

[Shri Raj Bahadur.]
 have the information but I will collect it, but so far as I know no complaint has been received about he misuse of power.

SHRI H. D. RAJAH: Sir, . . .

MR. DEPUTY CHAIRMAN: Not after he has replied.

SHRI H. D. RAJAH: I only want to know if tipping on horses is allowed under the law.

MR. DEPUTY CHAIRMAN: Order, order. The question is:

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

The motion was adopted.

THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS BILL, 1957

THE MINISTER OF STATE IN THE
 MINISTRY OF EDUCATION AND
 SCIENTIFIC RESEARCH (DR. K. L.
 SHRIMALI): Sir, I move:

"That the Bill to provide for the preservation of ancient and historical monuments and archaeological sites and remains of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects be taken into consideration."

The House will remember that I had given an assurance that I would bring forward a comprehensive measure on this subject. That has been overdue for some time, since the present law is entirely unsatisfactory.

The Constitution has distributed the subject under three heads. There is entry 62 in the Union List, there is entry 12 in the State List and there

is entry 40 in the Concurrent List. Though the Constitution has thus distributed the subject under three heads there is only one law and that is the Act of 1904 which operates. The difficulty with regard to this Act of 1904 is that as far as the State List is concerned, the Act becomes completely ineffective, because the Act of 1904 vests the executive authority in the Central Government and the Central Government is not in a position to exercise authority in view of the constitutional provision which vests such authority in the State Government. Therefore, the Act of 1904 has practically become a dead letter so far as ancient monuments falling in the State field are concerned. The main purpose for bringing out this measure now is that it will now be a self-contained law at the Centre which will apply exclusively to ancient monuments of national importance falling under entry 67 of List I—the Union List, and to archaeological sites and remains falling under entry 40 in the Concurrent List. The Central Government has also advised the State Governments, to enact their own legislation in respect of ancient monuments falling under entry 12 in the State List. In this way we will ensure that there is no overlapping of jurisdiction and no confusion which arose from the Act of 1904. I am glad to say that the State Governments of Orissa and Uttar Pradesh have already enacted their legislation in this matter, and we have been told that Bombay and West Bengal have also prepared their Bills and they would now be introduced.

The present Bill is broadly modelled on the lines of the Act of 1904. It does contain certain new provisions which are intended to overcome certain difficulties which we had experienced in the working of the Act of 1904. I would draw the attention of the House to some of the important provisions.

Firstly, I may point out that in the Act of 1904, the Collector had

been given wide powers and he had a wide jurisdiction and functions to perform. In the changed circumstances, the Collector is naturally responsible to the State Government and he is disinclined to perform certain statutory functions without reference to the State Government. Therefore, it has been considered necessary to give some of these powers to the Department of Archaeology itself and some of the functions which were formerly performed by the Collector will now be performed by the Director General of Archaeology.

Then on the lines of section 3 of the Act of 1904, the present Bill provides for monuments or sites to be declared of national importance by a preliminary and formal notification in the Official Gazette instead of by a law passed by Parliament as is now necessary under the Ancient Monuments and Archaeological Sites Act of 1951. Everytime we want to declare or protect a monument, we had to come to Parliament and pass a legislation.

Now, Sir, after the amendment of Entry 67 of the Union List by the Seventh Amendment to the Constitution in 1956, the Central Government has been given the necessary powers to protect the monuments through a notification in the Gazette. It would be seen that the Act of 1904 had also provided that the Central Government, if it wanted to protect or maintain any particular monument, could enter into certain agreements with the owners of the monuments. Certain conditions were provided under which that agreement could be entered into. It has however been found by experience that some of these monuments which are in private hands are being neglected since the owners are not willing to enter into any agreement with the Government. Now, Sir that creates a very difficult position. The monument is a national treasure and certainly we would not like these national treasures to be wasted. Now, the new Bill provides that where the owner of the protected

monument refuses to enter into such an agreement, the Central Government may make an order for the maintenance of the monument which shall be binding on the owner. Clause 9 makes that provision.

Now, Sir clause 24, gives power to the Central Government to regulate excavations in archaeological sites which are not declared to be of national importance. Now, according to clause 24, "No State Government shall undertake or authorise any person to undertake any excavation or other like operation for archaeological purposes in any area which is not a protected area except with the previous approval of the Central Government and in accordance with such rules or directions, if any, as the Central Government may make or give in 'his behalf.'" Now Sir, the House is aware that from the national point of view it is very important that our archaeological sites should be properly protected. Sometimes, out of ignorance and sometimes out of selfishness, people have been destroying some of these important sites and therefore, it is necessary to give this power to the Central Government to regulate these archaeological excavations and clause 24 makes that provision.

DIWAN CHAMAN LALL (Punjab): Which are the protected monuments which are in private hands for the purpose of which clause 9 of this measure is being approved?

DR. K. L. SHRIMALI: I do not have the list with me but there are quite a number of such monuments and we have had difficulties in arriving at agreements. In Orissa there are a number of monuments in regard to which we have been trying for the last several years to enter into agreements but we have failed. Now, that power of making an order is to be vested with the Central Government.

SHRI AMOLAKH CHAND (Uttar Pradesh): Would the hon. Minister like to circulate the list of these

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monuments that are in the possession of the Education Ministry?

DR. K. L. SHRIMALI: The monuments that are protected by the Act of 1951 are already contained in the Act itself. I may refer the hon. Member to the Ancient and Historical Monuments and Archaeological Remains (Declaration of National Importance) Act, 1951 which was amended in January 4, 1954. There was also another amendment of the Act in 1955 and that gives the complete list.

SHRI P. C. BHANJ DEO (Orissa): I have got one dated 1953—1951, 1953, 1954 and 1956. There are some additions to the protected monuments since 1951.

DR. K. L. SHRIMALI: There are amendments in 1951, 1954 and 1956.

SHRI P. C. BHANJ DEO: I have got a Bill here dated 1953.

DR. K. L. SHRIMALI: I will have to check up with regard to 1953. There were amendments in 1951, 1954 and 1956.

SHRI P. C. BHANJ DEO: I have not been able to find the 1954 one in the Library.

MR. DEPUTY CHAIRMAN: Bill in 1953 enacted into an Act in 1954.

DR. NIHAR RANJAN RAY (West Bengal): The one dated 1953 is a Bill and the one dated 1954 is the Act.

MR. DEPUTY CHAIRMAN: Probably, what you have got is a Bill.

SHRI P. C. BHANJ DEO: But this also contains a list.

MR. DEPUTY CHAIRMAN: May be but that is a Bill.

SHRI AMOLAKH CHAND: If you would permit me, Sir, I shall explain the point that I wanted to raise with the hon. Minister. The monuments

mentioned in the schedules of the various Acts are those monuments which have been accepted by the Government of India but there are other monuments about which the Government of India have not taken any decision. This is the proper time when the Members of Parliament would like to go into that question and decide whether we should accept those monuments or not.

DR. NIHAR RANJAN RAY: This can now be done under a Notification.

DR. K. L. SHRIMALI: I was explaining that certain power has been given to the Central Government for regulating excavations in archaeological sites and clause 24 makes that provision. Now, it has also been noticed that sometimes ugly structures and ugly buildings are put up near the historical monuments and those ugly structures spoil the whole site of the protected area.

Clause 19 deals with restrictions on enjoyment of property rights in protected areas. It says, "No person, including the owner or occupier of a protected area, shall construct any building within the protected area or carry on any mining, quarrying, excavating, blasting or any operation of a like nature in such area, or utilise such area or any part thereof in any other manner without the permission of the Central Government". For example, in Orissa, the temples there are some of the best of our monuments and the best of human creations but if you go round the temples, you find all kinds of ugly structures put up sometimes for selfish purposes. Government have been trying to remove these but the people would not agree and, therefore, this clause has been introduced and this clause gives power to the Central Government to restrict the building operations and also quarrying and excavating or blasting near the monuments.

A new provision has been introduced with regard to compulsory purchase of antiquities and other

objects of historical and archaeological importance on payment of compensation. Our country, of course, is very rich in these antiquities but, sometimes out of neglect, sometimes out of selfish purposes, etc., these antiquities are being destroyed. Now, clause 26 gives the Central Government power in this regard. It says, "If the Central Government apprehends that any antiquity mentioned in a notification.... is in danger of being destroyed, removed, injured, misused or allowed to fall into decay or is of opinion that, by reason of its historical or archaeological importance, it is, desirable to preserve such antiquity in a public place, the Central Government may make an order for the compulsory purchase of such antiquity at its market value and the Collector shall thereupon give notice to the owner of the antiquity to be purchased".

SHRI H. D. RAJAH (Madras): I cannot understand the market value in the case of antiquities.

DR. K. L. SHRIMALI: The market value will have to be assessed.

Then, Sir, sometimes during the process of excavation also some antiquities are discovered. Now, Sir, the Central Government can, in accordance with clause 23(3), "make an order for the compulsory purchase of any such antiquities at their market value." That provision has also been made in clause 28. Then, Sir, the Act of 1951 and section 126 of the States Reorganisation Act, 1956, are being repealed without affecting the declarations made thereby.

Then there are other Clauses according to which the Central Government will have to give compensation, and whenever they are acquiring certain monuments or antiquities, compensation will have to be paid to the owners, and the provision has been made. But it is very difficult to determine how much compensation will have to be paid, because it is not possible to assess the amount of money which will have to be paid, beforehand.

Then clause 38 of the Bill empowers the Central Government to make rules.

Sir, these are some of the important provisions which have been added to the Act of 1904. This makes the law self-sufficient. The Central Government will now be able to look after the monuments which are either in the Union List or in the Concurrent List, and the State Governments have been advised to enact their own legislation for the protection of their monuments. After this Bill has been passed, that confusion which existed in the past on account of this misunderstanding will be removed. I therefore request the House to consider the Bill.

MR. DEPUTY CHAIRMAN: Motion moved:

"That the Bill to provide for the preservation of ancient and historical monuments and archaeological sites and remains of national importance, for the regulation of archaeological excavations and for the protection of sculptures, carvings and other like objects be taken into consideration."

SHRI H. D. RAJAH (Madras): Sir, while generally approving the contents of this Bill there are certain doubts which are not cleared by this Bill, which is supposed to be a comprehensive piece of legislation now brought forward by the Government of India, but at the same time the Minister said that the States are requested to pass similar legislation. There is again a confusing thing in the minds of the people because, when these ancient monuments are to be protected and preserved, I always welcome a single authority. If the Government of India takes over the responsibility and spends enough money on these ancient monuments, that should be enough and then the function of the States will, under a devolution of authority given by the Centre, be to take care of these

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monuments, and there is no use the States again passing legislations which are duplicating and which will create again confusion in the minds of the public.

Then, Sir, when we come to clause 2 (b) (iv) it says, "antiquity" includes any article, object or thing of historical interest." I am not able to know whether "any article" includes statues, much more so when we are all opposed to the perpetuation of slavery in the form of statues which we see all round this country.

SHRI AMOLAKH CHAND: It is there "which has been in existence for not less than one hundred years."

SHRI H. D. RAJAH: Therefore I want to point out that a clarification is necessary and it should read "any article, object or thing of historical interest which has been in existence for not less than one hundred years" but not the statues of foreigners. The Britishers came and squatted here and their history of this country is placed at one hundred years. There are their monuments or rather statues which may come as articles under this sub-section 2 (b) (iv), and you can allow these monstrous things to be perpetuated and allowed to be kept in India in any part. That is a shameful aspect which we should get rid of, I want a special provision inserted in this Bill that the statues of foreigners, in whatever form they may be and anywhere in this country, are not a part of the monuments or do not come under any of the provisions of this Bill. Unless you insert a positive clause to that effect you will be perpetuating the obsolete hold on this country by foreigners in the form of statues and monuments. The history of a hundred years is not the only history of our country. Our country's history dates back several thousands of years, and these intruders who came stealthily and took charge of our country by playing one against the other, their

memories cannot be allowed to be perpetuated in any form in this country. This is a matter which Government must take note of. As you know, Sir, in the various States agitations are being carried on for the British statues to be removed from public places. But I know the apathy and indifference and light-hearted attitude of the Government of India. If they were realistic enough to understand the position and if they were reflecting truly the nature and the aspirations of our Indian people and if they were really in touch with the public opinion in this country, all these monstrous exhibitions throughout India would have been removed, and the bronze or whatever the component part of which the statue is made would have been utilised for better purposes, to augment the resources for our Five Year Plans. Electric wires and so many other things could be had and there is the bronze stuff which could be melted and put to productive use, but nobody seems to think about it.

SHRIMATI T. NALLAMUTHU RAMAMURTI (Madras): But you are using the language of the foreigner.

SHRI H. D. RAJAH: A foreign language can be used. Language has nothing to do with individuals. I am speaking English in order to defeat the English. I speak English in order to carry home to them that they are strangers and are unwanted elements in this country. I speak Hindi to be affectionate to my Hindi brethren. I speak my Tamil language because it is my mother tongue. So there is no quarrel with the language. We can destroy them with the same weapons which they used against us. That is the thing.

MR. DEPUTY CHAIRMAN: Well, come to Ancient Monuments.

SHRI H. D. RAJAH: So my point is that foreign statues are not part of the monuments and they are not wanted in this country. Therefore, Sir, in all respects we should have

an amendment of the Act, but it must be made clear beyond doubt that no foreign vestige of any type is part of the ancient monuments of our country. Therefore that clause is to be changed.

Then, Sir, we come to a very funny proposition and that is this. It is in sub-clause 6 (3) which says, "The Central Government or the owner may, at any time after the expiration of three years from the date of execution of an agreement under this section, terminate it on giving six months' notice in writing to the other party:

Provided that the owner shall pay to the Central Government the expenses, if any, incurred by it on the maintenance of the monument during the five year immediately preceding the termination of the agreement or, if the agreement has been in force for a shorter period, during the period the agreement was in force."

This is a funny clause in this Bill. You go and declare that a certain thing is a monument and you take charge of the monument from the owner. You incur expenditure to maintain it for sometime, and then, if you think fit, you give back that monument to that man and say, "You pay me back the money spent on its maintenance." Is it to make him bankrupt by this provision, or are you acquiring that monument for some consideration and for some purpose, or are you entering into an agreement with the owner to make him pay back the expenses that you incur on its maintenance? Where is the fun of your asking back the money from the owner? Are you so much poverty-stricken? Are your resources so bad that you should have to take the money back?

DR. K. L. SHRIMALI: I may inform the hon. Member that I have an amendment on the subject to the effect, "That at page 5, line 35, for

the words "the owner shall" the words "where the agreement is terminated by the owner, he shall" be substituted.

SHRI H. D. RAJAH: Whoever may execute the agreement this is a Bill which is intended to take charge of and protect the monuments, and the Government itself is to be made responsible, and if there is money to be spent, they spend the money on the monument. Either it is a monument or it is a stone. You might have taken a stone from the owner thereof considering it to be a monument and incurred expenditure on its maintenance, and then some higher officer may find that it is not an ancient monument and that the expenses should not have been incurred. To escape from such a contingency you may terminate the agreement with the owner and demand from him the expenses incurred on the maintenance of the alleged monument. I cannot allow such things to happen. So before you declare that a certain thing is some ancient monument or some antiquity, before you go into the historical aspect of its nature you should be doubly assured and protected yourself. When it has been taken as a "protected monument" and when you spend money on it, it is for good that you have spent it and there is no need for you to make the owner pay back the money which you have spent on it. That clause is highly improper in this Bill and must be removed.

4 P.M.

Then, I come to clause 9. It says:

"If any owner or other person competent to enter into an agreement under section 6 for the maintenance of a protected monument refuses or fails to enter into such an agreement..... the Government may make an order providing for all or any of the matters specified in sub-section (2) of section 6 and such order shall be binding on the owner or such other person and on

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every person claiming title to the monument from, through or under the owner or such other person."

Sir, you may make an order on the owner but what is the effect of that order? Is it that he should maintain compulsorily or that money should be spent by the owner compulsorily? And if that man pleads inability to maintain or even to hand over, what is the position? The order alone is not enough. You take full responsibility for it. You can order for the monument or the antiquity to be handed over to you but your order will be only on paper and that man will refuse to carry it out. Then unnecessarily you have to harass him for failing to comply with your order. You have to prosecute him and there must be penalty that if a man refuses to carry out the order, he shall be punished with simple imprisonment or rigorous imprisonment or with fine or with both. Now, what is the meaning of such a thing in a Bill seeking to provide for the preservation of ancient monuments and archaeological remains and things like that? You have to get the support of, and co-operation from, the person. If a person refuses there must be valid grounds for his refusal. Probably it may be his great-great-great grandfather's burial ground which he cherishes and loves and your order will not be effective on him. If you want to treat it as a monument of national importance, in that case you have to take over. Your order has no value and it is not possible that simply because you gave an order, that order must be carried out or obeyed for monetary considerations. That is not the way in which a monument is to be acquired.

Then, if we come to clause 20, what do we find? It says:

"If the Central Government is of opinion that any protected area

contains an ancient monument or antiquities of national interest and value, it may acquire such area under the provisions of the Land Acquisition Act, as if the acquisition were for a public purpose within the meaning of that Act."

That clause is very ambiguous. If the Land Acquisition Act is to be applied, does it mean that the contents are also included for purchase or does it only mean the land where they are situated? Suppose for example a certain area is there in which precious possessions are held and they are very ancient. We do not know what is there. Suppose there is a tomb. What kind of a tomb is that is a matter which the Government must decide. When you want to acquire that particular land, the man says that there is this tomb. You must pay for the tomb. For instance, in Madras there is a funny thing happening. In a certain corner of Mount Road there is a tomb being preserved by some mullahs who make a lot of money with that. If you go to the Round Thana, in the corner somewhere near the Mount Road, opposite to Wellington talkies, you will find this tomb and this is supposed to be containing the remains of some ancient saint. Some people are maintaining it and making a lot of money out of it. When you want to acquire this if they refuse to part with it, what is the position? Therefore merely if you say that a place will be acquired on the basis of the Land Acquisition Act, it will not be all right and above all, the Government must have a basic principle in mind, namely, what is to be declared as an ancient monument and once a declaration is made, you have to negotiate with the private parties concerned, whoever they may be, and with their willing co-operation and assistance you must conclude a deal with them. Then do not equivocate about it. There must not be any equivocation about it; there

cannot be further laws or orders issued about that. We take charge of ancient monuments and when we take charge of them, they become the nation's property. There is no question of higgling-haggling after this; there must be no dilly-dallying. When once you take charge, all the other things found here must be completely eliminated. There is no point in taking over a thing first and then handing it back. There is no point in acquiring simply the land and not doing anything for the contents of the land. There should be no question of such dubious methods being allowed and then have litigation started on these points. If that is done, it will be a lawyers' paradise again; it will not be preservation of ancient monuments, stones or coins or things like that. I do not want a situation like that to arise.

Then there is another funny proposition here which you will find if you read clause 26(1):—

"If the Central Government apprehends that any antiquity mentioned in a notification issued under sub-section (1) of section 25 is in danger of being destroyed removed, injured, misused or allowed to fall into decay or is of opinion that, by reason of its historical or archaeological importance, it is desirable to preserve such antiquity in a public place, the Central Government may make an order for the compulsory purchase of such antiquity at its market value and the Collector shall thereupon give notice to the owner of the antiquity to be purchased."

What is the definition of 'antiquity' which you have seen in the Bill? Antiquity includes any article, object or thing of historical interest, any coin, sculpture, manuscript, epigraph, or other work of art or craftsmanship and so on. There are so many definitions about antiquity. Let us take, for instance, a coin. We see in a place an antiquity in the form of a gold mohur

of 2,000 B.C. I am not referring to A.D., I am talking of B.C. We can never assess the market value of this. If it is taken over, what is the market value our friends are going to pay? There is no possibility of its market value being assessed. Nobody is having it as a current exchange in the Stock Exchange as Mundhra group of shares which are sold in the exchange where there is buying and selling, there is inflated price and then a deflated price, where when a purchase is made it goes up and the next day the price falls to Rs. 2/- and so on. So far as the Archaeological Department is concerned, this coin may be an important thing but its market value cannot be assessed. Therefore what I would suggest is—and I am always positive in my suggestions; you know it very well—you say a price acceptable to both the parties. If you put that in, then it is a question of opening negotiations and nobody else will come and purchase it because we have got a provision for compulsory acquisition of antiquities. When that provision is there, nobody else will be interested and therefore the market will not come into the picture. We can pay a price agreed to by both the parties and acceptable to both. Therefore this clause requires modification if a proper working of the Act is our main motive.

SHRI N. C. SEKHAR (Kerala): Here 'market value' is unnecessary.

SHRI H. D. RAJAH: That is what is I say.

Now we come to clause 27. It reads:

"Any owner or occupier of land who has sustained any loss or damage or any diminution of profits from the land by reason of any entry on, or excavations in, such land or the exercise of any other power conferred by this Act shall be paid compensation by the Central Government for such loss, damage or diminution of profits."

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This is wholly unnecessary because I feel that no man can trespass into another man's house. He will be immediately prosecuted. Trespassers are not allowed. Why should a man sustain damage or any diminution of profits by an unwarranted act? A man cannot enter into another man's property and carry on digging operations. That itself is a basically wrong thing to do. You cannot come into my house and start digging. I may ask my servant to eject you or push you out or I will ask the Police to come to my aid and you may be prosecuted. So before you enter into another man's house for digging operations you must have an agreement with the man. First you enter into an agreement with him and then go and dig his grave.

I have no objection. But before you go and do something, you involuntarily or rather by force enter into his house and start digging and then he howls and then you step in and then here you want to give him compensation. That is wrong. The basic principle itself is wrong. And the way to do the thing, for assessment of the value of the antiquity or the ancient thing is that we should first of all have to ascertain whether there is anything of importance in that house or in that compound. If there is, then contact the man, preserve his individual freedom and liberty, negotiate with him and the basis is not the basis of clause 27, but the basis is again the basis of agreement. Therefore, you have to talk to him in a manner which will appeal to him and never pay the public exchequer's money in the form of compensation to somebody who does not deserve it or whose sanctity you violate and then give compensation. These are wholly out of question and it is not the way to deal with him. Therefore, preserve his dignity and his honour. Give him the protection that he demands in law and then do not enter and say something has been

done in order to dig your grave. I come here and give you compensation. That is not the way to deal with that and you must have a better concept of life and sanctity of life and property.

Now, Sir, I come to the last point. Though the Bill is a very desirable one, there are very serious lacunae and drafting defects. Once I had occasion to tell this House that the drafting is done by law college students in our Secretariat. They do not have enough time; they do not have enough experience; and whenever a law is made it is made in a hurry, within twentyfour hours or fortyeight hours, as the case may be, because they want work in this Parliament and the Parliament must be employed to talk and so laws are made and they are very defective. Subsequently they are found useless in courts of law and are creators of mischief and litigation. Therefore, I would request the hon. Minister again to go carefully through the provisions of this Bill and even to introduce an amended Bill on the same and see that rational things which are talked in this House are implemented and a rational Bill is brought before his House.

MR. DEPUTY CHAIRMAN: You can put in amendments.

श्री गोर्प कृष्ण विजयवर्णीय (मध्य प्रदेश) : उपसभापति महोदय, मुझे प्रसन्नता है कि यह विधेयक राज्य सभा के सामने आया है ।

[THE VICE-CHAIRMAN (SHRI M. B. JOSHI) in the Chair.]

वास्तव में एक समय, जबकि मध्य भारत का काम मेरी तरफ था, मैं भी काफी ताज्जुब में था कि इस विषय में कोई स्पष्ट कानून नह है और कई एक इमारतें और दूसरी चीजें उपेक्षित पड़ी हुई हैं जिनको दुरुस्त करने की आवश्यकता है ।

जैसा कि अभी मिनिस्टर महोदय ने बताया, इसमें जो एक भ्रम था या कंप्यूजन था, वह इस कारण था कि सन् १९०४ के कानून में इस विषय में कोई स्पष्ट चीज नहीं थी। इंट्रो ६७ जो यूनिजन लिस्ट में है, इंट्रो १२ जो स्टेट लिस्ट में है और इंट्रो ४० जो कांकरेट लिस्ट में है, इन तीनों के अन्तर्गत अलग अलग कानून हाने चाहिए। सब से बड़ी बात यह है कि स्टेट्स ने अभी तक इस विषय में कानून नहीं बनाये हैं। कई एक ऐसी पुरानी जगहें हैं जहां खुदाई की-जरूरत है और इस पर काफी खर्च किया जाना चाहिये लेकिन यह काम हो नहीं रहा है क्योंकि कोई खास कानून इस विषय में नहीं था। प्रचीन माहिष्मती जो नर्मदा के किनारे है, वहां पर जो थोड़ी बहुत खुदाई हुई है, उससे पता लगा है कि वहां काफी पुराना चीजें हैं। सांची में जहां खुदाई हो चुकी है, वहां भी बहुत पुरानी चीजों का पता लगा है। लेकिन उज्जैन एक ऐसा स्थान है जहां बहुत पुरानी चीजें निकल सकती हैं पर काफी खर्च होने के कारण वह काम रुका पड़ा है। कुछ प्राइवेट संस्थाओं और युनिवर्सिटियों ने मलवा में जो खुदाई की है, उससे उसका महत्व मालूम होता है। आज इसकी बड़ी जरूरत है कि हम पुराने स्थानों को एक्सकैवेट करें, खोंदे, ताकि भारतवर्ष के प्राचीन इतिहास का पता लग सके। इस कानून के अभाव में बहुत से पुराने स्थान अभी अधूरे पड़े हुए हैं। क्या पता है कि मोहन जोदड़ो और हड़प्पा जैसे और कितने स्थान इस भारतवर्ष में हैं। मैं मिनिस्टर साहब से खास तौर पर यह प्रार्थना करूंगा कि मालवा में जो प्राचीन स्थान हैं उनका इस कानून के पास होने के पश्चात् वे आइन्दा ज्यादा ध्यान रखें। हमारे देश में कई ऐसे स्थानों हो सकते हैं जिनके द्वारा हम अपने पुराने इतिहास का पता लगा सकते हैं। मोहनजोदड़ो और हड़प्पा पाकिस्तान में चले गये हैं, किन्तु इसमें शक नहीं है कि यहां भी बहुत से ऐसे स्थान हो सकते हैं।

तो इस कानून की सख्त जरूरत थी और स कानून में जो व्यवस्थाएँ की गई हैं वे जैसा

अभी समझाया गया काफी साफ है। मैं समझता हूं कि बहुत लेट ही सही लेकिन जब यह कानून हमारे सामने आया है तो हमें इसे मंजूर करना चाहिये। इस सम्बन्ध में मैं यह जरूर कहना चाहूंगा कि जो इसमें नेशनल मानुमेंट्स की लिस्ट है, उसके अलावा कुछ और चीजें ऐसी हैं जिनको नेशनल मानुमेंट्स में डेकलेयर किया जाना चाहिये और शामिल किया जाना चाहिये। खैर यह काम तो बाद में होगा लेकिन, अभी मैं इसका सामान्यतः स्वागत करता हूं।

SHRI P. C. BHANJ DEO: Mr. Vice-Chairman, it was with a sense of pleasure and satisfaction that I heard the Minister make his statement in connection with the Bill before the House, especially so as it is calculated to further archaeological finds and research in this country, which is so rich in its past heritage. But there is one matter that was referred to by the first speaker, and another matter which was also referred to by the speaker before me, namely, that this legislation is rather late. It should have come long before. And also, before bringing in this legislation or proceeding with this legislation, the House should have been informed about the criterion the Government adopts for declaring certain monuments as of national importance and others of not national importance. This is particularly so to me when I consider the fact that in the series of amendments which have gone through this House in connection with this subject in the past, many fruitful suggestions and information have been put forward for the protection of ancient monuments and the pursuit of archaeological research both on the floor of this House and on the floor of the other House. Some of these suggestions, I am glad to say, have been adopted by the Government, but others have not been adopted so far, although they were of a similar nature to the ones which have been adopted. I would like to know why that is so.

[Shri P. C. Bhanj Deo.]

The House may remember that when we debated a similar Bill to this in 1953, I had made certain suggestions about the much neglected Yogini Chakras existing in Orissa and Madras. I had pointed out at that time that these Yogini Chakras were common to Hinduism, Buddhism and Jainism, and hence apart from their being relics of archaeological interest, they were important landmarks for the study of social students and social organisers who are naturally interested in the fusion of cultures. I also pointed out at that time the sad state in which these Yogini Chakras existed. Much vandalism has been committed in connection with them and, as the hon. Minister himself has remarked, the images have been broken and shattered in many places. The Chakras have been destroyed. Circular temples of this kind have been destroyed, here and there.

One of the chief distinguishing features of these temples is their circular structure. That is why they are called Chakras. They are very similar to the circular churches that England is so proud of today. Although these Chakras are very limited in number in this country, it is only recently—I see by the lists here and by certain information given me by the Archaeological Department—that two of these Yogini Chakras have been taken under the protection of the Central Government. After the debate in 1953 it seems that the Hirapur Yogini Chakra near Bhubaneswar and the Yogini Chakra of Bhera Ghat near Jubbulpur were taken under the protection of the Government. Incidentally, I have not been able to find the gazette notification about the taking of the Behra Ghat Yogini Chakra under the protection of the Government, but I have been told quite authoritatively by the Archaeological Department that this has happened.

Apart from these two Yogini Chakras there are other Yogini Chakras which are entirely neglected so far

There is the Yogini Chakra at Coimbatore in Madras of which it is surprising to learn that the Archaeological Department has no information whatever. Although Dr. Cunningham mentions about this Yogini Chakra and gives the measurements in his Archaeological Survey of India, up to date, repeated correspondence with the Archaeological Department, to give me facilities to go there and take photographs for myself has been utterly fruitless, because the Archaeological Department do not know where the Yogini Chakra is. Similar is the case of another Yogini Chakra which is mentioned to be at Sorada. Now, where Sorada is seems to be a great mystery. Neither the Archaeological Department knows nor any other Department or officer of the Government of India knows . . .

SHRI H. D. RAJAH: Do you know?

SHRI P. C. BHANJ DEO: I do not know, but it is mentioned in Cunningham Report and the measurements of the Yogini Chakra are given there, so that with a little labour, in my opinion, the Government could easily locate the place where these archaeological sites and interesting relics are situated.

It has been a source of some disappointment to me that in spite of repeated insistence on the floor of this House and elsewhere, the Yogini Chakra of Ranipur Jharial has not yet been taken under Government's protection. The condition of the different images and the Yogini Chakra there is really deplorable. The images have been shattered in many places, and when I went there with the Maharaja Sahib of Kalahandi in order to do some research and take some photographs, I had literally to pick up stone by stone and put certain images together in order to be able to take any coherent photographs. They were in such damaged condition.

Sir, it is my humble submission to the Government that if they are really serious about tackling these things specially in the archaeological

field and in the field of ancient monuments in the interest of Indian culture and history, it should be done much more promptly and it should be done by active people who will not rest until they find these sites, until they afford interested students and research scholars opportunities for writing about these works and proclaiming to the world how great our ancient heritage was. In this connection I would also like to draw the attention of the Government to the fact that in my last speech on this subject I had pointed out to them about the rich Tel Valley civilisation in Orissa. The hon. Minister has recently been to Orissa and has seen for himself the richness of its architecture and the greatness of its ancient past. But this greatness is so neglected, as he himself has no doubt noticed and has mentioned in this House, that unless active action is taken promptly by the Government, most of the good stuff that is there for the benefit of this country and this nation will be destroyed in a short time. I would like to draw the attention of the Government again to the rich Tel Valley civilisation that is still in existence and may go out of existence in a few years or even months. It is the Tel River of the famous Taila Tata Vaha of the Buddhist Jatakas, and it is on the banks of the Tel River that these hundreds of ancient temples and monuments exist. Right almost from the source of the river in Koraput up to Ranipur Jharial, a whole host of old beautiful temples and forts are there. It is full of not only old temples and forts, but pre-historic glass beads, gold coins of very great interest belonging to the past and Garuda coins of the Gupta period have been dug up in this wonderfully rich archaeological area. Therefore, it is my humble submission that whatever the present law provides for the protection of this wonderful heritage of our country in Orissa, in Madhya Pradesh, in Madras and Rajasthan and other places, the Education Ministry should make it its first duty to begin in right earnest

and employ active officers and students to try and preserve this rich heritage so that India can be proud of telling the world what she had in the past, and on that sound ground what she has been able to build in the present and what she can look forward to in the future.

Sir, much time has passed and there are other speakers also. I wanted to give details about the Tel Valley civilisation to the Minister. But I will do so in correspondence with him. With these few words, Sir, I will now end my speech and allow other Members to speak.

DR. NIHAR RANJAN RAY: Mr. Vice-Chairman, I believe much has already been said in favour of this Bill and against. It is a Bill which not only brings upto-date the Act of 1904, but it also consolidates quite a number of amendments beginning, I believe, from 1932 onwards right up to 1956. The various adaptation orders and amendment laws that were enacted from time to time were just stop-gap arrangements, and it was necessary that all such stop-gap arrangements be gathered rationally into one self-contained consolidated law of the land. The Minister-in-charge has himself admitted that it is rather late than too soon that this Bill has been presented before us. I agree entirely with him; much time has been lost since we gained our independence. We should have done it earlier, for as a previous speaker pointed out, already in the course of the last 10 years much damage has been done, and the overlapping confusion of powers and privileges of the Centre and the States did make confusion worst confounded, and in this overlapping and confused scheme of things many sites and many antiquities have not only been destroyed beyond recognition, but much has also flown outside the country. I would not try to tread the ground already covered by the Minister-in-charge, nor would I try to present before you the new provisions of the Bill to which

[Dr. Nehar Ranjan Ray.]
attention has been drawn. It is true that it brings the 1905 Act upto-date. It is modelled on that Act, but it also contains a few new and important provisions intended to overcome certain difficulties that were experienced by the officers of the Department as well as by the Government in carrying out the subject matter of the Act in the best and most efficient possible manner.

Certain criticisms have been made in regard to the general drafting of the Bill, especially in respect of certain of its clauses. I am not an expert in draftsmanship, but as one interested in Indian archaeology I have gone through the various clauses of the Bill and I am convinced, they meet the situation adequately. Whether there are legal flaws or not, I am not competent to say; but some of the criticisms that were voiced by Mr. Rajah were, I am afraid, beside the point. He has raised objections especially in connection with the ownership business. Not that I feel very happy about the concessions extended and the concern shown in respect of private ownership. I believe we could have taken a more straightforward attitude. But the criticisms that were made by Mr. Rajah, as I said, are irrelevant. I do not know if Mr. Rajah has any experience of actual archaeological work or work connected with the declaration of a certain archaeological site or a monument as a protected one, one that is already in private ownership. It may be that the archaeological department takes up the guardianship of a particular monument or a site in private ownership, it repairs the monument in a scientific manner for, say, five or six years; the owner may then want to get it back provided he gives an undertaking that he will carry on the preservation and protection of the site or the monument according to required measures and standards. If he does want it back, then there is no point in the archaeological department insisting on keeping it. I know of

actual examples where things of this nature have taken place.

I do not also feel very happy in respect of the phrase 'at its market value' in clause 26. This, I am afraid, will create difficulties. I do not know if this phrase 'at its market value' can be taken out at this stage or not. Antiquities as such have no market value in the usual sense of the phrase. It is only the collectors who are interested in antiquities and objects of art, and there is a collectors' market. But I know that this collectors' market is a speculators' market, and if we enter this market, then, I am afraid, there are bound to be difficulties. But this being a simple matter. I must not dwell upon it at any length. I can only tell the House that if it means the collectors' market then we are in for difficulties. I do not find any other difficulty in respect of any other clauses of the Bill.

My friend, Mr. Bhanj Deo, is so very right in what he said, but then, he was speaking about Orissa alone. My friend over there, the *ex-Chief* Minister of Madhya Bharat, spoke about Rajasthan and Madhya Bharat. He referred incidentally to the ancient city of Mahishmati. I had been there once in 1937 and again in 1947, and what damage amateurish archaeology is capable of can be seen at that very site. Archaeology today is almost an exact science. You cannot just dig anywhere in any manner and bring out the antiquities. Thereby not only you destroy the antiquities, but you also destroy valuable archaeological and historical evidence. It is very welcome therefore that some restrictions have been put in the Bill on the right of excavations and the Central Government have taken full power to regulate excavations of archaeological sites which are not declared to be of national importance. Knowing a site as an archaeological one and declaring it as such and also as one of national importance has a time-lag in-between. It may take a year to declare it as a

monument of national importance and in the course of that one year, much damage can be done by an amateur archaeologist, a collector or a curio hunter. If therefore the Central Government, which means the Director General of Archaeology, in this case, has the power to regulate excavations there, whether it is by the State Governments or by Universities or by private groups, it is very necessary that all such excavations should be done not only with the knowledge of the Archaeological Department but under the expert advice and guidance of the Director-General of Archaeology. I know of dozens of instances all over India where amateur archaeologists have done irreparable damage. I would not name parties. Even in the course of the last 2 or 3 months, well-known amateur parties have been carrying on excavations of sites in very haphazard manner, not in the manner prescribed and recognised by the latest methods of archaeological excavations. My friend over there referred to Ujjain. I believe he is in the know that important excavations are being carried on there by the Department for the last three years. We have lived, God only knows, for how many thousands of years on this land, and wherever you scratch, whether it is in Rajasthan or in Madhya Pradesh or in Orissa or in the South or even in the new alluvium of Lower Bengal, you strike archaeology everywhere. My friend over there was complaining that the Archaeological Department does not take care of this or that site, relic or monument. I know a little bit of the very important and valuable work of this Department since my vocation takes me all round touring the art and archaeological sites in India. I know also of the Tel Valley culture to which reference has been made. Anywhere you scratch in Orissa, you come upon such treasures. It is not possible for any Government to protect each and every site and monument. Even in Bhubhaneswar, perhaps there are about 600 temples, taking everything into account. Is it humanly possible for the Department

to protect each and everyone of them? Even in the Tel Valley, only in the course of one year, the Department has declared as protected monuments, about half a dozen temples. The Department or the Central Government must go by the fact of relative importance, must go by those evidences which are more important relatively. In a country which is very poor in archaeology, even those of poorest importance may be declared as of national importance, but we are so very rich that we can afford to declare as such only those that are historically and nationally important.

But I could not follow the Minister-in-charge in respect of one thing. He claimed—I know I can see from the Bill—that certain powers that there were vested with the Collectors of Districts, have been taken away and now vested in the Director General of Archaeology. This would of course ease the difficulties a great deal. But, even so, whether it is in the States or at the Centre, the Government shall have to function at least in some measure through the Collectors and excuse my saying so, from the point of view of this Bill or the purpose of this Bill, most of our Collectors are blissfully ignorant. Once I approached a Collector and tried to explain the importance of a particular site, but without success. I cannot blame him. In fact, Collectors too have to be explained what 'Iconography' or 'archæology' means. So, I don't think just on the strength of the clauses of this Bill we can do without the Collectors as such. I would therefore suggest that,—if it would be possible, I don't know, some provision can be made in the I.A.S. Training School to give certain preliminary lessons to our I.A.S. recruits so that when they are posted in the districts, they can at least take some living interest in local archaeology and cooperate more intelligently with the Archaeological officers, whether of the State or of the Centre.

So far as Entry 12 of our list is concerned, the subject-matter of the Act

[Dr. Nehar Ranjan Ray.]
of 1904 remains with the States. I don't grudge the power of the States. At least two of our State legislatures have enacted laws and two are going to have similar laws enacted. The law, I believe, in West Bengal, has gone through one House. Let us hope that in another 2 or 3 years all our States will have their own laws. But then it is not enough to have laws. It will be necessary for the Centre to see that well-equipped archaeologically trained people are placed in charge of execution of these laws. Who is going to see to that? Then the Centre shall also have to maintain a certain amount of liaison between the Central Department and the State Archaeological Departments. Unless there is some liaison between the two, it will be very difficult to achieve the object that we have all in view.

Now I would not dwell more on any other point. There are a few others but there are also other speakers. But I must make mention of one. I am not claiming to express the opinion of the House or of any large or small section of the House, much less of the Government, but one utterance of Mr. Rajah took my breath away and that is in respect of total removal of all statues belonging to India on this side of the year 1757. It is true that we had to fight the British Government; we did not, however, fight the English people. It may be also that it is a record of disgrace on our part as much as on the part of the British. But to say in a responsible House and in the Upper House of the Indian Parliament that all statues of foreigners must be dismantled or must not be kept in a public place, is, to my mind, not something that does credit to this House. I would just tell Mr. Rajah that there is a statue of Kanishka in the Mathura Museum. Kanishka was a foreigner. Are we going to throw it into the gutters? Whatever we choose to do, I am afraid, we cannot wipe away history and history has recorded what Clive did and what Warren Hastings did.

If we remove statues, we do not remove thereby what Clive or Warren Hastings did. If there is a really fine statue of Clive or Warren Hastings, it is as much a historical monument of national importance as anything else. Have we become so low as to say that all foreigners are untouchables or unseeables because they are connected with a disgraceful past of ours as well as of theirs? Here we are speaking in a scientific and academic spirit. We are dealing with a historical-archaeological Bill. Let us be fair; let us be objective. We are speaking in terms of history; we are not speaking in terms of enraged politics. And I believe even nationally too, a view like the one given expression to, namely, that all British statues must be removed from all public places, does not do any honour to our national prestige. If we reject a statue, we would do so because it is an ugly thing or an unhistorical object, not because it represents Clive or Warren Hastings. Remember that here we are considering a Bill which originally emanated from one who so far as Indian history goes, is not remembered with gratitude. He was Lord Curzon and let us acknowledge he was the father of the Act of 1904 which is the foundation on which we are trying to frame the new law. Thank you Sir.

श्री राम सहाय (मध्य प्रदेश) : उप-सभाध्यक्ष महोदय, दी ऐंशेंट मानूमेंट्स ऐंड आर्कैलाजिकल साइट्स ऐंड रिमेंस बिल, १९५७ जो हमारे सामने है उसका मैं स्वागत करता हूँ। मैं यह समझता हूँ कि ऐसा बिल बहुत पहले आना चाहिये था, लेकिन इतने अर्से बाद आया यह भी गनीमत है क्योंकि इस बिल के न होने की वजह से बहुत सी दिक्कतें हर एक राज्य में महसूस की जा रही थीं।

ऐसे ऐंशेंट मानूमेंट्स जो कि हमारे देश में सुरक्षित रखे गये हैं, यह अवश्य है कि वे बहुत ज्यादा हैं और उन सब का सुरक्षित रखना एक कास्टली अफेयर है। लेकिन जो चीजें

हमारी प्राचीन संस्कृति की याद दिलाती हैं या जो हमारे प्राचीन गौरव की बात कहती हैं, उनके लिए अगर हमें कुछ ज्यादा भी खर्च करना पड़े तब भी हमें कोई संकोच नहीं करना चाहिये, क्योंकि मैं यह देख रहा हूँ कि हमारे यहां जो इस प्रकार की चीजें हैं और उनमें जैसी कला का प्रदर्शन किया गया है वैसी कला का प्रदर्शन करने में अब भी संसार के बहुत से उन्नतशील देश भी असमर्थ हैं। मैं यह समझता हूँ कि उनको इस प्रकार की उन्नति करने में अभी बहुत काफ़ी समय लगने वाला है। हमारे देश के कोने कोने में इस प्रकार की मूर्तियां और इस प्रकार की कार्विंग और पेंटिंग्स हैं कि कितनी भी कोशिश करने के बाद आज न उस प्रकार की पेंटिंग की जा सकती है और न उस प्रकार की कार्विंग की जा सकती है। भित्ति, जहां मेरा निवास स्थान है, वहां बीजा मंडल के नाम से एक मास्क है। वह पहले एक विजय मंदिर के नाम से थी। इतिहास से ऐसा पता चलता है कि सन् १६८२ में औरंगजेब ने उस विजय मन्दिर को तोड़ कर उसके स्थान पर एक मास्क बनवाया था। ऐसा कहा जाता है कि वह विजय मन्दिर तीन सौ वर्ष में बन पाया था और उसकी ऊंचाई ३१५ फीट थी। जब तक हमारे यहां सिथिया का राज रहा, उस वक्त तक वहां किसी प्रकार की कोई चहल पहल नहीं रही और जो मुसलमान वहां नमाज पढ़ते थे उनको रोकने का प्रयत्न नहीं किया गया। लेकिन इंडिपेंडेंस के बाद जब से वहां कांग्रेस शासन आया, तब से ऐसे लोग, मसलन हिन्दू सभाई इत्यादि, जो कांग्रेस गवर्नमेंट को बदनाम करना चाहते हैं और करते हैं, उन्होंने वहां यह तरीका अख्तियार किया कि उन्होंने यह कहा कि चूंकि यह विजय मन्दिर है, इसलिए हमको यहां पूजा करने की इजाजत देनी चाहिये और मुसलमानों को नमाज पढ़ने से रोक देना चाहिये। पहले मध्य भारत गवर्नमेंट ने और उसके बाद मध्य प्रदेश गवर्नमेंट ने अब तक ऐसा नहीं होने दिया। लेकिन उसमें मुश्किल यह आती है कि जब वे सत्याग्रह करने के लिये

वहां जाते हैं तो किस कायदे के तहत उनको रोका जाये। दूसरे कानूनों में मुमानियत करने वाली जो धारायें हैं, उनको लगा करके वहां पर लोगों को रोका जाता है, लेकिन उससे जो असली गरज है वह पूरी नहीं होती है। मैंने देखा कि इस बिल में, धारा ३० में, जो पेनल्टीज की धारा है उसमें इस कमी को पूरा कर दिया गया है। सन् १६०४ में जो कानून बना था और उसमें जो धारा थी, उसमें एक शब्द "मिसयूज" बढ़ा दिया गया है। उस कानून में पहले "डिस्ट्राय", "रिमूव्स", "आल्टर्स" "डिफेसेज" आदि शब्द थे, लेकिन किसी शरुस का वहां इस प्रकार जाना कि हम पूजा करेंगे या इस प्रकार उस मास्क के मिसयूज करने के बारे में कोई ऐसा कायदा नहीं था जिसके अन्तर्गत उनको वहां जाने से रोका जा सके, या जब वे वहां जायें तो उनको बग़ैर किसी दूसरी धारा की शरण लिये हुए इस ऐक्ट के तहत सजायें दी जा सकें। तो मैंने देखा कि इस बिल की धारा ३० में "मिस-यूज" का शब्द बढ़ा कर उस कमी को पूरा कर दिया गया है। मैं समझता हूँ कि अब उनका इस प्रकार वहां जाना और उनका इस प्रकार प्रयत्न करना, "मिसयूज" शब्द की परिभाषा में आ जायगा और वे इस ऐक्ट के तहत सजायाब हो सकेंगे। इस प्रकार मेरा यह विचार है कि मौजूदा कानून में जो कमी थी उसको पूरा कर दिया गया है। इसके लिए मैं अपने मिनिस्टर महोदय का बहुत आभारी हूँ कि उन्होंने बहुत चतुराई के साथ, जैसी कि इस वक्त हमारे देश के लिए आवश्यकता थी और इन मानूमेंट्स की सुरक्षा के लिए जिस बात की आवश्यकता थी, उस कमी को पूरा करने का खयाल इसमें रखा है।

आज हम देश के किसी भी कोने में जायें, हम देखेंगे कि सब जगह इस प्रकार के मानूमेंट्स बहुत ज्यादा तादाद में हैं और एक से एक बढ़ कर हैं। यदि हम अजन्ता केव्ज और एलोरा केव्ज को ही देखें, तो उनमें जैसी कार्विंग और जैसी पेंटिंग मिलती है, वैसी कहीं

[श्री राम सहाय]

दूसरी जगह देखने में नहीं आती। हमारे यहां बाग केव्ज की कुछ मुशाबहत उनसे होती है, लेकिन जो खूबसूरती उन चीजों में है वह खूबसूरती जो चीजें उनके बाद बनाई गई हैं उनमें कहीं देखने को नहीं मिलती। इसी प्रकार जो हमारे यहां विजय मन्दिर है उसकी प्लिथ में इतने बड़े बड़े आकार के पत्थर रखे गये हैं कि मैं समझता हूं कि दो, चार या छः बैलों की गाड़ी उनको नहीं ले जा सकती। नहीं कहा जा सकता कि किस प्रकार ऐसे पत्थर वहां लाकर रखे गये। इन सब चीजों को देखने से यह पता चलता है कि पहले इमारत बनाने का उनका तरीका और उनके साधन कुछ दूसरे प्रकार के अवश्य थे जिससे इतनी बड़ी बड़ी चीजों को एक जगह से दूसरी जगह ले जाने में कामयाबी होती थी और ऐसा काम होता था जैसा कि मैंने अभी निवेदन किया कि विजय मन्दिर की इमारत तीन सौ वर्षों में बनाई गयी थी। मैंने अजन्ता में भी देखा कि वहां बहुत सी केव्ज इस प्रकार की हैं जिनमें कम्प्लीट पेंटिंग है, बहुत सी ऐसी हैं जिनमें अधूरी पेंटिंग है और बहुत सी ऐसी हैं जिनकी खुदाई कुछ होती होती रह गई है। तो इस तरह की हमारे यहां जितनी चीजें हैं उनका सुरक्षित होना बहुत ही आवश्यक है। यदि हम सागर इलाके से आगे खजुराहा की तरफ जाय तो वहां भी हम को ऐसे ही मंदिर देखने को मिलते हैं। जगदीश का मंदिर जिन

साहेबान ने देखा होगा वे कम से कम इस बात में मुझ से जरूर इतिफाक करेंगे कि उस मंदिर में कुछ मूर्तियां इस प्रकार की हैं जो अश्लील हैं और सभ्यता के नाते ऐसी चीजें नहीं होनी चाहियें, लेकिन उनमें भी कला इस प्रकार की है कि जैसी कला देखने को नहीं मिल सकती। यह बात जरूर है कि उनमें बहुत ही उन्नतशील कला है, किन्तु मैं यह समझता हूं कि उस कला का उसमें दुरुपयोग हुआ है। कुछ भी हो लेकिन उस प्रकार की एक कला अवश्य ही उस वक्त के लोगों के खयाल में थी और साधारण से साधारण लोग उस कार्य को कर सकते थे। मैं समझता हूं कि बड़े बड़े इंजीनियर्स जिस कार्य को आज नहीं कर पा रहे हैं, उसको छोटे छोटे कारीगर कर लेते थे।

5 P.M.

मैं फिर एक बार मिनिस्टर महोदय को धन्यवाद देता हूं जिन्होंने इस बिल को ला कर इस कमी को पूरा किया है। मैं अब और अधिक समय लेना नहीं चाहता और अपना भाषण यहीं समाप्त करता हूं।

THE VICE-CHAIRMAN (SHRI M. B. JOSHI): The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at one minute past five of the clock till eleven of the clock on Wednesday, the 12th February 1958.