the superstition among the people' be inserted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

•For texts of amendments, *vide* cols. 1121-1122 *supra*.

14. "That at page 3, lines 35-36, for the words 'may, within thirty days from the date of such order, appeal to the Central Government, and the Central Government may' the words 'may, within thirty days from the date of such order, appeal to the special tribunal constituted by the Central Government for the purposes of this Act, and the tribunal may' be substituted."

The motion was negatived.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 4 stand part of the Bill."

The motion was adopted.

Clause 4 was added to the Bill.

Clauses 5 and 6 were added to the Bill.

Clause 1—*Short title*

SHRI AMOLAKH CHAND: Sir, I move:

2. "That at page 1, line 4, for the figure '1958' the figure '1959' be substituted."

MR. DEPUTY CHAIRMAN: The clause and the amendment are before the House.

DR. B. V. KESKAR: This is a procedural amendment and is inevitable. I accept it .

MR. DEPUTY CHAIRMAN: The question is:

2. "That at page 1, line 4, for the figure '1957', the figure '1959' be substituted."

The motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the BUI.

Enacting Formula

SHRI AMOLAKH CHAND: Sir, I move:

1. "That at page 1, line 1, for the words 'Ninth Year' the words 'Tenth Year' be substituted."

MR. DEPUTY CHAIRMAN: The question is:

1. "That at page 1, line 1, for the words 'Ninth Year' the words 'Tenth Year' be substituted."

The motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

DR. B. V. KESKAR: Sir, I move:

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

MR. DEPUTY CHAIRMAN: The question is:

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

The motion was adopted.

THE COST AND WORKS ACCOUNTANTS BILL, 1958

THE DEPUTY MINISTER OF COMMERCE AND INDUSTRY (SHRI SATISH CHANDRA): Sir, I beg to move:

"That the Bill to make provision for the regulation of the profession of cost and works accountants, as reported by the Joint Committee of the Houses, be taken into consideration."

The shape of the Bill, as it has emerged from the Joint Committee, represents the greatest common measure of agreement. It will be evident

from this fact that out of 30 Members who constituted the Joint Committee only three members have signed the two minutes of dissent. It is not necessary for me to dwell at length on the amendments made by the Joint Committee, though I may draw attention to some of the major changes effected. Firstly, in clause 7 of the Bill, the Joint Committee has rightly decided to abolish the distinction between members of the Institute in practice and those not in practice so far as the use of the designation 'Cost Accountant' is concerned. As the House is aware, a similar decision had already been taken in respect of the Chartered Accountants. Secondly, clauses 21 and 33 have been amended and the power of hearing of cases of misconduct of a more serious nature, as well as appeals from the decisions of the Council in comparatively minor cases has been now vested in the High Court instead of in the Central Government as originally proposed. Thirdly, the terms of office of the President and Vice-President in clause 12 have been reduced from three to one year, as in the case of the Chartered Accountants; and the number* of elected members of the Council has been increased from 8 to 12 to give greater weightage in the Council to the elected representatives of the members of the Institute. The other changes made by the Committee are comparatively minor in nature and are either consequential or are intended to improve the language of the Bill.

I may also briefly refer to some of the points made in the minutes of dissent submitted by certain hon. Members which I think require some explanation;

i Shri Dhage has referred to "the concentration of work in a few hands by reason of practice by firms of chartered accountants and the possible development" of similar tendencies in the cost accountancy profession, making it difficult for newcomers to set themselves up in practice. He has mentioned the difficulties of new .. (Mi-