

MB. DEPUTY CHAIRMAN: Order, order. The House has accepted the Bill. If you have got anything to say on the principle of the Bill, it will be considered.

SHRI H. C. MATHUR- What I wish to emphasise is this.....

MR. DEPUTY CHAIRMAN: Please do not go into details.

SHRI H. C. MATHUR: Let there be five crores. All that I want to say is that before you advance those five crores, instead of making these foolish conditions precedent, make this the condition precedent that the amount reaches the agriculturists and that the agriculturists are made to pay much less interest.

Sir, I realise that this is third reading; otherwise I should have gone on much longer, but I would not tire your patience and the patience of the House.

SHRI A. C. GUHA: I think the hon. Member has repeated practically all that was said during the last two days.

MR. DEPUTY CHAIRMAN: Does not matter; let us have your reply.

SHRI A. C. GUHA: He has mentioned only one relevant point to which I think I should reply. I stated certain figures as allotted for each State by the Reserve Bank. I think for Rajasthan it might have been 50 lakhs. I am not sure of the figure. Anyhow that allotment is made only on the basis of the capacity of each State to absorb. If the hon. Member can make the Rajasthan co-operative societies more active and if they can be made to absorb more money, certainly the Reserve Bank will not fail to give them more money. The allotment is not a fixed thing. It is only on the basis of some calculation of the past activities of the co-operative societies in different States. Another thing about which the Members complained was that more or less the Government have stepped into the shoes of the moneylenders. These things. Sir, do not then serve any reply. I have no reply for

abuses. If I start replying to these things, every Member will raise a point of order, and you, Sir, will also raise a point of order.

SHRI H. C. MATHUR: Do you then advance this money with the expedition with which it should be? You are unconcerned with it.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

# THE INDIAN PATENTS AND DESIGNS (AMENDMENT) BILL, 1953.

THE MINISTER FOR COMMERCE (SHRI D. P. KARMARKAR): Mr. Deputy Chairman, I beg to move:

"That the Bill further to amend the Indian Patents and Designs Act, 1911, as passed by the House of the People, be taken into consideration."

Sir, I will not take much time of the House in dilating on the import of this measure. As I had explained in the Chamber, the effect of this Bill is merely to enlarge the scope of section 23CC so as to cover patented inventions relating to insecticides, germicides, fungicides, etc.

As already indicated in the Statement of Objects and Reasons, the existing section 23CC does not include insecticides, fungicides or germicides, etc., which omission proved some time ago an impediment in the way of the early establishment of factories in the country for the production of important insecticides like D. D. T., etc. We consider that this Bill will remove this obstacle and enable the Controller of Patents and Designs to grant liberally working licences for the manufacture of insecticides, etc., in the country in the same manner as in the case of food and medicines.

Clause (2) of the Bill is intended to enlarge the scope of existing section 23CC of the Indian Patents and Designs Act, 1911, so as to include insecticides, germicides or fungicides along

with food and medicines. Clause 2(d) of the Bill is intended to insert a new sub-section, namely, sub-section (4), in the existing section 23CC to equip Government with the necessary powers for enabling them to notify from time to time the particular category of articles in respect of which they consider that the Controller should exercise powers under section 23CC.

The Bill is thus quite innocuous and merely seeks to ensure that where patents for these articles are secured, they will not be exploited to the detriment of our national interests and I hope this would find ready acceptance by the House.

Mn. DEPUTY CHAIRMAN: Motion moved:

"That the Bill further to amend the Indian Patents and Designs Act, 1911, as passed by the House of the People, be taken into consideration."

SHRI C. G. K. REDDY (Mysore): Sir, so far as the merits of the Bill are concerned, I suppose there is no one in this House who can say anything against it. It is intended to apply to certain things to which it does not apply at the present time. But, I would like to ask the hon. Minister as to what was the urgency for this measure. In how many cases manufacturers or others who were prepared to manufacture insecticides, etc., or patenting these applied for patents, and could not be granted these, because the law did not provide for it? If the number of manufacturers is very small, I do not see why the Government should have brought in this Bill, giving it a high priority above everything else, about which many hon. Members are agitated. Therefore, I should like the hon. Minister to state what urgency there was about this Bill that he thought it fit to give a high priority to this measure merely to amend the Patents and Designs Act; and whether he could not have waited for the comprehensive Bill which he is to bring forward soon for our consideration.

SHRI D. P. KARMARKAR: Sir, I am grateful to the hon. Member for rais-

ing this point. I have already mentioned this point about the impediment in the way of the early establishment of factories for the manufacture of insecticides like DDT. The want of such powers by Government for enabling them to notify the particular category of articles was felt and this had led to correspondence and other delays which might have been avoided. This amendment is just to equip Government with that power.

When my hon. friend adverted to the factor of urgency he should have appreciated that these germicides and fungicides are very important for agriculture. The House will, of course, have an opportunity of considering in more detail the other Bill which relates to the whole law of patents and which has been introduced in the other House. That may be referred to a Select Committee; it will take six or eight months to consider that; then it has to be passed into law. Therefore we thought it was good to go ahead with this small amendment because it is absolutely innocuous. We have done so in the past and we thought that we should have powers in our hands to notify certain things .....

SHRI C. G. K. REDDY: There has been a delay of 3 or 4 years.

SHRI D. P. KARMARKAR: Even here, Sir, every year has brought us a step ahead. Coming again to the question of urgency, it is not a question of somebody having approached us or any such thing. In the matter of dealings between ourselves and the W.H.O. with regard to certain germicides, the law of patents was an obstacle and we thought that if we had had a provision, like this, there would not have been any difficulty. In fact, I expected my hon. friend to have quarrelled with me if I had not brought forward this measure. (*Hear, hear!*)

SHRI C. G. K. REDDY: You have waited for 4 years, you could have waited for six months more.

SHRI D. P. KARMARKAR: I think, Sir, it is dangerous logic to argue like that, and mis-applied to this case. Obviously, this is in the national interest, and I am quite sure that on reconsideration he will agree with this. I am grateful to the hon. Members for readily accepting this.

MR. DEPUTY CHAIRMAN- The question is:

"That the Bill further to amend the Indian Patents and Design Act, 1911, as passed by the House of the People, be taken into consideration."

The motion was adopted.

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

Clause 2 was added to the Bill. Clause 1, the Title and the Enacting Formula were added to the Bill.

SHRI D. P. KARMARKAR: Sir. I beg to move:

"That the Bill be passed."

MAJ.-GENERAL S. S. SOKHEY (Nominated): Sir, I am not standing to oppose the Bill. I would like an opportunity to draw the attention of the House and the Government to the fact.....

MR. DEPUTY CHAIRMAN: Another Bill is already introduced. You will have ample opportunities to talk on that Bill.

MAJ.-GENERAL S. S. SOKHEY: I will talk on the wider basis. I want to suggest to the Government to apply their mind seriously to the fact that we have no patent law at all .....

MR. DEPUTY CHAIRMAN: It would be relevant when the other Bill is taken up.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed." The motion was adopted.

THE CHILDREN BILL, 1933 THE MINISTER FOR EDUCATION AND NATURAL RESOURCES AND- SCIENTIFIC RESEARCH (MAULANA ABUL KALAM AZAD):

مولانا ابوالکلام آزاد: جناب! میں تحریر کرتا ہوں کہ جو بل لاوارث اور آوارہ بچوں کی دیکھ بھال کیلئے پھس کیا گیا ہے وہ ہاؤس کی ایک سلیکٹ کمیٹی کے سپرد کیا جائے - اس بل کا مقصد اتنا کھلا اور صاف ہے کہ میں نہیں سمجھتا ہوں کہ اس بارے میں زیادہ بحث اور تفصیل کی ضرورت ہے -

SHRI V. K. DHAGE (Hyderabad): Sir, may I raise a point of order?

MR. DEPUTY CHAIRMAN: No. That stage is gone. You may speak for the rejection of the Bill.

SHRI C. G. K. REDDY (Mysore): Sir, he thinks that there is a point of order. The Bill has been introduced. Its further consideration can be objected to.

SHRI V. K. DHAGE: Sir, this is a very important point.

MR. DEPUTY CHAIRMAN: What is that?

SHRI V. K. DHAGE: Sir, the Bill has been moved for consideration. I wanted to say something with regard to the question whether it can be taken into consideration or not. Sir, in the Statement of Objects and Reasons it has been stated that an Expert Committee that was appointed has gone into this question and that Expert Committee has made certain recommendations in its report. Now, Sir, we haven't got that report at our disposal. That report forms the basis of this Bill and that basis of the Bill has not been given to us for consideration. I, therefore, feel, Sir, that unless that report, which is the basis of this Bill, is placed before us, it will be difficult for us to proceed with the Bill.