

12.44 hrs.

ANTIQUITIES AND ART TREASURES BILL*

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

MR. SPEAKER : The question is :

"That leave be granted to introduce a 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."

The motion was adopted

PROF. S. NURUL HASAN : I introduce the Bill.

12.45 hrs.

RULERS OF INDIAN STATES (ABOLITION OF PRIVILEGES) BILL*

THE MINISTER OF LAW AND JUSTICE AND PETROLEUM AND CHEMICALS (SHRI H. R. GOKHALE) : I beg to move for leave to introduce a Bill further to amend certain enactments consequent on derecognition of Rulers of Indian States and abolition of privy purses, so as to abolish the privileges of Rulers and to make certain transitional provisions to enable the said Rulers to adjust progressively to the changed circumstances.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend certain enactments consequent on derecognition of Rulers of Indian States and abolition of privy purses, so as to abolish the privileges of Rulers and to make certain transitional provisions to enable the said Rulers to adjust progressively to the changed circumstances."

The motion was adopted

SHRI H. R. GOKHALE : I introduce the Bill.

12. 46 hrs.

MINES AND MINERALS (REGULATION AND DEVELOPMENT) AMENDMENT BILL*

THE MINISTER OF STEEL AND MINES (SHRI S. MOHAN KUMARAMANGALAM) : I beg to move for leave to introduce a Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957.

The motion was adopted.

SHRI S. MOHAN KUMARAMANGALAM : I introduce the Bill.

12.47 hrs.

DENTISTS (AMENDMENT) BILL — Contd.

MR. SPEAKER : We will now take up further consideration of the Dentists (Amendment) Bill. Dr. Laxminarain Pandeya was on his legs. He may continue his speech.

* Published in Gazette of India Extraordinary Part II, Section 2, dated 21.8.72.

† Introduced with the recommendation of the President.

डा० लक्ष्मीनारायण पंडेय (मंदसौर) : अध्यक्ष महोदय, मंत्री महोदय ने जो बिल पेश किया है उसमें ऐसे लोगों को जिनके पास कोई आर्जाबिका का साधन नहीं है, अथवा ऐसे लोग जो श्री लंका और बंगला देश से प्रत्यावर्तित हैं, उन्हें कुछ चिकित्सा सुविधा प्राप्त हो सके और वे अपनी रोजी कमा सकें। इस दृष्टि से इसे यहाँ लाया गया है। लेकिन इसके साथ साथ बहुत सारे ऐसे परिवर्तन मूल विधान में किए हैं जिनके द्वारा सरकार अपने हाथ में जो दन्त चिकित्सा परिषद् है उसके अधिकार को ले लेना चाहती है। सरकार द्वारा कहा भी गया है कि दन्त चिकित्सा परिषद् के अधिकार अपने हाथ में लेकर वह देश में एक समान-रूपता लाना चाहती है। लेकिन जहाँ तक इस प्रकार की अन्य परिषदों का संबंध है, मेडिकल कौंसिल अपने लिए स्वतन्त्र है, सरकार ने उसको अपने हाथ में नहीं ले रखा है और ऐसे भी दन्त चिकित्सा परिषद् पर सरकार का अपना नियंत्रण है ही। जहाँ तक बिजुटर का का सवाल है आज तक उसके लिए कोई व्यवस्था नहीं थी और 1948 से लेकर आज तक बिना बिजुटर के भी काम चल रहा था। इंस्पेक्टर भी जा कर देखा करते थे और सब काम ठीक चल रहा था। लेकिन जो नई व्यवस्था की गई है उसकी मैं कोई बहुत बड़ी आबश्यकता अनुभव नहीं करता। इसी प्रकार से एक नया प्रावधान लाने की ज़रूरत की गई है। उसके द्वारा सरकार उन डाक्टरों का रिन्युअल भी करना चाहती है जो चिकित्सा कर रहे हैं। मैं नहीं समझता कि एक बा. किसी का रजिस्ट्रेशन होने के बाद में उसके रिन्युअल की स्थिति पंदा हो और रिन्युअल के लिए कोई निर्धारित शुल्क भी देना पड़े। इस प्रकार से कुछ ऐसे संशोधन लाए गए हैं जो वर्तमान विधान के बहुत ज्यादा विपरीत पड़ते हैं और इसीलिए मैंने यह प्रस्तावित किया है इसे प्रथम समिति को सौंपा जाए क्योंकि प्रथम

समिति ठीक से इसके ऊपर विचार कर सकती है और विचार कर के बता सकती है कि बाहिर दंत चिकित्सकों के लिए कौन सी ऐसी व्यवस्था हो जिससे वह ठीक ढंग से काम कर सकें। मंत्री महोदय भली भाँति जानते हैं कि आज भी ऐसे सैकड़ों लोग हो सकते हैं जिनके पास कोई रजिस्ट्रेशन नहीं है, जो किसी भी मान्यता प्राप्त संस्था द्वारा शिक्षा प्राप्त नहीं हैं, जो कोई योग्यता नहीं रखते, लेकिन वह भी दंत चिकित्सक अपने घाप को कह कर बाजारों में और सड़कों पर बैठकर काम करते हैं। वे सरकार की नजर में हैं लेकिन उनके बारे में कोई निर्णय नहीं लिया और न कोई कार्यवाही की और न ही ऐसे अनधिकृत व्यक्तियों को रोकने में सरकार इस प्रस्तुत विधान के द्वारा समर्थ हो सकी है। प्रस्तुत विधान के द्वारा मैं समझता हूँ कि सरकार इनकी संख्या और बढ़ाने जा रही है क्योंकि सरकार ने कहा है कि सरकार उनका भी रजिस्ट्रेशन करेगी जिनके पास चाहे योग्यता हो या न हो, क्वालीफिकेशन हो या न हो। किस आधार पर करेगी यह सरकार ने बताया नहीं। लेकिन यदि किसी को रोजी देने का आधार हो और उस आधार पर करेगी तो उस में बहुत बड़ी संख्या ऐसे लोगों की आ जायेगी जैसा कि होम्योपैथी, आयुर्वेदिक और यूनानी पद्धति में रजिस्ट्रेशन के समय हुआ कि उन लोगों के रजिस्ट्रेशन हुए हैं जो किसी प्रकार से किसी मान्यता प्राप्त संस्था से कोई योग्यता प्राप्त नहीं थे। उनका रजिस्ट्रेशन केवल अनुभव की योग्यता के आधार पर या केवल किसी के प्रमाणीकरण के आधार पर हुआ था। उसके कारण बहुत बड़ी संख्या ऐसे लोगों की लड़ी हो गई जिनके पास कोई योग्यता नहीं थी, जो अपने घाप को किसी न किसी प्रणाली का चिकित्सक कहलाते हैं और वह एक प्रकार से हमारे देश के स्वास्थ्य के साथ झिंकवाड़ कर रहे हैं। दंत चिकित्सा पद्धति में इस विधेयक के

द्वारा ऐसी जो स्थिति खड़ी की जा रही है, वह मैं समझता हूँ कि ठीक नहीं है। सरकार को इस पर ठीक तरह से विचार करना चाहिए और दंत चिकित्सा परिषद के गठन के बारे में मैंने संशोधन प्रस्तुत किए हैं। उनको प्रत्यक्ष से मैं कुछ प्रस्तावित करूँगा। किन्तु सरकार ने परिषद के गठन के बारे में भी जो स्थिति अपनाई वह ठीक नहीं है। दंत चिकित्सा के कालेज भी जो विभिन्न प्रदेशों में हैं उनकी स्थिति कुछ प्रदेशों में ठीक नहीं है और कुछ प्रदेशों में वह है भी नहीं, वह समान रूप से ठीक से काम कर सकें, उनकी चिकित्सा प्रणाली में समानता प्रायः, उनके कार्य करने की पद्धति में समानता प्रायः और वे भी ऐसा अनुभव कर सकें कि इस चिकित्सा प्रणाली के द्वारा वे जीवन-यापन में समर्थ हो सकेंगे, साथ ही साथ इस चिकित्सा प्रणाली द्वारा माजीविका उपलब्ध कराने में अपने को समर्थ पा सकेंगे। तथा दंत चिकित्सा का विकास हो और उसके जन साधारण को लाभ पहुंचे।

इस शब्दों के साथ इस विधेयक के अन्दर जो प्रस्तावित बातें हैं, उनको देखने हुए, यद्यपि कुछ दृष्टि से यह स्वागत योग्य कहा जा सकता है, लेकिन इस के अन्दर जो कठिनाइयाँ मैंने बतलाई हैं और जो त्रुटियाँ हैं उनको देखते हुए मैं चाहता हूँ कि इसको प्रवर समिति को भेजा जाय।

MR. SPEAKER : Mr. Somasundaram. He is not here. Mr. Banerjee.

SHRI S. M. BANERJEE (Kanpur) : I rise to support this Bill with one or two requests.

According to this particular Bill, the definition of 'dental qualification' means any qualification included in the Schedule. The hon. Minister who has piloted this Bill comes from Calcutta where many Chinese—
longer Chinese but they are

Indians; they have settled here—have engaged themselves in this particular profession. Not only in Calcutta but in many other places also, whenever we go to the dentist, we find that the treatment is very costly. Naturally many people go to the Chinese some of whom are equally good, if not better. I want to know how they will be certified. I want to know their position.

My second point is that the scheme of dental treatment, free of cost, should be introduced under the CGHS for the benefit of Central Government employees. At present the cost of dental treatment in their cases is not borne by the Government. I would request the hon. Minister who is young and has his own teeth to realise the position of those Central Government employees who are 50 years and above—who have to undergo dental treatment and are required to pay through their nose. I would request the hon. Minister to consider introducing free dental treatment under the CGHS.

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY PLANNING AND IN THE MINISTRY OF WORKS AND HOUSING (PROF. D. P. CHATTOPADHYAYA) : As I have pointed out at the time of introduction of this Bill, it is a very simple and small piece of legislation. The hon. members who have spoken on the Bill have generally approved the tenor and the necessity of the Bill. Only one or two doubts have been expressed and I will confine myself only to those two or three points.

It is true that the number of dentists in the country is not equal to what is necessary for catering proper dental services to the people as a whole. But then there is another problem, slightly disturbing problem, i.e.; unemployment amongst the dentists. This Ministry has looked into the problem and a plan was forwarded to the Planning Commission in respect of this matter. It is still under consideration. The main difficulty in solving this problem, as you all know is financial. Within the constraints, the Ministry is trying to do its best to solve the problem.

[Shri D. P. Chattopadhyaya]

The second point that has been raised is that Government is taking over the powers of the Dental Council of India. That is, perhaps, not correct. A close reading of the Bill will show that Government is not taking over the powers of the Dental Council of India but is only taking over the responsibility of recognition of dental qualification, and that is to bring about a sort of uniformity in respect of dental qualifications. The Dental Council of India is being empowered by this Bill to bring about a sort of uniformity among the dentists in their professional etiquette and ethics.

We have already said that the main purpose of the Bill, rather one of the main purposes of the Bill, is to see that some repatriates from Burma, Ceylon and Bangla Desh who have come over to this country but who do not satisfy the existing qualifications are taken care of and for them a special provision is being made. We have two categories of qualifications—those who have the qualifications obtained from foreign countries and those who have acquired their qualifications in our own country. But these unfortunate repatriates have not got any of these qualifications, but they have long experience to their credit. So, on a careful consideration, it has been found that if they are allowed to practise here, it will not pose, as it has been unjustifiably indicated by some hon. Members, a sort of health or dental hazard to the possible patients. When we try to economically rehabilitate these people, we certainly have the interests of the possible patients also in view. So, it is not a problem. It will not create any difficulty.

Because of these considerations, I do not think there is any necessity to refer this Bill to a Joint Select Committee.

MR. SPEAKER : Now, the question is.

“That the Bill further to amend the Dentists Act, 1948, be referred to a Select Committee consisting of 8 members, namely :—

- (1) Shri Bhagirath Bhanwar.
- (2) Shri Khemchandbhai Chavda.
- (3) Shri M. C. Daga.
- (4) Shri K. M. “Madhukar”.

- (5) Shri Dhan Shah Pradha.
- (6) Shri Ramkanwar.
- (7) Shri R. R. Sharma ; and
- (8) Shri Uma Shankar Dikshit.

with instructions to report by the first day of the next session.” (8)

The motion was negatived.

MR. SPEAKER : Now, the question is :

“That the Bill further to amend the Dentists Act, 1948, as passed by Rajya Sabha, be taken into consideration.”

The motion was adopted.

MR. SPEAKER : There are no amendments to clauses 2 to 4. I will put them to the vote of the House.

The question is :

“That clauses 2 to 4 stand part of the Bill”.

The motion was adopted.

Clauses 2 to 4 were added to the Bill.

Clause 5 (Amendment of Section 3)

DR. LAXMINARAIN PANDEYA : I beg to move :

Page 2, line 10,—
for “four” substitute “six” (4)

Page 2, line 11,—
omit “by” (5)

Page 2, line 12,—
after “(a)” insert—
“four members by” (6)

Page 2, line 17,—
after “(b)” insert—
“two members by” (7)

MR. SPEAKER : I will now put amendments 4 to 7 of Dr. Laxminarayana

Pandeya to the vote of the House.

The amendments were put and negatived.

MR. SPEAKER: Now, the question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6 to 28 were added to the Bill.

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

13 hrs.

PROF. D. P. CHATTOPADHYAYA: Sir, I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

13.01 hrs-

WILD LIFE (PROTECTION) BILL

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (PROF. SHER SINGH): Mr. Speaker, Sir, I beg to move*:

"That the Bill to provide for the protection of wild animals and birds and for matters connected therewith or ancillary or incidental thereto, be taken into consideration."

Sir, this Bill seeks to safeguard one of the grandest heritages of our country. Wild-life also forms an integral part of our cultural inheritance. It is mentioned in the earliest scriptures and manifests itself in the art forms of India throughout the centuries, from the Indus Valley Civilization to Barhut and Sanchi, Mahabalipuram and Amravati, Mughal and Rajput paintings. Emperor Asokha's edicts speak of sanctuary given to animate creatures.

From the heights of the Himalayas and the Swamps of the Sunderbans to the deserts of Kutch and the highlands of Kerala, variations in climate and in topography have nurtured a multitude of animal forms, many of which are found nowhere else in the world.

The rapid decimation of our once-teeming wild-life has been a matter of grave concern to the world at large and to India in particular.

Grand animals like the tiger and the Kashmir stag are treasures; these natural assets once destroyed can never be re-created.

As early as in 1952, the National Forest Policy of India emphasised the need for affording protection to the wild-life and particularly to the rarer species. It recommended the setting up of sanctuaries and national parks and the enactment of special laws. The Indian Board for Wild Life constituted by the Government of India in the same year, has also opined that adequate legislation should be enacted by the Central Government and the States, and that there should be a uniform set of rules and regulations in contiguous States for the effective protection of wild-life.

Sir, the Expert Committee appointed by the Indian Board for Wild-life has also stressed the same aspects and has emphasised the need for protection of the various threatened species.

As you are aware, Mr. Speaker, Sir, the protection of animals and birds features in the State List of the Seventh Schedule of our Constitution. As such, powers in this regard vest with the State Governments alone.

During the formative and tumultuous years which followed our independence, State Governments have naturally been pre-occupied with the problems of providing the basic needs for the masses. Large number of crop protection weapons were given in the interest of agriculture, and wild-life could not be given the priority that it deserved. The stage, however, has now been reached when, if the States and the Central Govern-

*Moved with the recommendation of the President.