

- (7) Shri C. Chittibabu
- (8) Shri S.R. Damani
- (9) Shri C.C. Desai
- (10) Shri G.C. Dixit
- (11) Shrimati V. Jeyalakshmi
- (12) Shri Popatlal M. Joshi
- (13) Shri Ramachandran Kadannapalli
- (14) Shri Baburao Jangluji Kale
- (15) Shri Jagannath Mishra
- (16) Shri Surendra Mohanty
- (17) Shri Priya Ranjan Das Munsi
- (18) Shri D.K. Panda
- (19) Shri Narsingh Narain Pandey
- (20) Prof. Madhu Dandavate
- (21) Shri H.M. Patel
- (22) Shri S.B.P. Pattabhi Rama Rao
- (23) Shri R. Balakrishna Pillai
- (24) Shri Jagannath Rao
- (25) Shri Bishwanath Roy
- (26) Shri P.M. Sayeed
- (27) Shri Nawal Kihore Sharma
- (28) Shri R.R. Sharma
- (29) Shri P. Ranganatha Shenoy
- (30) Shri R.K. Sinha

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

13.46 hrs.

ANTIQUITIES AND ART TREASURES BILL

THE MINISTER OF EDUCATION,
 SOCIAL WELFARE AND CULTURE
 (PROF. S. NURUL HASAN) : I beg
 to move*

"That the Bill to regulate the export trade in antiquities and art treasures, to provide for the prevention of smuggling of, and fraudulent dealings in, antiquities, to provide for the compulsory acquisition of antiquities and art treasures for preservation in public places and to provide for certain other matters connected therewith or incidental or ancillary thereto, be taken into consideration."

13.47 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Our country has had a long and distinguished history and naturally, we have in our land a very large number of objects of art and representations of the progress achieved by the Indian people through the ages. This valuable heritage of the nation has to be protected and preserved by us against destruction or smuggling out. Whether it is in the field of art or architecture, sculptures, painting, metal-works or wood-crafts or even in the case of manuscripts there are objects of art which have to be preserved from vandalism. Unfortunately, our country has suffered cruelly, particularly, since certain rich individuals mainly abroad but, to some extent, even in this country, have considered it fashionable to acquire art objects and to treat them as private property and therefore, they have encouraged this despoliation of monuments or disposals of priceless pieces of paintings. Thefts of sculptures from monuments like the bracket figures from the magnificent Khajuraho temples or even chiselling away of sculptures from other

*Moved with the recommendation of the President

[Shri S. Nurul Hasan]

monuments have been reported from time to time. The House will recall the public indignation over the report that one of the priceless pieces of Nataraj is being sold in New York and everyone is rightly feeling deeply concerned about it.

Therefore, ever since the dawn of Independence, there has been an attempt to bring this situation under control and as far back as 1947, an Act called the Antiquities (Export Control) Act, 1947 was passed to check and control the export of antiquities. This Act, together with the Treasure Trove Act of 1878, the Ancient Monuments Preservation Act (VII of 1904), 1904, Ancient Monuments, Archaeological Sites and Remains Act, 1958, and Customs Act, 1962 helped to protect the cultural heritage and to control the export of antiquities to a limited extent.

The administrative and legal lacunae in these Acts became obvious because of large-scale thefts and smuggling of art objects outside the country.

It is indeed most regrettable to find that objects either stolen from Indian Museums or removed from protected Monuments or private Temples have found their way abroad and some of them have been exhibited in public museums of those countries.

The Indian Delegation raised this matter in the UNESCO Convention on the Theft of Cultural Property and, in spite of the fact that many countries like our own, who have been suffering from such vandalism have raised their voice, and a somewhat diluted convention has been approved, some of the more developed countries are dragging their feet in the matter.

Therefore, it was considered necessary to bring in a comprehensive piece of legislation on antiquities so as to plug as far as possible the loopholes and to gear up the administrative and executive machinery.

This Bill, which I commend to the House, has been brought up on the basis of various

decisions which have been made outside the House as well as inside the House.

Several hon. Members had sought from time to time leave to introduce Bill's to remedy the existing situation. My hon. friend Dr. Raghbir Singh had given a notice in the Rajya Sabha about the Antiquities (Export Control) Amendment Bill/1957. A similar notice was given by Shri C.K. Bhattacharyya in the Lok Sabha in 1962. For some reason or the other, these Bills were not introduced in Parliament. Meanwhile the Government which had been seized of the problem, sought to introduce a Bill for this purpose in 1965. Although it was introduced on the 7th April, 1965 in the Lok Sabha, it could not come up for consideration during the lifetime of the Third Lok Sabha.

In the meantime, another Bill was introduced in the other House in 1967, but that did not come up for consideration.

While the present Bill was being drafted, all the concerned Ministries of the Government of India were consulted. A draft of the Bill as prepared by the Ministry of Law and Justice was also circulated to all the States and Union Territory Governments in 1970 for their comments. All these comments were examined and as a result of further thinking, the present Bill includes for the first time 'Art Treasures' which, being human works of art, having artistic and aesthetic value, also deserve to be protected.

Besides antiquities, manuscripts, records and other documents, which are of scientific, historical, literary or of aesthetic value, have also been included now within the purview of this Bill. But, we have reduced in these cases the age limit and brought it down to 75 years, so as to cover all important material of this category.

Now, Sir, the salient features of the Bill are as follows :—

- (a) It seeks to regulate export trade in antiquities and art treasures on and

from the commencement of this Act. It provides that it shall not be lawful for any person, other than the Central Government or any authority or agency authorised by the Central Government in this behalf, to export any antiquity or art treasure.

- (b) It seeks to regulate the internal trade in antiquities by making it compulsory for those carrying on business of selling and offering to sell antiquities to obtain a licence and to maintain such records as may be prescribed for the purpose.
- (c) It also empowers the Central Government to take over the internal trade in antiquities with effect from a future date to the exclusion of others.
- (d) It seeks to undertake registration of specified types of antiquities (by notification in Official Gazette) in possession of private persons and institutions.
- (e) The Bill seeks to empower the Central Government to compulsorily acquire antiquities and art treasures for preservation in a public place.

Lastly, (f) It finally seeks to provide penalties for offences in contravention of the provisions of the Bill.

This is a Bill which the Government have brought forward after full consultation. This is also a matter on which the whole country feels exercised. Hon. Members have quite rightly voiced their sentiments and the sentiments of the people by expressing their concern whenever any theft was reported. I therefore hope, Sir, that this Bill will not be allowed to get involved in any controversy.

My only appeal is this. This Bill should have been passed much earlier, but it has been delayed. But, I am happy, I have the honour and the privilege of presenting it to the honourable House.

Sir, there may be shortcomings, as there would be shortcomings in every other thing, but I would beg of the honourable House to approve of this Bill as quickly as possible. It is only after the House has given its approval that the rules can be framed and that will take some time and there is no time to lose.

If there are any suggestions for any changes or amendments, we can look after those things, and I would be prepared to come to the House again. But I now request the House to approve of this Bill without any further delay.

MR. DEPUTY-SPEAKER : Motion moved. :

"That the Bill to regulate the export trade in antiquities and art treasures, to provide for the prevention of smuggling of, and fraudulent dealings in, antiquities, to provide for the compulsory acquisition of antiquities and art treasures for preservation in public places and to provide for certain other matters connected therewith or incidental or ancillary thereto, be taken into Consideration."

There is an amendment in the name of Shri Daga. Are you moving it

SHRI M. C. DAGA (Pali) : Yes, I am moving my amendment. I beg to move :

"That the Bill to regulate the export trade in antiquities and art treasures, to provide for the prevention of smuggling of and fraudulent dealings in, antiquities, to provide for the compulsory acquisition of antiquities and art treasures for preservation in public places and to

[Shri M. C. Daga]

provide for certain other matters connected therewith or incidental or ancillary thereto, be referred to a Select Committee consisting of 13 members, namely :

- (1) Shri S. M. Banerjee
- (2) Shri Samar Guha
- (3) Shri Purushottam Kakodkar
- (4) Dr. Karni Singh
- (5) Shri Raja Kulkarni
- (6) Shri Jagannath Mishra
- (7) Shri Shrikishan Modi
- (8) Shri Shyam Sunder Mohapatra
- (9) Shri H. N. Mukherjee
- (10) Shri Ramsahai Pandey
- (11) Shri Arjun Sethi
- (12) Prof. S. Nurul Hasan; and
- (13) Shri M. C. Daga

with instructions to report by the first day of the next session.”(1)

SHRI MANORANJAN HAZRA (Arambagh) : Mr. Deputy-Speaker, Sir, after a long time of delay, this Bill has been introduced at last by the hon. Minister.

Even in spite of this long delay, I would congratulate him, if this Bill had been drafted in an all-embracing and comprehensive manner, with a view to further the cause of our cultural heritage along with the antiquities and art treasures as has been described in this Bill. But there is nothing about this. If anybody goes through this Bill, I am sure, he will be able to find that the only object of this Bill is to regulate the activities of the smugglers and the fraudulent people with a view to fulfil their commercial purposes and not to further the cause of our cultural heritage which we need at this moment very badly.

Twenty-five long years have passed since the attainment of our independence; but still the Government has not applied its mind to this most important national aspect for our generation. Every day we read in the newspaper that our antiquities are being stolen. Just now, the hon. Minister has

referred to the case of Natarajamurthi idol. It has been stolen from India and it has been sold at New York. Now, it is worth 2 million dollars. Similarly, the statue of Deity Chamba from Himachal Pradesh was stolen some time ago and recovered in Bombay while it was being sent to America. This type of stealing is going on everywhere.

14.00 hrs.

I would just cite a glaring example about Murshidabad. A rare collection of curios, china and paintings valued at well over Rs. 1 crore has mysteriously disappeared from the Nawab Palace at Murshidabad, now under the control of the West Bengal Government. Some of the missing items are of priceless historical value and roughly fall into two categories. On the one hand, antique Venetian and Ming vases, centuries-old ornamental clocks, the Nawab's silver-laced throne, huge cut-glass chandeliers, oil painting by world masters and bronze statues and other works of art, all priceless, have been stolen. Also missing are mundane items like copper plating from lightning conductors and sundials, iron railings, becons and rafters from place out-houses. The quality and size of the stolen material rule out the theft being the work of casual thieves. I can cite more examples like this, but as my time is short, I shall not go into them.

Now, I shall cite another very painful story. Two centuries have elapsed since the passing away of one of India's great sons, namely Raja Ram Mohun Roy. His bicentenary is being celebrated throughout the country. It is a shame that his ancestral house is still being used for the police barracks. During these long 25 years, the Government of India could not free this house from the clutches of the police. This is the example of how we are furthering the cause of our cultural heritage.

There is a State Archaeological Gallery in West Bengal. It was started in 1962 by

the then PWD Minister. It is a nice gallery containing a nice collection. But the antiquities and art treasures are in such a place that nobody can go there. One contributor to the *Hindustan Standard* has written :

"The State Archaeological Gallery, a treasure island at 33, Chittaranjan Avenue, is visited by scholars from all over the world. I cannot refrain myself from asking why the Government is so indifferent towards its own collection. It is housed in such an unclean building and it looks like a godown rather than a gallery of art."

This is the reality with regard to our antiquities and art treasures. The hon. Minister is a newcomer, but I hope that he will try his best to perform this duty of protecting our antiquities and art treasures.

Regarding the Kohinoor, you know that it is now shining over the London tower. We want to bring back this Kohinoor to India. This is our national property. It is high time that we bring back this Kohinoor from the London tower to India. I urge the Hon. Minister and I would request him to take initiative in this matter, and we from the Opposition will join hands with him and strengthen his efforts to further the cause of our antiquities and art treasures.

Though this Bill does not come up to the mark, yet with these words I support this Bill.

श्री मुजाफर खां (बंदोली) : उपध्यक्ष महोदय, मैं इस बिल का स्वागत करता हूँ। होना तो यह चाहिये था कि जिस दिन हमें स्वतंत्रता मिली उसी दिन यह बिल पास होना और पास होना। केवल पास ही नहीं होना इसको तभी कार्यान्वित भी होना चाहिये था। वह जनतंत्र बहुत दिनों तक जीवित नहीं रहता जहाँ पर उसकी कला और संस्कृति के प्रति धाराधना का भाव नहीं रहता।

मैं इतिहास की ओर आपका ध्यान आकर्षित करना चाहता हूँ। मंत्री जी तो इतिहास के विचारशील रहे हैं। जनतंत्र भारत के लिए नया नहीं है। जब मगध नरेश लिच्छिवियों पर आक्रमण करना चाहते थे और इस सम्बन्ध में बुद्ध भगवान की राय उन्होंने मांगी तो उन्होंने यह राय दी कि जब तक वहाँ स्मारकों की पूजा होती रहेगी तब तक उस जनतंत्र को कोई नष्ट नहीं कर सकेगा, उसका उत्थान ही होता रहेगा। वास्तव में बहुत से लोग होंगे जो पुरातत्व शेष तथा कलाकृतियों को सम्पत्ति के रूप में पूजते और इनकी आराधना करते होंगे। किन्तु मैं तो इन्हें मंदिरों से भी अधिक पवित्र और शक्ति का स्रोत समझता हूँ। और समाज में शक्ति के स्रोत के रूप में इनका अभिनन्दन और वन्दन होना भी चाहिये।

संसार की सब से प्राचीन नगरी बागी का मैं वासी हूँ। मैं जानता हूँ इन कृतियों तथा मूर्तियों का भंजन क्यों नहीं होना चाहिये। लेकिन जिस प्रकार मूर्तियों का भंजन एवं तस्कर हुआ है, औरंगजेब की भस्मना करने वालों ने स्वयं जिस प्रकार अपने इन मंदिरों को नष्ट और भ्रष्ट किया है, यदि उनकी चर्चा की जाए तो बागी अपवित्र होगी। मैं अपनी बागी को अपवित्र नहीं करना चाहता हूँ। लेकिन मैं यह जानता हूँ कि मध्यकाल में जिनकी हमारी मूर्तियाँ एवं कृतियाँ को क्षति नहीं पहुँचाई गई उससे कहीं अधिक क्षति सफेदपाश लोगों ने, धर्म के ठेकेदारों ने संस्कृति के ठेकेदारों ने, धर्म संस्कृति और कला के व्यापार के नाम पर आजादी बिलने के बाद पहुँचाई है। इस सब के बावजूद हमारा जो विद्यालय या वह इतना बरिद था कि तीन तीन सौ मूर्तियाँ एक साथ पकड़ी जायीं और मुकदमे भी चलते थे लेकिन सब के सब लोग छोड़ दिये जाते थे। प्रो० मदन हसन साहब सीधाय्याजी हैं कि यह सुंदर विद्यालय उनके हाथों पास होने जा रहा है। यह विद्यालय इतिहास की एक स्मरणीय वस्तु होगी। इतिहास में उनका नाम तो लिखा जाएगा ही क्योंकि वह इतिहास के विद्वान हैं, इसलिए भी उनका नाम इतिहास में लिखा जाएगा कि यह बिल उनके द्वारा प्रस्तुत

[श्री सुधाकर पाण्डे]

किया गया है और उनके द्वारा यह पास होने जा रहा है। इस बिल का मैं बार-बार स्वागत करता हूँ और मैं उनकी इस राय से सहमत हूँ कि इस में सुटियां हो सकती हैं किन्तु इसे एक क्षण भी पास होने से रोका नहीं जाना चाहिये। अगर कार्यान्वयन में सुटियां आएंगी तो उनका भी सुधार और परिष्कार यथासमय होता रहना चाहिये। उस में किसी प्रकार को रोक टोक नहीं होनी चाहिये। जड़ता मृत्यु है और भागे बढ़ने की शक्ति जिसमें परिवर्तन और परिवर्धन होता है, जीवन है।

इसके सम्बन्ध में कुछ और भी मैं निवेदन करना चाहता हूँ। जब सरकार कलाकृतियों, हस्तलेखों, मूर्तियों की रक्षा नहीं कर रही थी तो इस देश में कुछ ऐसी संस्थाएँ भी थीं जो इस काम को कर रही थीं और उन में सब से पहला नाम आया एशियाटिक सोसाइटी का और उसके बाद नागरी प्रचारिणी सभा का भी नाम आया। कला भवन जैसी विश्व विख्यात राष्ट्रीय सम्पत्ति नागरी प्रचारिणी सभा ने काशी हिन्दू विश्वविद्यालय को जो केन्द्रीय सरकार का संस्थान है, दान कर दी है। सभा में हजारों पांडुलिपियां हैं। हिन्दी की तो इतनी पांडुलिपियां हैं कि कहीं भी अन्यत्र वे उपलब्ध नहीं हैं। उन पांडुलिपियों के संरक्षण को और भी सरकार का ध्यान जाना चाहिये। यह दुर्भाग्य की बात रही है कि बार बार प्राग्रह इस संस्था ने किया है किन्तु सरकार ने उन पांडुलिपियों को कूड़ा और कचरा समझा और समझा कि इस में कुछ नहीं है। किन्तु मैं आपकी बतलाना चाहता हूँ कि इन पांडुलिपियों के भीतर भारत की वह रचना भी छिपी हुई है जिसे आज कांग्रेस बनाना चाहती है, जिसे आज देश के लोग बनाना चाहते हैं, जो जन मंगलकारी तथा प्रगतिशील है और जो आज की भ्रष्टाचार दृष्टि के विरोध में भेद को मिटा कर सर्वत्र अन्धे देखने वाली है। बिष्णु पुराण में देवता लोग भी पुनः जन्म की स्थिति होने पर यह पान करते हैं कि यदि उनका पुनर्जन्म हो तो वे भारत में जन्में क्योंकि यह भूमि और आनन्द की भूमि है। वह तथ्य यहां पर मिलेगा। अथर्ववेद के पृथ्वी सूक्त में धरतीमाता की जो यह बन्धना की गई है कि बिभिन्न क्षमों और

बोливियों के लोग यहां रहते रहे और सब मिल कर देश की प्रगति के लिए काम करते रहे, इस सत्य का साक्षात्कार उन कलाकृतियों से ही हो सकेगा।

श्री नूरुल हसन ने प्रसीध गढ़ विश्वविद्यालय से कुछ इतिहास की पांडुलिपियों का फारसी से हिन्दी में अनुवाद कराया है। वह बड़ा अच्छा कार्य हुआ है। उस से इतिहास की दिशा बदलेगी। वास्तव में हमारे इतिहास की दिशा बदल जायेगी, यदि उन हस्तलेखों का संग्रह हो जाये और उसका ठीक उपयोग हो। उस में कुछ काम बाकी रह गया है। मैं समझता हूँ कि श्री नूरुल हसन उस को पूरा करने का यत्न करेंगे।

जहां तक इस क्षेत्र की उन संघाओं का सम्बन्ध है, जो व्यापार नहीं करती हैं, बल्कि वे पांडुलिपियों प्रावि का संरक्षण करती हैं, जिन के कार्यकर्ता गांव-गांव में जा कर पांडुलिपियां लाते हैं और उन को सार्वजनिक रूप से मुरझित करते हैं, उनको प्रोत्साहन मिलना चाहिये और लोक हित में इन सब की सूची बननी चाहिए। किन्तु अगर उन के कार्य पर किसी प्रकार का प्रतिबन्ध इस कानून के माध्यम से लगता है, तो फिर इस कानून का सध्य ही नष्ट हो जायेगा।

जो बड़े बड़े विशाल होटल हैं, उन के घास-घास भी कुछ प्रतिबन्ध लगना चाहिए, क्योंकि मेरा खयाल है कि उन होटलों की छाया भूमि में और कभी कभी उन के कार्यकर्ताओं के माध्यम से कला-कृतियों का तस्क-व्यापार होता है।

जहां तक मूल्यों का सम्बन्ध है, मैं एक नैतिक और सैद्धांतिक प्रश्न श्री नूरुल हसन के सामने उठाना चाहता हूँ। यह विधान उन पांडुलिपियों एवं कृतियों पर लागू होगा जो 75 वर्ष पुरानी हैं, वह तो ठीक है। राजा राममोहन राय के मकान के बारे में कहा गया है। मैं उन बातों के बारे में इस समय कुछ नहीं कहना चाहता हूँ। तुलसीदास का मकान गंगा किनारे अपनी पुरानी स्थिति में है और जर्जर है, लेकिन वह व्यक्ति की प्राप्ति है। भारतीय भाषा में तुलसीदास जैसा बड़ा साहित्यकार शायद नहीं हुआ है और न होगा, लेकिन उन का मकान व्यक्ति की सम्पत्ति

है, देश की सम्पत्ति नहीं है ! यही स्थिति सूर के मकान की है। बिहारी के मकान का किसी को पता ही नहीं है। इन्हें राष्ट्र की सम्पत्ति बनाया जाये।

मैं यह पूछना चाहता हूँ कि राज-दरबारों में जो हस्तलेख हैं, वे किस की सम्पत्ति हैं। जब तक राजा लोग थे, तब तक वे उन के कस्टोडियन, संरक्षक थे। जब राजा चले गये, तो जिस कलाकार ने उन चित्रों को बनाया है, जिन लेखकों ने उन पांडुलिपियों को लिखा है, क्या वे उन की होनी चाहिए या राजा-महाराजाधों की? क्या उन कृतियों के कलाकारों की बन्दना उसे राष्ट्र की संपत्ति बना कर करनी चाहिए या राजा-महाराजाधों को उन के लिए कम्पेन्सेशन देना चाहिए? यह बात मेरी समझ में नहीं आई है।

मैं जानता हूँ कि मेरे पूर्वज भी लिखा-पढ़ा करते थे। उन के हस्तलेख की प्रतिलिपि प्राप्त करने के लिए जो कष्ट मुझे उठाना पड़ा है, उस की सीमा नहीं है। मैं इस क्षेत्र में बराबर काम करता रहा हूँ। श्रद्धालुओं के सम्पादन में जो जो कष्ट उठाने पड़ते हैं, उन की परिकल्पना नहीं की जा सकती है। मुझे विश्वास है कि इस बिल के द्वारा वे कष्ट दूर होंगे। किन्तु उन हस्तलेखों और पांडुलिपियों का मूल्य राजा-महाराजाधों को नहीं दिया जाना चाहिए। राजा-महाराजाधों के विद्या-भवन तो उन के विलास की चीज थे। मध्य काल में डकैत और राजा में केवल यह अन्तर था कि राजा विद्या भवन रखते थे और शस्त्रों के साथ शस्त्रों का उपयोग करते थे, किन्तु साहित्य और संस्कृति के साधन का प्रयोग न कर केवल शस्त्र से सम्पदा प्राप्त करने वाले को डकैत माना जाता था। राजा बनने के लिए यह जरूरी था कि विद्या भवन उन के पास हो। जो वस्तुएँ उन को संरक्षण के लिए, साहित्यकारों एवं कलाकारों द्वारा दी गई थी, वे उन की व्यक्तिगत सम्पत्ति न मान कर राष्ट्र की सम्पत्ति मानी जायें।

यह देश सी, दो सी बच्चों का देश नहीं है। हजारों हजारों बच्चों की पुरातन इस की संस्कृति है। इसकी कला सम्पदा का विस्तार भी बैसा

ही है। इटली की तरह यदि सरकार हर जिले में संग्रहालय बनाये, तो शायद वह अपना भी भला करेगी और देश का भी भला करेगी।

इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ और ध्याग्रह करता हूँ कि सदन इस को सर्व-सम्पत्ति से पास करे और तत्काल इसका प्रयोग प्रारम्भ करे।

SHRIMATI GAYATRI DEVI OF JAIPUR (Jaipur) : Mr. Deputy-Speaker, while I welcome the main objective of this Bill, I think there should be a few amendments put into it because, as it stands, it is not practical. I think everybody in this House wishes to preserve India's antiquities, whether they be in the form of art treasures, manuscripts, paintings, building or anything.

The Minister himself referred to the fact that a beautiful Natraj has been stolen and that the statues in the temples of Khajuraho have also been pilfered. I should like to remind this House that it is since independence that all this pilferage has started taking place in our country. Prior to that, when these treasures were looked after by their own owners, nothing was touched. Khajuraho was in the State of Panna. Under the rulers of Panna, not one single statue was stolen.

The previous speaker spoke about the collection of the ex-Princes of India. It is true that they have vast collections, and had they not been in India, we would probably have had no cultural heritage. That is something we must remember, and we must be thankful to them for their contribution to India's cultural heritage.

As far as Rajasthan is concerned, all the archives from the state-19—have been taken to Bikaner and dumped together. They were previously lying on the floor. They have now been arranged in some sort of order, but I believe at the moment there is nobody in the archaeological department to

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look after them. That is one thing I should like to point out.

When I said that there should be some amendments incorporated into the clauses, I meant to point out the fact that these thefts have taken place since independence and not prior to it. I have a feeling that it was because before they were properly looked after by those who loved them and in whose possession they were that we have had not had any thefts of this type. Also the beautiful cities of India were preserved with their unique indigenous architecture.

Take, for instance, the city of Jaipur. It was beautiful, until it was handed over to the Congress Government. Now it is filthy. The Director of Archaeology has not enough money to be able to protect these monuments. He cannot do anything. In front of the *Chatris*, the building of the Maharanis, a row of shops is coming up. The Department of Archaeology objected to this, but the local government lets it go up. These are things ancillary to this Bill and I would beg of the Minister to look into them. They say here that the Central Government will make rules and then the States will adopt them.

I would beg of this House to pass a Bill for the proper protection of all antiquities in India that are immoveable, I mean palaces, temples, caves and so on because at the moment the protection is not adequate. I hope that you will help me in this. I know about this. I can say about my own home where I went 32 years ago : Jaipur was perhaps the most beautiful city in the world. Today it is perhaps the dirtiest-ugliest, filthiest city in the world. Why? No care has been taken to protect the national monuments. This does not apply only to Jaipur. It applies to many other places in Rajasthan and in the rest of India.

As I have not got the time to go into details, I would just like to point out to the Minister one or two things, which, I hope,

he will forgive me for. I think in a way this Bill is premature because they have not got the machinery to implement it. To begin with, they do not have enough experts in art in this country even to man the National museums. When they do not have experts, they talk about registration of articles. That is all very well. But who is going to register these articles? It should be an expert, who knows about art.

Then they talk of photography—six copies of each article. Have they-calculated the cost of one photograph, leave alone 6? Which individual or which collector will ever be able to afford that? Therefore, I would seriously like to suggest to Government to have an agency which can take photographs of these objects of art.

Another thing. This registration is not practical for persons. Clauses 14, 17 and 17 apply to museum offices and archives owned and controlled by the Government. Why should there not be a list of those articles as well? Why should they not be catalogued and photographed and lists of them provided to the public? After all, they are not owned by the institutions there. They are owned by the public. If there has to be a special exemption for this, there must be a reason for it.

Another thing is this. When you ask for registration of art objects that are lying with the dealers or collectors, you must also be very, very sure to see that all Government officials produce a list of their art objects. I do not want to cast aspersions but many, many collectors in the far-flung districts are one of the worst culprits in pilfering art and cultural treasures.

There was another thing that I wanted to suggest. From clause 13 it looks as though the Central Government wants to nationalise the antique trade which I think would a pity, because there are thousands and thousands of people who depend on this;—though I am hundred per cent with you

that you should try and stop the smuggling of antiques from this country—I go abroad quite often and I am absolutely horrified to find in every single shop—Dabis Street in London, for example—something of Indian antiquity. I go inside and ask the dealers : “I am just an ordinary buyer; how much is this?” There, I once found a statue of £1,100. He bought it for about £200 or £300, and he said, “I am going back to India in a month or two to get some more.” Now, his agencies were not private. They were not any of the dealers like the kabadiwallas or anybody like that. He obviously got them from an archæologically protected site. And this continues.

I would also say that the Government of India's officials concerned must also have there art collections registered and must also give notifications to the Government as to what they should do.

As regards this compulsory acquisition, I am not quite clear as to what that means, because I am very frightened of this; not for personal reasons. We have a large collection, which is in a museum, but we are not trying to get anything out of it. We are trying to acquire more. It is open to the public; open to the scholars. We are not able to find a director because there is dearth of this kind of people in India. The same applies here. Your best men are working abroad in the universities of Chicago and Harvard—our best Indian scholars in antiquities. I ask, why this compulsory acquisition? People who have art objects — private ones—are very frightened that they may go into Government hands and then disappear from the public, either completely, or they are swallowed up and find themselves somewhere abroad, like the famous statue of Nataraja that you mentioned.

What is the idea of this? Then you say, if the owner wishes to apply for compensation, he may go to an agency and apply

to the court, and there will be a gentleman to determine the value of what is sought to be acquired. But in art, as anybody knows, there is no value. You cannot name the value of such a thing. For instance, if I wish to auction this ring, for me, I will pay crores of rupees for it, but its actual value is only perhaps Rs. 2,500 or something like that. But I will wish to possess it. So, I will pay anything for it. That is the value of an antique.

For instance, you take the auction shops in England : Southeby and Christie. The owner may put up a painting or an object of art for auction. And the owner's reserve price may be something like Rs. 200, Rs. 300, Rs. 400 or Rs. 500. But if somebody wants to acquire it, somebody wants it, its value goes up to thousands of pounds.

When I am talking of Southeby and Christie, it has often struck me that the Indian Government, through the State Trading Corporation, auction cars and things like that. Why does it not have a sort of antique auction shop? For instance, these dealers in antiques who wish to sell their things abroad make a determined price by having a public auction, and the Government will make a profit.

You can have a sort of Southeby or Christie in this country. After all, these antiquities do belong to the public. If they are going to do that, you have the right to make money out of them. So, make the best of it and do not let them go for a paltry sum. This is something which the Government should think over.

MR. DEPUTY-SPEAKER : Your time is up.

SHRIMATI GAYATRI DEVI OF JAI-PUR : I am concluding. As I have said before, I feel that the Bill is a bit premature, because the Government has not got the machinery to deal with this. Even for the National Museum, they have not been able to find

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a director. There are no laboratories in the country for the preservation of paintings, textiles, carpets or anything like that. The UNESCO has offered its services many times to the people, but the Indian Government have not availed themselves of those opportunities. I know about this actually. It is a fact. I would ask the hon. Minister to see to this.

The other thing is, what laboratories have you got. India is a vast country. Is Delhi, or Calcutta or Madras having a big laboratory? The Salar Jung Museum has got a small one. Here, your carpets are lying up together for cleaning. There is a queue of carpets to be preserved in the National Museum over here. All these things happen to be there because we have not got the facilities to preserve the antiquities well. So, I would plead with the Government to do something about this.

You will doubtless pass this Bill by all means; do not try to nationalise the trade. Let the people keep their possessions. Regulate the export by all means. Up till now, smuggling has been due to the fault of the Government alone, and the Government alone stand condemned in this and I hope the Government will do something constructive in this regard. As it stands, the Bill will do more harm than good. So, it should not be passed unless amended.

श्री धन प्रताप सिंह (बाराबंकी) : मान्यवर, मैं धाप का हृदय से धाभारी हूँ जो आपने मुझे पुरावशेष तथा बहुमूल्य कलाकृति विधेयक, 1972 पर अपने विचार को प्रकट करने का अवसर दिया है। मैं इस का समर्थन करने के लिए खड़ा हुआ हूँ।

श्रीमन्, मैं धाप के माध्यम से इस माननीय सदन से कहना चाहता हूँ कि—

रफ़ीको आधो बदल दें निजामे धालम को।
करेब और मरू के परबे को तार तार करें॥

श्रीमन्, भारत अपने पुरावशेष बहुमूल्य कलाकृतियों की दृष्टि से विश्व का सब से धनी और सब से सम्पन्न देश है। भारत के ऐतिहासिक तथा सांस्कृतिक धरोहर विश्व समुदाय के लिए सदैव ही जिज्ञासा, आकर्षण और सम्मान के केन्द्र रहे हैं। राष्ट्र के जीवन में राष्ट्र की संस्कृति का वही महत्व होता है जो महत्व शरीर में प्राण का होता है। संस्कृति रहित राष्ट्र उसी प्रकार से होता है जिस प्रकार से प्राण रहित शरीर होता है। भारत की संस्कृति की हर धरोहर विश्व समुदाय के लिए एक आकाशदीप और प्रेरणा का स्रोत बनी हुई है।

MR. DEPUTY-SPEAKER : You can continue the day after tomorrow. We now resume the discussion on the motion of Shri Nathu Ram Ahirwar on the development of backward areas. Nobody was on his legs the other day. Who wants to speak? Yes, Shri Dasaratha Deb.

14.30 hrs.

MOTION RE. SEPARATE CENTRAL SCHEMES FOR DEVELOPMENT OF BACKWARD AREAS

SHRI DASARATHA DEB (Tripura East) : There is regional imbalance on a very wide scale and it was a legacy of the British imperialism but after Independence also our government has preserved that legacy. The grievances of these backward areas are genuine and it requires to be properly attended to. The planners of this country must have a proper plan keeping in view the regional imbalances in our country. It is not only those areas mentioned in this resolution, but also many other areas that are very backward. I come from a region which is the most backward of the backward areas. In the north-eastern region