

Lilavati Munshi, Shrimati
 Mahesh Saran, Shri
 Maya Devi Chetty, Shrimati
 Mazhar Imam, Syed
 Menon, Shri K. Madhava
 Misra, Shri S. D.
 Mohamad Umair, Shah
 Nagoke, Jathedar U. S.
 Naik, Shri Maheswar
 Obaidullah Sahib, Shri V. M.
 Panj hazari, Sardar Raghbir Singh
 Pawar, Shri D. Y.
 Pheruman, Sardar Darshan Singh
 Raghu Vira, Dr.
 Raghubir Sinh, Dr.
 Rajagopalan, Shri G.
 Raju, Shri A. S.
 Rao, Shri V. C. Kesava
 Rao, Shri S. V. Krishnamoorthy
 Reddy, Shri A. Balarami
 Reddy, Shri S. Channa
 Reddy, Shri M. Govinda
 Reddy, Shri Narotham
 Rukmani Bai, Shrimati
 Sahai, Shri Ram
 Sapru, Shri P. N.
 Savitry Devi Nigam, Shrimati
 Shrimali, Dr. K. L.
 Singh, Capt. Awadhesh Pratap
 Singh, Thakur Bhanu Pratap
 Singh, Sardar Budh
 Singh, Babu Gopinath
 Singh, Shri M. H. S. Nihal
 Singh, Shri Ram Kripal
 Singh, Shri Vijay
 Subbarayan, Dr. P.
 Tajamul Husain, Shri
 Tayyebulla, Maulana M.
 Valiulla, Shri M.
 Varma, Shri C. L.
 Venkataraman, Shri S.
 Vijaivargiya, Shri Gopikrishna
 Yashoda Reddy, Shrimati

MR. CHAIRMAN : Ayes—14, Noes—70.

The motion was negatived.

THE SPECIAL MARRIAGE (AMENDMENT) BILL, 1956

DR. SHRIMATI SEETA PARMANAND (Madhya Pradesh) : Sir, I beg to move for leave to introduce a Bill to amend the Special Marriage Act, 1954.

I should like to give a short explanation as it is asked. This Bill seeks to permit the people, when both the parties belong to the Hindu religion and are marrying under the Special Marriage Act, to be governed by the Hindu Succession Act, 1956. So far they have been governed by the Indian Succession Act. When this Bill was under consideration in this House, it was the wish of quite a number of Members in both the Houses that where both the parties were Hindus, it should not be compulsory for them to be governed by the Indian Succession Act. At that time, opinion was divided. Now this Bill only seeks to fill in that lacuna and make the Act conform to the wishes of the members.

SHRI B. K. P. SINHA (Bihar) : Is it necessary to have an introductory speech ?

(Interruptions.)

MR. CHAIRMAN: Somebody wanted an explanation.

SHRI B. K. P. SINHA: This is the result of the precedent we set up just now.

PANDIT S. S. N. TANKHA: Sir, may I know whether it would be possible to circulate these Bills before they are actually introduced in the House? Is there any rule against that? We must have some idea of the Bills before we are called upon to give or refuse our permission for their introduction.

MR. CHAIRMAN: Unless the Bills are introduced, it is not the practice to publish them.

DR. SHRIMATI SEETA PARMANAND: I have already consulted the Minister for Legal Affairs in this respect and he said that this would be a very simple amendment. There is nothing beyond what I have said and there is nothing in it to be circulated.

PANDIT S. S. N. TANKHA: We must know its contents.

JANAB M. MUHAMMAD ISMAIL SAHEB (Madras) : Sir, with reference to the introduction of a Bill in the House, the House has got to approve or disapprove of the introduction. That is the procedure. How can the House either approve or disapprove of the introduction of a Bill unless it knows the contents of the Bill which is being sought to be introduced? My submission

is this: Could the rule regarding this not be reconsidered with a view to providing Members beforehand with a copy of the Bill that is being introduced, at least to those Members who are interested in it. My request to you is to see whether the rule cannot be so amended as to provide Members with a copy of the Bill beforehand so that they may take an intelligent interest in this important procedure of either approving or disapproving of the introduction of a measure.

MR. CHAIRMAN: So far as that suggestion is concerned, I will consider that.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill to amend the Special Marriage Act, 1954."

The motion was adopted.

DR. SHRIMATI SEETA PARMANAND: Sir, I introduce the Bill.

THE ANCIENT AND HISTORICAL MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS (DECLARATION OF NATIONAL IMPORTANCE) SECOND AMENDMENT BILL, 1954—continued.

MR. CHAIRMAN: Anybody wishing to speak?

THE DEPUTY MINISTER FOR EDUCATION (DR. MONO MOHAN DAS): Sir, the legal position with regard to the maintenance and protection of ancient monuments and archaeological sites in this country has undergone a rapid change during the last few years after Independence.

[MR. DEPUTY CHAIRMAN in the Chair.]

During the time of the British regime, there was only one Act, the Ancient Monuments Preservation Act, 1904, which provided for the maintenance and protection of the monuments and archaeological sites. Archaeology was a Central subject and the State Governments in British India had nothing to do with the maintenance and protection of ancient sites or monuments. The Indian States, wherever possible, made their own arrangements for the maintenance and protection of archaeological monuments and sites situated in their own areas. Now, after Independence, when the Indian States integrated, the

Government of India made the Ancient Monuments Preservation Act applicable to those integrated States. Then came the Constitution of India. Our Constitution envisaged that archaeology should be managed both by the Central Government as well as by the State Governments. So, the ancient monuments and archaeological sites and remains were divided into two groups—one was the group of great national importance to be maintained, managed and protected by the Central Government and the other group was of lesser importance, to be maintained by the State Governments. Sir, for the effective implementation of our Constitution, so far as these provisions are concerned, a Bill was brought before Parliament by the Central Ministry of Education and it was passed in 1951. It is the Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Act. As we gained experience in working out the maintenance and protection of monuments, as we visited more and more temples and monuments in this country, we were convinced of the great necessity of bringing another amending Bill for inclusion of some other important monuments which were not up till that time included in the Act. In order to do that, another amending Bill was passed by Parliament on 2nd January 1954 in which additions and alterations were made to the schedule containing the monuments and archaeological sites. Now, in December 1954 my hon. friend, Dr. Raghbir Singh, brought this amending Bill. At that time the Government of India were themselves considering bringing forward another amending Bill to the original Act, in which they had declared some of the monuments as monuments of national importance. So our friend, Dr. Raghbir Singh, the mover of this Bill was requested by the Government of India to postpone the further consideration of this Bill, since the Government themselves were bringing forward such a measure. It is true that twenty months have passed since this undertaking was given by Government. If during the last twenty months the Government of India have not been able to bring forward such a Bill before this House, it is not due to any frivolous cause. There have been potent reasons and powerful reasons which had prevented the Government of India from bringing in such a measure. These are due to the question of the reorganisation of the States. Up till now we have not been able to get a broad picture of