

[Mr. Deputy Speaker]

be reported to the next Parliamentary Committee which may be appointed to review similar matters."

The motion was adopted.

14.50 hrs.

NATIONAL LIBRARY BILL

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

"That the Bill to provide for the administration of the National Library and certain other connected matters, be taken into consideration".

As the House is aware, there has been a great deal of dissatisfaction expressed about the functioning of this premier library of our country, the National Library. It was as a result of this that a committee was appointed, as the House would recall, under the chairmanship of Dr. V. S. Jha, to go into the different aspects of the functioning of the library. The committee has made an extremely valuable report.

Broadly, the recommendations of the report may be classified under the following heads, firstly, a better scheme of management, secondly, reorganisation of the various divisions and units of the library and particularly the appointment of various committees of experts to go into the different functions of the library, thirdly, in consequence of these proposals of reorganisation, additional staff, and lastly more money, partly for capital expenditure and partly for the acquisition of books and periodicals and other equipment.

I shall take up the first two points in a few seconds with your permission. But I would make a submission that although it has not been

possible for Government to provide all the posts that the committee had visualised, some considerable progress has already been made, 25 class I and class II technical posts have already been provided; one Ministerial class II post has been provided; 62 class III technical posts have been provided; 45 Ministerial class III posts have been provided, and 50 class IV posts have been provided that is to say, a total additional staff of 163 persons has already been sanctioned.

Furthermore, Government have sanctioned a Zeromachine and an offset duplicator, which was among the very important recommendations of the committee.

Unfortunately, it has not been possible for the Government, due to paucity of funds, to provide for all the money that a national library should be getting for the acquisition of books and journals, and the present amount that is placed at the disposal of the library is, I confess, inadequate for it to discharge the responsibilities of a national library. We, however, hope that in the Fifth Plan, it will be possible for us to rectify at least part of this major deficiency.

So far as the problem of management is concerned, the recommendation of the committee was far-reaching. The committee took the view that the advisory council of the national library should be replaced by a governing council, and eminent persons from the universities, distinguished educationists and administrators of proved worth and academic bent of mind, scientists of repute and achievement should be the members of the council. But at the same time, the committee recommended that the council should be instituted by a resolution of the Government and not by a statute. At the same time, the committee was of the opinion that a director should be appointed who should also be the ex-officio chairman of the governing council, and his

*Moved with the recommendation of the President.

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salary and status should be comparable with that of the vice-Chancellor of a Central university.

In regard to the creation of the post of Director, Government have been able to accept this important recommendation of the Commission, and the salary proposed for the Director is the same as is being paid to the Vice-Chancellor of a central university. The difficulty, however, arose that a Governing Council cannot be established without a statute. A resolution of the Government can create a body which is advisory in nature, but then legally the status of the Library remains that of a subordinate office. I am convinced that no educational or academic or scientific institution can easily be managed by the secretariat because of various obvious difficulties. If the Governing Council is to be a real Governing Council, then it can only be established by this Parliament and not by a Resolution of the Government, because a body created by a resolution of Government cannot absolve Government of its direct responsibility in regard to all the normal procedures of Government regarding appointment, recruitment, provision of funds etc. If the Governing Council is to be a Governing Council and is to govern, then it can only be established under an Act of Parliament.

There are other libraries much lesser in significance than the National Library for which the Government have proposed and Parliament has been gracious enough to accept, that they be governed by Act of Parliament. Therefore, it was our feeling that we should come before this august House with a Bill, and perhaps that National Library should also be governed by an autonomous body which will have the power of administration over the Council and which will be given its due status, having been established under an Act of Parliament.

As regards the various schemes of reorganisation, most of these are

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extremely significant, and personally I find myself in broad agreement with most of them except with one, and that is the recommendation that inter-library loan be discouraged. I would like to make a submission here. A national library, to be truly a national library, should make its services available to the rest of the country and it should not always be necessary for a scholar doing his research work in one part or the other part of the country to go to the national library itself and spend a lot of time and money, if the reference that he may wish to check up is fairly small. However, this is an academic matter on which a difference of opinion is possible and I would not like to interfere very much with the new organisation that we would like to be set up under this Bill. I would like this body to take a decision on this and on the other matters. The whole difficulty of the national library has been that expert guidance has not been fully made available to it, and various administrative procedures have stood in the way of that expert guidance being availed of. Therefore, I have come before this House with a Bill which proposes the establishment of a board for the administration of the library and vesting in the board the property of the library. Secondly, the existing staff of the library is to be transferred to the board. Thirdly, it will be possible for the Government to issue directions to the board on questions of policy. This is necessary because the accountability of the Minister to this House remains. Then the various financial procedures about the annual budget estimates, deposit fund in the Reserve Bank, annual audit of accounts of the board by the Comptroller and Auditor-General of India—all these provisions have been included in the Bill.

15 hrs.

The composition of the board deserves to be considered carefully by Parliament. The board will have the Secretary of the Ministry concerned and the Secretary of the Ministry of

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Defence. These will be ex-officio members. Then, there will be six persons to be nominated by the Central Government of whom four shall be persons who, in the opinion of the Central Government, are distinguished educationists or have special knowledge and experience in matters relating to the administration of libraries. One shall be a representative of any of the universities in India. The other shall be from among the persons who, in the opinion of the Central Government, have knowledge of and experience in science and technology and one person to be nominated by the Chairman of the University Grants Commission, and the Director of the Library shall be ex-officio Member-Secretary. It will thus be seen that this is a board which, except for two persons who represent the administration, is composed entirely of experts. Further more, it has been made possible for the board to establish an executive council consisting of such number of members as the board may think fit. The Director of the Library shall be the Chairman of the executive council and the other members shall be appointed from among the members of the board or from outside or partly from among the members of the board and partly from outside.

To these may be given such duties as may be prescribed or delegated by the board, subject to such conditions which the board may prescribe; that is to say, while the overall control is vested in the board it is visualised that the executive committee will be a body which may or may not consist of the members of the board but which will have only or mainly the experts, which will be dealing with the organisation and the upkeep of the library. As for the director, the Central Government shall appoint a person who in its opinion possesses academic qualifications of distinction or is a distinguished librarian. The term of the director shall be for a period of five years provided that the

Central Government may extend such term for such further period as it may deem fit.

This is broadly the scheme of the administration of the national Library. I realise that merely handing over the administration of the library to competent experts is not going to solve the problem. The responsibility of the Central Government would still remain but that would be principally to provide adequate funds to the library, and to ensure that the broad wishes of this House are implemented, so that this national library is able to acquire in fact what it is supposed to enjoy in theory already, the status of a national library. Sir, I commend this Bill to the House.

MR. DEPUTY SPEAKER: Motion moved:

"That the Bill to provide for the administration of the National Library and certain other connected matters, be taken into consideration."

I have before me an amendment given notice of by Shri H. N. Mukerjee. Because the amendment was submitted after the time fixed for the receipt of such amendments was past, it has not been possible to circulate it. But Prof. Mukerjee is generally a stickler to the rules of procedure of this House and if he has not been able to send it in time there must have been good reason for it. In consideration of that I shall, therefore, admit it. But I would like to request the Members that they should co-operate with us by sending these amendments in time. In this connection, I would like to say that the Rules Committee in September last had decided that amendments should be sent two days in advance—it was of the last Lok Sabha and this is only a reminder of the decision taken by the last Lok Sabha that amendments should be sent two days before, so as to facilitate typing, printing them and circulation. I shall read out Prof. Mukerjee's amendment. That the National Library Bill of 1972 be circulated for

elicitation of public opinion thereon by 31st March, 1973.' I shall admit this.

SHRI H. N. MUKERJEE (Calcutta-North-East): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st March, 1973."
 (24)

SHRI SAMAR GUHA (Contai): I have given so many amendments. What about them?

MR. DEPUTY SPEAKER: I really wonder that you raise them now. This amendment is to the motion for consideration. The amendments could be only that this goes to the Select Committee or it goes for elicitation of public opinion. If there are other amendments to the clauses, they will be taken up when the clauses come up for discussion.

SHRI SOMNATH CHATTERJEE (Burdwan): This Bill is a very important Bill because it deals with the future administrative set-up of the National Library which we all want should be a unique seat of research and reference in this country. But from the provisions of the Bill we find that they do not seek to achieve what we ought to. Before going further into the matter, I should strongly support the motion which had been submitted by Prof. Mukerjee for eliciting public opinion thereon. Even today we have got a telegram from the employees association of the national library expressing serious misgivings about the provisions of this Bill. They want to have the matter considered and discussed with the appropriate authorities to see that the maladies which have been prevailing in this institution should no longer continue and what real steps can be taken to rectify it. I am sorry to say that except for setting up two bodies, this Bill really does not deal with the subject-matters which are to be tackled properly. From the statement of objects and reasons, it is clear that this Bill has been brought for the purpose of giving

effect to the recommendations or it is drawn upon the basis of the recommendation of the Jha Committee appointed by the Government of India in 1968. It is a completely misleading statement because none of the major recommendations of this committee has been accepted except that there should be a Director of the library. The minister was at pains to show that the Governing Council could not be set up by resolution otherwise than by statute. That is a matter of procedure. But even the other major recommendations do not find a place in the Bill. It is supposed to be left to the rule-making or regulation-making power of the Central Government.

Unfortunately during the last few years, this library has become the hotbed of intrigues and there have been feuds between the librarian and the deputy librarian. Serious charges and allegations have been made against the management by the employees' association which, I believe, really promoted the Government to set up the Jha Committee. There has been a very unfortunate deterioration in the standard of the services rendered by this library. There have been repeated complaints of books being piled up and not taken care of, books being stolen and no real, effective steps were taken.

If you go through the report of the Jha Committee and the minute of dissent, you will find that a very sorry state of affairs was prevailing. We have to see how far that state of affairs can be changed by the method that is sought to be adopted by setting up a board or committee. With your permission, I would like to read from pages 95 and 96 of the Jha Committee report:

"We are anxious that sanity and understanding should be restored to enable proper functioning of the library and one important step towards this end is to create conditions which will enable dialogue between members of the staff on

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all important issues. We understand that Joint Staff Council comprised of the representatives of the staff and the Librarian has already been constituted and that it has been working since May 1968. The necessity of such Joint Staff Councils is a recognised need in any large organisation....” etc.

Therefore, the position of the library has almost reached a scandalous state of affairs. There is an elaborate reference to the disputes and feuds that have been going on between the different staff.

One of the major recommendations of the committee has been the setting up of a Governing Council or Executive Council. The recommendation is to leave the matters to the Governing Council with the requisite membership and persons of accepted merit and ability with proficiency in this branch of learning, i.e. library science, should be taken into it. But kindly see what has been provided in this Bill. A two-tier system of administration is set up. Really, dyarchy is being introduced here. When previously it was seen that the management by the Government and the Advisory Council did not bring about a smooth state of affairs, now why is this dyarchy being introduced one can understand that the board is being given the powers to look after the management. The Executive Council is not now being again proposed to be put up. Kindly see clause 10. It gives completely undefined powers. The Bill does not say what will be the functions of this Council. First of all, it does not say who will appoint this Council. I believe it is a drafting lacuna, for which I have given notice of an amendment. Clause 10(3) says:

“The Executive Council shall exercise such of the powers and perform such of the duties of the Board as may be prescribed or as the Board may delegate to it subject to such conditions as the Board may deem fit”

So far as Parliament is concerned, it is not laying down the real duties and functions of the Executive Council. Nowhere is it stated as to what will be the duties and functions of the Executive Council, who will be the members and why is it necessary to set up another body consisting of persons different from the Board. I could have understood some principle being laid down as to who are eligible to be the members of the Board. No such provision has been made. May be, a representative of the employees' association will be a member of the Executive Council. But even that is not made clear. May be, the Executive Council will look after the day to day affairs of the National Library, but by going through the Bill you will not find what are the purposes and duties of the Executive Council.

Merely the setting up of some committees or boards will not solve the problem. If Parliament wants to lay down the criteria, if we have to sanction the Executive Council, then we must draft the constitution. Merely saying some members may be taken into it, without laying down any guiding principle as to what type of persons would be taken in, what would be their duties and functions, what would be the ambit of their power, that will not be acting on the recommendations of the Jha Committee.

I did not hear the Minister saying anything in justification of the setting up of the Executive Council, though he had taken great pains to say that the Governing Council could not be formed by resolution. This requires to be clarified. On this matter there are some apprehensions in the minds of the employees. They have made a representation on the Jha Committee Report. I want to know whether their genuine apprehension in that representation has at all been considered by government.

Everybody wants that this should be a premier institution of which we should be proud, which should discharge its expected role in the development and progress of learning in this country. But when we are framing the legislation for such a body, we are not able to lay down the guiding principles even for the management and administration. We do not want to interfere in the day-to-day affairs of this institution or the library. But Parliament should lay down the general guiding principles, the constitution of the staff committees and councils.

The hon. Minister stated that the very welcome recommendations made by the Jha Committee with regard to the formation of the various committees have been accepted. Where does that find a place in the Bill? You will not find any reference to any power being given, either to the Board or the Council, to form committees or sub-committees, as recommended by the Jha Committee, or as suggested by the employees' association. They have submitted a lengthy memorandum and I would request the hon. Minister to go through it. The very constructive suggestions given by the Jha Committee and repeated by the employees' association have not been implemented here.

Even the rule-making power, which is contained in clause 29, giving certain rights to the Central Government to frame rules, do not visualize the formation of committees or sub-committee. The regulation-making power, which has been conferred on the Board under clause 30, is equally lacking in that respect. Therefore, we wonder whether any real thought has been given to these aspects. The hon. Minister may be in sympathy with some of the recommendations made by the Committee. Does the Bill give effect to those recommendations?

You will find no provision has been made here. The committees or the

sub-committees may be formed. The hon. Minister will say that the Board can form some committees or sub-committees. But they will not have the requisite legislative sanction behind them. Those committees or sub-committees will be just mere certain bodies of the Board. They can only be committees or sub-committees of the Board consisting of same members as the Board. They will not have any statutory competence or statutory position with regard to the discharge of various duties and functions. If you go through the major recommendations, you will find various committees and sub-committees have been suggested to be formed for the purpose of working of the National Library.

Then, with regard to various technical services which have been recommended by the Jha Committee they do not find any place in the Bill. I find, from p. 102 or 103 of the Committee's Report, various suggestions have been made and they do not find any place in the Bill.

So far as the staff relations are concerned, this is a very important aspect. You will find from the Report of the Committee as also from the representations submitted by the Employees' Association that this is a matter which has created such a state of affairs that the proper functioning of the National Library has come to a stand-still. There are allegations against successive Librarians, Deputy Librarian making charges against the Librarian, that appointments and requirements, were being made without following any basis or system. There are charges of nepotism; there are charges of corruption and there are charges of mal-functioning of the Library. These are all the charges made. The Committee went through them also. That aspect is dealt with in the Committee Report as well.

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I would like to read one part of the Report, p. 87:

"The Staff Association's catalogue of allegations against successive Librarians is long and discursive. The members of the Association met the Committee and discussed in great detail the various points raised in the memorandum. Their grievances range over a wide field and make allegations against the manner in which the Librarians functioned. Complaints of nepotism, favouritism, negligence of duty, harassment and various other acts of omission and commission are freely made. For example, allegations of negligence, unfairness and nepotism are made against the ex-Librarian, Shri Y. M. Mulay."

It goes on. The charges have been made against the then Librarian, the Member-Secretary who was the Librarian at that time. The charges and allegations have been made against him also.

We find, so far as this aspect is concerned, really no proper thought has been given to it. The approach is nothing but a bureaucratic approach. The only suggestion that has been accepted is to have a Director of this Library who will be a distinguished Librarian. But so far as the Director's functions are concerned, you will find, no provision has been laid down. What will be the functions of the Director? He shall be the Chairman of the Executive Council. Apart from that, what will be the functions of the Director? Nowhere it has been laid down. That is not provided at all. Vague powers are being conferred on the Executive Council. Nobody knows what will be their powers. The Board is being given certain general powers. Director is being appointed but his powers are not being defined under the Act. Various difficulties and defects in the functioning of the Library have been pointed out earlier. They

have not been taken note of. Therefore, I submit, this Bill requires greater consideration and that merely substituting a Board consisting of nominees of the Government will not solve the problem. We shall have the Secretaries of the two Departments here, then we shall have the Director, etc., in the Board. But that will not necessarily solve the problem. We want all the aspects to be properly gone into. The matter should receive the most serious attention of the Government.

So far as two other aspects are concerned, I wish to make my submissions, i.e., how in the past it has been functioning and what should be done in the future, namely, with regard to supply of publications to the National Library. Under an appropriate statute, we all know, all publications have to be supplied to the National Library. I am reading from page 96 of the Jha Committee Report which says in paragraph 163:

"Four librarians, at Calcutta, Executive Council. Nobody knows Delhi, Madras and Bombay, are entitled, under the law, to the delivery at their door of every book printed in India, but the behests of the law are quite often unheeded, lacunae in the legislation assisting the default. Of them, the National Library at Calcutta the premier institution of its kind in the country, as its nomenclature indicates collects the maximum number of such books. Even so, it has fairly gaping gaps and has, over the years, suffered such vicissitudes that, though by a long chalk the largest library in India, it compares so poorly with corresponding institutions in advanced countries that at least a few witnesses before the Reviewing Committee have been constrained to call it 'a misnomer'.

This is a matter which is already being complained of by persons who go to the National Library to use its

reference section or use the books there that all the publications which, under the Statute, have to be supplied to the National Library are not available there. Apart from the way they are kept—they are kept in the most uncared-for manner, not properly arranged or stacked—books have been stolen; no proper attention is being given. The Librarian, the Deputy Librarian and other important staff are fighting among themselves. That is the position there. This has to be looked after. No provision has been made here to remove the lacunae which are there in the previous Act. The opportunity could have been taken, through this Bill, to remove those lacunae.

The other point is about Central assistance. The hon. Minister has said that we cannot make provision of as much funds as are required. But we would like to know what is the estimate, according to the Government, of the requirement of funds, how much is made available and what is the proposal, in future, to make larger resources available to the National Library. Merely saying that we have the greatest support for the National Library, we want it to develop and progress, will not do. We want to know whether any assessment has been made by Government with regard to these aspects—What are the requirements according to the Government? Has any estimate been prepared or has any estimate been submitted? How much funds have been made available or will be made available in the Fifth Plan, of which we do not know the shape, or what is the proposal of the Government.

There are certain drafting anomalies which I would like to point out to the hon. Minister. I will make my submissions in greater detail on some of the amendments that I have given when clause-by-clause consideration is taken up.

I would like to speak about Clause 10. Clause 10, sub-clause (1) says:

"There shall be an Executive Council of the Board consisting of such number of members as the Board may think fit"

How many members will there be on the Executive Council, i.e., the numerical strength, will be decided by the Board. Sub-Clause (2) says

"The Director of the Library shall be the Chairman of the Executive Council and the other members thereof shall be appointed from among the members of the Board or from outside" etc.

But by whom? No thought has been given to it. Who will appoint them, nowhere has it been stated. There are some other aspects also which I shall deal with when we come to the amendments.

Before I conclude, I would like to make my submission on the staff position, the relation between the authorities and the staff. Under the Bill provision is being made for the transfer of services of the existing employees to the Board. But the provision is made that unless and until his employment in the Board is terminated, he will continue.

Or, until such tenure, remuneration and terms and conditions are duly altered by the Board, their present terms and conditions will remain. There is, a proviso no doubt, which says that they shall not be altered to the disadvantage of the employee without the previous approval of the Central Government. Kindly see the attitude. Therefore, any and every employee of the Board, when his service is statutorily transferred to the Board, remains completely at their mercy because his employment may be terminated. On what basis his employment can be terminated has not been laid down. It may be at the sweet will of the Board because except for the purpose of remuneration or terms of employment no approval of the Central Government is necessary. If only his terms and conditions are altered to his disadvantage, the

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approval of the Central Government is necessary. So far as termination is concerned, there is no provision made. We want to make this submission. So far as the facilities which are being utilised by the employees are concerned, their service conditions, their channels of promotion, their recruitment rules should otherwise be operative, and they should continue. Therefore, with regard to this alteration of the tenure, remuneration and terms and conditions, why should even the Central Government take the power to alter them to the disadvantage of the employees? No rationale has been given. Why should the employees now be left completely at the mercy of the Central Government? Now they lose the protection of what is known as protection under Art 311 of the Constitution of India. Once they cease to be employees of the Central Government or of any Government, they become employees of the statutory Board and the law as laid down now by the Supreme Court repeatedly is that the employees of the statutory corporations and statutory bodies like the one proposed to be set up under this Bill will not be civil servants. They will not be holding civil posts. They will not get the benefit of Art. 311 of the Constitution of India which safeguards the employment conditions of Government employees. Now they do not enjoy any longer or they would not enjoy any longer the protection of the Constitution of India, the safeguards that are provided and they become completely at the mercy of the Central Government. The Central Government now can change the terms and conditions if the Board approaches them and they may very well say, 'We approve of the terms and conditions' or may change them. Therefore, we want whatever has so far been enjoyed by them apart from the grievances, their grievances ought to be looked into expeditiously and they should be rectified and remedied, should remain.

Why should the terms and conditions of the employees be left at the mercy of the Government?

There are various aspects of this Bill which we consider, require a deep consideration, and, above all, the viewpoints of the employees should also be taken into consideration. We have grave doubts whether they have at all been considered before this Bill has been framed. Therefore, we support Prof. Mukerjee's amendment to have the Bill circulated for eliciting public opinion.

SHRI H. N. MUKERJEE (Calcutta-North-East): I am distressed that in spite of my partiality to the Minister of Education, I am driven to have to criticise him very strongly in respect of repeated legislation which he has brought before this House, legislation which is generally brought in a hurry so that the Minister might repent at leisure, legislation which perhaps makes it a point of excluding consultation with the House by way either of reference to the Select Committee or by circulation for eliciting public opinion or anything. Perhaps, being in an avuncular position I have to speak to him like what the Europeans say, a 'Dutch uncle', but I do not enjoy the experience. I have also to say the reason why I could put in my motion regarding eliciting of opinion so late was because I was out of town for three or four days and I discovered that this motion was right there for discussion yesterday and I had no other option but to send a belated notice.

I have heard from the Minister that he has at last condescended to give his attention to the Jha Committee's recommendations and bring up this legislation. I have had the privilege, or I do not know what, of having been a Member of the Jha Committee, and, because of that, I have desisted on so many occasions from asking questions in this House

about the National Library because I was waiting to see what the Government proposes to do about that Institution. From what I have seen so far, Sir, I have a feeling that—the idea which Jawaharlal Nehru had about the National Library, and Maulana Azad had when he inaugurated the ceremony of the acquisition of the Belvedere premises, the former residence of the Viceroy of India for the National Library, the dream which Abdu' Kalam Azad had given expression to in those days,—has vanished a long time ago in the arid wastes of the Secretariat and the Jha Committee report and the earlier report to which I also happen to be a party are awaiting what Karl Marx once said, 'the gnawing criticism of mice' and not the civilised consideration of a really perceptive Government. In regard to this institution, the National Library, this Bill has been formulated. As Mr. Chatterjee said, it is a bureaucratic measure, a piece of desk-work by a few people who happen to have no idea, no interest, in regard to a thing like the National Library.

And, that is why the first legislation that we are going to have on our statute-book on the National Library is what it is and the Minister proposes to rush it through this House. We do not know why the Minister comes, at the fag end of the session with this kind of legislative measure. It is something which passes comprehension; but the way things go on in Parliament, it is better we give up trying to comprehend what happens and why it happens in this country.

The Minister has said, for instance, in regard to the two points which he pressed, that he has tried to follow the Jha Committee's recommendations and he has given an autonomous Board. Sir, the Jha Committee was composed of humble people, laymen, who may not have known all the intricacies of law. When they talked about autonomy, they only

intended that a national centre of scholarship should have the opportunity of autonomous functioning and that should be made sure of by Parliament. If we made a statement which was contradictory it might have rejoiced the hearts of the law advisers of the Ministry, but it is neither here nor there.

What the Jha Committee wanted was that this National Centre of Scholarship should be looked after properly. And, to have it done, it is necessary to have a Director of the proper character, the proper status and the proper calibre and a body which would look after it without being treated as a pettifogging Government Department, Supervised from Delhi or its hangers-on in different parts of the country. That was the idea with which this Committee asked for an autonomous body and they have now given us an autonomous body in this sort of sophisticated legislation which they consider to be right, which the Jha Committee had not thought of. At least one Joint Secretary of his Ministry functioning at that time had been a Member of this Committee and he had not pointed out that this anomaly or this contradiction was likely to arise out of the report. But, let us forget that. The Minister in his wisdom has given the National Library an autonomous body and he says 'I am following the dictates of the Jha Committee'. But what has he done? I am quoting from page 21 of this cyclostyled report. The Jha Committee's report has not even been printed, as far as I know. The Jha Committee's report has not even been supplied in its entirety to Members of Parliament or even to a former Member of the Committee itself. The Member Secretary of the Jha Committee who happens to be a favourite employee of this Ministry signed the report in front of all of us and he never indicated that he would give a note of dissent, but taking advantage of the generosity of Mr. Jha—a genuine gentleman of the old brand,—gave a

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note of dissent, made fantastic statements in that note of dissent to an extent that the Chairman Mr. Jha had to write a special note in order to correct the misunderstandings created by the Member Secretary, and then the Member Secretary had the gumption to produce another counter-note to Chairman Jha's report, which document has not been made available to us, let alone Members of Parliament or the members of the public. That is how the Jha Committee is treated. But let that apart, we are perhaps having to get used to this kind of activity on the part of certain busy-bodies in the administration.

The Jha Committee wanted a governing council exercising real authority, and they wanted eminent professors from universities, distinguished educationists and administrators of proved worth and of an academic bent of mind and scientists of repute. It is not merely that people who hold positions should be members of the council. This governing council should meet at least thrice a year. A third of the members should be replaced every year by the principle of rotation, allowing for regional and other representation. They should have the fullest liberty to function within the budget allotted. The selection should be made in such a manner that the various regions of the country and various interests are represented in the council with no preponderance given to any particular region. This was a very clear formulation by the committee in regard to what this autonomous body should be like. They have given us a body consisting of ten people, that is, the Secretary in the Ministry of Culture or whatever it is, the Secretary in the Ministry of Finance, six persons to be nominated by the Central Government of whom four shall be academicians of some sort, and one shall be a representative of the universities, and the other shall be from among persons who in the

opinion of the Central Government have knowledge of and experience in science and technology, one person to be nominated by the chairman of the UGC and the director of the library. Out of ten persons, three are more or less likely to be Government nominees of the usual brand who would just go to supervise things, just go to make sure that some rule or other in their book is observed, and seven other people would be there. How are they going to function? How can they run a library with a national character?

Sometimes, I have heard the allegation which is absolutely rotten and unfounded that because the National Library has been in Calcutta, some of these Calcutta people want to monopolise the show, and they want not only to retain the national library there but also they want to continue control of it. But that sort of slander passes muster in the corridors of Delhi. I know also how schemes have been prepared from time to time to shift the National Library altogether from Calcutta and to have it somewhere else, obviously in Delhi, where crores are there for the asking and you can spend millions of money for all sorts of projects. But at any rate, I am glad that Government says now that the National Library shall be at Calcutta.

But we have tried—and the committee was composed of not merely the Bengalis living in Calcutta, but people representing all parts of the country and the committee wanted to make sure that the library should be run by a representative council representing all the regions of the country and representing the totality of intellectual life of our country.

If we want the national library to be what it ought to be, and surely I expect Prof. S. Nurul Hasan to recognise and try as much as it lies in his power to see to it that we do have a national library as a proper centre for research and intellectual guidance then surely this national library requires not a committee con-

sisting of ten people of whom three are obviously Government people and seven are nominated, who have other assignments and who never know how and when to attend meetings. You cannot have a body consisting only of ten people who can run, for the purposes that you intend, the National Library. That is why we have got the executive council which they are going to have, formed in a completely indeterminate manner, and that would be done according to the behest not of Prof. S. Nurul Hasan as an academician, but at the behest of his advisers who want to keep things entirely under their thumb, things they do not know a thing about, things that they can never dream about, things of an intellectual nature of which they have not the slightest little apprehension; those things are now going to be controlled by people in Government who bring out this sort of legislation.

In regard to autonomy, this is what the Bill tries to do, distorting entirely the recommendation of the Jha Committee. In regard to the Director, my hon. friend, Shri Chatterjee, even though he is a trained lawyer, unfortunately failed to see how the Government have decided—and they are free to do so—to play a trick, a fraud, upon the Jha Committee's recommendation. Ostensibly claiming to satisfy the Jha Committee's desire, they have now given us a Director. And what does it say about the Director? This is in clause 13.

"The Central Government shall appoint a person, who in its opinion possesses academical qualifications of distinction or is a distinguished Librarian, as the Director of the Library".

The Jha Committee had said—I am quoting its own words, page 22, paragraph 41:

"The Committee recommends the appointment of a Director of the National Library who should also be *ex-officio* Chairman of the

Governing Council. The Director should be selected from amongst distinguished scholars with administrative competence. Professional librarians who have reached outstanding status and who command respect in the academic world should also be eligible for appointment to the post. His salary and status should be comparable with those of Vice-Chancellors of Central Universities".

The stress here—I wish the Minister takes note of it; you will understand the distinction—is on the fact that we need for an institution like a National Library a Director who should be academically acceptable, who should be eminent, as a person who would be consulted respectfully by members of the academic world from different parts of the country. The Director of the National Library is one of the leaders of the intellectual life in this country, while we have seen what has happened. The rot in the National Library began when instead of comparatively imaginative people of intellectual stature and spiritual attainments, we got people belonging to a completely different mettle.

There was Mr. Chapman in the old British days who, at any rate, had the kind of width of mind to translate the Shakta and Vishnav lyrics into English, who had a sort of understanding and sympathy for Indian culture. We had the great Harinath De in the old days who died very young, who was the first Indian Librarian of this institution, who was a stupendous scholar, not only a linguist but a really encyclopaedic scholar. Since those days we got appointments of footing little people who, if they have got a certificate from a Library Association, imagine they know all the tricks of the library trade and, therefore, they can be head of an institution like the National Library.

That is why I was constrained to say during the Jha Committee proceedings that Moolay who came as Librarian was a misfortune and Shri Kalia who

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followed was a calamity. This kind of thing went on because people with no real understanding of library problems, no perception of the intellectual life of this country, no stature, personal or intellectual, which would be respected by people who come to consult the Library—these were ruling the roost. They want to come back by the back-door, these miserable people; the Member—Secretary, against whom things have had to be said in spite of the politeness we could muster in the Jha Committee's report, basking in the sunshine of the favour of Delhi bureaucrats, drawing the same pay and that sort of thing and hopes to come back, I expect, as Director of the Library with a heightened status..

That is why it merely says 'or'.

"The Central Government shall appoint a person, who in its opinion possesses academical qualifications of distinction or is a distinguished Librarian, as the Director of the Library".

We have had distinguished Librarians. We wanted that to be a distinguished Librarian is no bar to be at the same time a very distinguished academician. Only the other day the Government had appointed—I do not want to name the persons—as Director of an institution high up in the hills, in the Himalayas, who was a distinguished Librarian as well as a distinguished academician. This country is not so poor in talent that we cannot have people who are good in both jobs, librarianship as well as academics. But there might be occasions when you do not get a purely technically qualified librarian, but you get a very wonderful person. The Library of Congress in Washington once appointed a poet called Archibald McLeish as Librarian of the Library of Congress, and he did a great deal to revolutionise the entire functioning of the Library of Congress. Do we not have any idea about the perspective of the development of our national library?

What is Prof. Nurul Hasan, if he has not entirely said good-bye to all his past accomplishments and aspirations, doing? What is he doing in regard to the development of the national library? Why is he a party to this kind of legislation which can come from the deadwood of the desks behind which sit all his minions but which has nothing whatever to do with the intellectual life of the country, which does not care to take note of all the arduous and the desire of the members of the Jha Committee who wanted to see in this national library a new movement? Why is there no mention of what the Jha Committee has said over and over again—that we want in this country a full-fledged effort to have national libraries where we would find the collections in all our regional languages? There is no reference in the Bill to the idea that the national library at Calcutta should be at the apex of the pyramid, so to speak, and there will be regional and national libraries. We are a large country which cannot be served perhaps by only one national library. There has to be a national library; one is there already; you need not dismantle it; you need not push it out. We can have the apex; we can have the different regional national libraries. But here there is nothing at all.

Mr. Chatterjee complained very rightly; where is any reference to what is to be done by these people? The Jha Committee tried to supply a few things; collect everything published in India. Nowhere is in this Bill any directive that all efforts should be made provided, of course, that it is within the range of possibility to collect everything published in India under one roof. Then we have to collect everything on India published abroad in different languages. We shall have to make special efforts to collect and preserve the valuable books, manuscripts and treasures of similar description which are in different places. We have not got anything like the Historical Records Commission in Britain, where they

go and collect these things from the treasure-houses of the different aristocratic families. We do not do these things.

We suggested also that the Indian National Bibliography has to be taken care of, which was neglected all the time. Only recently for a flare-up period, the Indian National Bibliography again began to be looked after, but for years the Indian National Bibliography which at one time won the applause of the UNESCO and other international organisations was just given the go-by. We have suggested at the Committee that the specialists should be assisted in their research work and for that provision has to be made. We have suggested the task of reprinting the valuable material and the acquisition of microfilms and other kinds of photo-copies of material from different countries abroad. We have wanted this library to be developed as an international publications exchange centre which every other country, every other mentionable country has, but this—very large country with so much intellectual resources is not able to do so. There is no mention of anything of that sort here.

The Minister would not even send the Bill for elicitation of public opinion; he would not even send it to the Select Committee. The Minister would not like to consult anybody in regard to legislation which he,—God knows for what reasons—wishes to push through. Would the Heavens fall if this legislation is not passed by this House and the other House before you rise for Christmas? What happens? For more than three years they sat tight on the Jha Committee's report. Even now, the Jha Committee's report is rotting in the archives. Who would lose if you wait a little longer and bring up something which is different? But this sort of legislation is terrible. I do not understand. This Government is a peculiar kettle of fish. It is most queer and unintelligible. Have not they got other jobs

to do? What is their idea? If they wanted to do something about the national library, why not do it more sensibly or do other things, Mulki or anything you like? Do those things which to you seem to be more urgent. But if you are going to deal with the national library, deal with it in a circumspect, thoughtful fashion.

Sir, I am concluding.

I am concluding; perhaps I am taking too much time. I feel something very rotten is the situation of things in the National Library and this Government and its bureaucracy is absolutely incapable and unwilling to look after it; there is no doubt about it in the last few years. The Jha Committee reported in 1969. In 1969-70 the new acquisitions to the National Library according to the report which I have seen were 19,302. In 1970-71 that figure came down to 18,305 and in 1971-72 it came down further to 17,557. Books are multiplying and the Parliament Library under your direction is having to buy so much because so many more books are coming out these days but the National Library acquires less. Old and valuable acquisitions are going waste. The newspaper section in Esplanade, five kilometres from Belvedere, where most valuable material, brittle material, is there, is absolutely going to waste because people do not look after it. No attempt is made to look after it of course there is the question of employees being at logger heads; it needs sympathetic treatment. The joint council between employees and others is not being worked properly. There are so many other things that could be said but I would not try your patience any longer.

I would say with every emphasis at my disposal that if this Government has the slightest little interest, seriously speaking, in the National Library it should look after it properly and not deal with it in a lackadaisical, bureaucratic manner. It has given

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 the Jha Committee a slap in the face by interpreting its recommendations for autonomy and the appointment of an intellectually capable director by giving it a twist and turn which is entirely dishonest and it has done great disservice to Indian scholarship by making of the National Library Bill a putrid and bureaucratic document that it is. It is something which should be withdrawn by the Minister unless he can give an undertaking to the House that he is going to accept my motion for circulating this Bill for eliciting public opinion in the next three or four months or he agrees to a Select Committee of Members of the House who are good enough for any job of work to sit down with him during January and produce a Bill which could be passed into law in February. But this legislation which with any understanding of the intellectual requirements of our country. I cannot for one fraction of a moment persuade myself to be a party to, and that is why I am entirely opposed to the Bill as it has been formulated.

MR. DEPUTY-SPEAKER: There are some other names and I shall call them later (*Interruptions*). I am not shutting out anybody. The Minister would like to intervene just for a little while; perhaps he has something to say in response to what Prof Mukerjee has said.

SHRI SAMAR GUHA: I submit to you that if the Minister makes his intervention now, how are we to say something?

MR. DEPUTY-SPEAKER: You may say something later on. (*Interruptions*). I am not shutting you out.

SHRI SAMAR GUHA: It is not the usual procedure; the Minister wants to make certain observations or changes the piloting of the Bill; it can be after other Members have spoken.....

MR. DEPUTY-SPEAKER: I have understood you. The Minister is not going to reply now. It is within

Parliamentary practice, I think, even for Members to intervene in the midst of another Member's submission. He could have got up and intervened while Prof. Mukerjee spoke. Now, before somebody else is called he has something to say and I have allowed him.

डा० लक्ष्मीनारायण पांडे (मदसरोर) :
 उपाध्यक्ष महोदय, स्पष्टीकरण करना ही तो दूसरी बात है लेकिन रिप्लाई देना ही तो सभी सदस्यों की सुनने के बाद मंत्री महोदय को ऐसा करना चाहिए।

PROF. S. NURUL HASAN. I am not going to venture a reply to any of the points that have been made in this debate, although I would have had to offer at least some observations. I would like to accept the point that has been so forcefully made by the two hon. members. I seek your indulgence to move that the debate on this Bill be adjourned and tomorrow I shall bring before the House a motion for referring the Bill to a Joint Committee of the two Houses.

16.00 hrs.

I beg to move:

"That the debate on the Bill be adjourned"

SHRI SAMAR GUHA: Now tell me whether I was justified in raising it or not.

MR. DEPUTY-SPEAKER: Justified in what?

SHRI SAMAR GUHA: If a motion comes tomorrow for reference of the Bill to a Joint Committee, naturally it is not desirable that any member should take part in the discussion. You know I have raised innumerable questions in relation to this Library.

MR. DEPUTY-SPEAKER: Even when a motion to refer a Bill to a Joint Committee is brought before the House, that does not prevent members from making observations and those observations will go to the Joint Committee for the guidance of the Committee. If your worry is that you are being debarred from making

your observations, it is unfounded.

SHRI SAMAR GUHA: The motion is to adjourn the debate.

MR. DEPUTY-SPEAKER Adjourn it till tomorrow.

SHRI SAMAR GUHA: The practice in this House has been, whenever a motion is brought to refer a Bill to a Joint Committee, no member speaks if it is adopted in a minute.

MR. DEPUTY-SPEAKER. This is a wrong understanding of the procedure. If your worry is that you are being debarred from making your observations, I say your worry is unfounded. Kindly cool down. You will notice very often when the report from the Business Advisory Committee comes before the House whenever a question arises that a Bill should be referred to a Joint Committee, there is always a note "May be disposed of without discussion" Why? It is because normally discussion takes place even on the motion to refer the Bill to a Joint Committee. That is the practice. (Interruption) Order please. This is my ruling. Because this is the practice, it is necessary to add a note that it may be disposed of without discussion. Very often it is the practice here and I know members do make observations on the motion and those observations go to the Joint Committee when it is appointed, for the guidance of the Joint Committee. I do not see how your worries are founded on anything. If this is your worry, it is baseless. when it comes up, I will assure you, you will be given full opportunity to make your observations.

SHRI SAMAR GUHA: Whenever such motions come, it takes away the whole zest from the speaker to put forth his points. Neither the House takes it seriously nor the members can speak seriously. Therefore, my humble submission is that at least half an

hour or 45 minutes should be allotted for this and then it should be referred to a Select Committee

MR. DEPUTY-SPEAKER. When there is a motion for reference to the Select Committee, I think your speech would have added importance both for the House and also the Select Committee. Therefore, you should be able to speak with more vigour.

SHRI SAMAR GUHA: Even when the discussion on a motion is adjourned, members should be allowed to express their mind. How can you suddenly adjourn discussion like this? Such a thing never happened. As soon as a motion is moved that it should be referred to a Select Committee, no member speaks, that is the convention.

MR. DEPUTY-SPEAKER. You can take it as my ruling that this is not the practice and you will not be debarred from speaking. I think you should be satisfied with this.

SHRI SAMAR GUHA. If a motion is brought forward that it has to be referred to a Select Committee, no sensible member of the House should take the time of the House in making suggestions. That is not the practice. So, I would humbly request you to give at least half an hour or 45 minutes for this discussion.

MR. DEPUTY-SPEAKER. I have accepted this motion of the hon. Minister. The question is whether it should be put to vote or not. In response to the criticism made by Professor Mukerjee and other speakers, the hon. Minister desires to bring a motion to refer the Bill to a Select Committee. The motion before the House is whether the debate on this motion be adjourned or not. If he wants to speak on that he is at liberty to do that, but not on the main Bill.

SHRI SAMAR GUHA: I am happy to note that the hon. Education Minister has agreed to refer the Bill to a Select Committee. But, as I have already said, as soon as that motion is brought before this House, no sensible member should try to speak on it. It should be adopted in a minute.

I raised innumerable questions in relation to the National Library on the floor of this House during the last Parliament and also this Parliament. There is some kind of hush-hush discussion going on as though some people want to use the National Library in Calcutta as a provincial library. It is not a fact. Although the National Library is located in Calcutta, it is the national library, the premier library in the whole of this country. This library was established in 1903 as the Imperial Library. In 1948 it was converted into National Library. It has a collection of 50 lakhs of books and manuscripts out of which about 2 lakhs of volumes were contributed by Asutosh Mukerjee, Ramdas Sen and others. This library was established by the citizens of Calcutta in 1836. It is a matter of tragedy, intellectual tragedy, that during the last 25 years of our independence only one public library has been established by the Central Government and that is in Delhi. In Madras, in Bombay, there is no such kind of public library. Although, under the Delivery of Books Act, thousands of books are being submitted to the Government, to Bombay and Madras also, there is no such library, in the sense of National Library either in Bombay or in Madras.

In 1959, the Library Advisory Committee was set up. Though they submitted a report, the Government did not care to go through the report and implement its recommendations. No attention has been given to the institution of library in our country. We talk of net-work of libraries; we talk of education, research work and

scholarships; we talk of many things; we talk of intellectual equipment; we talk of intellectual development. But for any kind of intellectual development, it is absolutely essential that the network of such libraries should be there in different regional areas. Except the National Library in Calcutta and a recent one, public library, in Delhi, there is no National Library worth the name in any part of the country. For the last 25 years, we have neglected the intellectual development of the country. No research work can be properly done without such libraries.

I want to make one observation here. As my hon. friend, Prof. Mukerjee has said, it fails my comprehension as to how could such a Bill which is hybrid in concept, which is ill-drafted in most of the provisions adumbrated in the body of the Bill, be brought before the House. The governing body of the National Library has been conceived as an autonomous body. But out of 10, 9 persons will be nominated. The management will be worse than what my hon. friend, Prof. Mukerjee has said. That is also my apprehension. Mr Kalia may be the controlling agent....

PROF. S. NURUL HASAN: Sir, I would request the hon. Member through you that the names may not please be mentioned in connection with the consideration of the motion as to whether the debate should be adjourned or not.

SHRI SAMAR GUHA: I never mention any name of any particular person. But the name of Mr. Kalia, from 'A' to 'Z', is there in the Jha Committee's Report.

PROF. S. NURUL HASAN: If any of my officers is named like that, I would have to come to you to seek your protection because it is very embarrassing for me to sit here and listen to observations being made on a very simple motion which seeks to adjourn the debate till tomorrow morning.

MR. DEPUTY-SPEAKER: In the first place, it is the question of whether the debate on the Bill should be adjourned or not. That is a limited question. Even so, you have gone out of the way. Knowing your pent-up feelings, I listened to you. Secondly, it is never the practice to mention names of officers in the House. We shall bring down the prestige, the dignity of the House if we drag the officers into the floor of the House. I think, you should avoid doing that. Kindly don't mention any names. This House is too important to mention any name of a particular officer.

SHRI SAMAR GUHA: He is holding the key to the administration of the National Library even now. That is the whole problem...

MR. DEPUTY-SPEAKER: The Minister is answerable to this House. Let him deal with the officer. Let us not elevate the officer to such an extent that he is so important that his name should be dragged into the floor of the House.

SHRI SAMAR GUHA: May I put one question to him? Whether the awareness of the hon. Minister was there when my hon. friend, Prof. Mukerjee, categorically mention "Mr. Kalia is a calamity" or it was in hibernation?

MR. DEPUTY SPEAKER: Kindly don't proceed further.

SHRI SAMAR GUHA: Let me say, Mr. 'X' or Mr. 'K'. But neither Mr. 'X' nor Mr. 'K' will explain the whole thing. Then, the Khosla Committee was appointed on the basis of the Jha Committee's recommendations. The credit goes to that gentleman, Mr. Keshvan who succeeded in revealing the National Library and, after him, another Librarian came, Mr. Mulay.....

AN HON. MEMBER: He is repeatedly mentioning the names.

श्री केशवजी वाडे (खनीलाबाद) :
 सभापति महोदय, माननीय सदस्य वार वार एक अफसर का नाम सदन में ले रहे हैं। सदन का मर्यादा कैसे रहेगी यह हम जानना चाहते हैं।

MR. DEPUTY-SPEAKER: Order, please. Whatever has gone on record has gone. Please do not proceed further with it. Avoid mentioning names.

SHRI SAMAR GUHA: All right, Sir. I shall use 'X', 'Y', 'Z'. To whom the credit goes, even for that I will not be able to mention the name. To Mr. Kesavan goes the credit for having revealed the whole structure and the functioning of the National Library. After that one 'X' came, but he was most of the time absent. (Interruption) After 'X', came 'Y' and he created all the troubles in the National Library. Thousands of books were lost. It was the Deputy Librarian who pointed out to 'Y' that these thefts and pilferage of books should be stopped, certain mal-administration should be stopped, vindictiveness should be stopped, the bitter relations that 'Y' had developed with the employees should be stopped. There was trouble in the National Library. (Interruption). But when 'Y' was relieved of the post of Librarian according to the recommendations of the Khosla Committee and was kicked upstairs and made Librarian of the Central Government Library, the post of Librarian was left vacant. National intellectuals, national professors like Shri Suniti Kumar Chattopadhyaya, Shri Sathyen Ghosh, the Vice-Chancellors of the Calcutta University, Jadavpur University and Ravindra Bharati, eminent historians like Dr. R. C. Majumdar, the Chief Justice of Calcutta, all of them said that the Deputy Librarian is a 'living bibliography'—these are not by words; these are their words—and that he should be made the Librarian. Some of them said that such a scholar was rare in the National Library. But, unfortunately....

MR. DEPUTY-SPEAKER: You are not speaking on the Bill. You are speaking on the working of the Library.

SHRI SAMAR GUHA: Injustice has been done to him, Sir. I want to put it on record. I am speaking consciously. I want to put it on record.

MR. DEPUTY-SPEAKER: But that should be relevant to the Bill.

SHRI SAMAR GUHA: A great injustice has been done to that gentleman.

PROF. S. NURUL HASAN: If the hon. Member is canvassing for the appointment of a particular individual, he might do it privately and might not take the time of the House for that.

SHRI SAMAR GUHA: This Memorandum was sent by all national professors, eminent Vice Chancellors, and eminent scholars to the Education Minister—and not to me—but he did not take care. That gentleman, an erudite scholar, a 'living bibliography', was shunted out—not for his own fault—to become the Librarian of the Central Reference Library, with an equivalent status of Librarian. There was no library there, there were no books, no readers, no scholars; it was only a body for compilation....

MR. DEPUTY-SPEAKER: Which Library you were referring to?

SHRI SAMAR GUHA: Central Reference Library.

MR. DEPUTY-SPEAKER: We are not talking of that Library; we are talking of some other Library.

SHRI SAMAR GUHA: The Deputy Librarian of the National Library was shunted out—not at all for his fault—to that place, although, as I mentioned

earlier, so many eminent, national scholars and professors made a request to the Central Government to make him the Librarian....

MR. DEPUTY-SPEAKER: This is very much like, as the Minister said, canvassing for a particular individual. This House should not be used for that purpose.

SHRI SAMAR GUHA: I am not canvassing for anybody. A great injustice has been done to this scholar. Certainly, that is not my habit. Do you mean that all these scholars, all these National Professors, all these Vice-Chancellors were making propaganda for his appointment? They had not sent the memorandum to me, but to the Education Minister. Is this canvassing?

MR. DEPUTY SPEAKER: Here, you are talking about one particular officer, what has been done to him and what he has done and so on.

SHRI SAMAR GUHA: It is these eminent people who sent a memorandum requesting the Government to utilise the services of this erudite scholar.

Then, Sir, this is a measure which, as Prof. Mukerjee, said, is like certain bureaucrats functioning, certain bureaucrats deciding the fate of the National Library and the erudite scholar like the Deputy Librarian who was shunted to a place where he has no function to do...

SHRI VAYALAR RAVI (Chirayinkil): Only last week, this question was raised and the Minister replied to it.

PROF. S. NURUL HASAN: If the proposal of the hon. Member is that appointments be made by this hon. House then it would be entirely in order for a Member to say that so and so is a very deserving person.

SHRI SAMAR GUHA I want to draw the attention of the House This House is the house of justice This House is the house of the national forum This House is the house of the national conscience and national weal It is the duty of every Member to voice the injustice if any done against any eminent scholar

SHRI VAYALAR RAVI Not an individual case

SHRI SAMAR GUHA I am recording my protest against the injustice done to an erudite scholar

SHRI VAYALAR RAVI It is against the interests of the House It is a shameful thing

MR DEPUTY SPEAKER Please conclude

SHRI SAMAR GUHA In conclusion I will make a submission that if this Bill is referred to a Joint Select Committee then the views of these scholars readers and other educationists the researchers and also the employees of the National Libraries could also be taken into consideration and the opinion of the Library Association of India, the opinion of the Asiatic Societies of Calcutta and Bombay and similar other organizations and institutions that are dealing with library affairs all over the country should be taken into consideration

डा० लक्ष्मीनारायण पाडेय - उपाध्यक्ष महोदय, मन्त्री महोदय द्वारा जा बिल गो प्रकर समिति को सौंपने का प्रस्ताव आया है उस से मुझ को एक कहावत याद आती है कि देर गायद बुरुस्त आयद । देर मे आये, ठीक आये । अगर सुबह का भला शाम को खर आ जाये तो भूला नहीं कहलाता । मैंने यह बात जरूर है कि इतने बड़े और महत्वपूर्ण पुस्तकालय के बारे में, जिस को राष्ट्रीय

पुस्तकालय की सजा दी जाती है, बिना सोचे विचारे जो विधेयक लाया गया है उस कृति को ठीक करने के लिये यह विधेयक प्रवर समिति को सौंपा जा रहा है ।

प्रा० एस्० नुबल हुसन उपाध्यक्ष महोदय, मैं यह प्रर्ज करना चाहता हू कि अगर् अपोजीशन के मेम्बरो की खातिर कोई चीज मजूर की जाय और उसके ऊपर यह इल्जाम लगाया जाय तो मैं भी पूरा बक्त लूंगा और हर एक बात का जवाब दूंगा ।

डा० लक्ष्मीनारायण पाडेय - मैं एक सरक्षण चाहूंगा कि जो सदस्य इस विधेयक पर अपने विचार व्यक्त करना चाहे, उन्हें चूकि यह विधेयक प्रवर समिति को सौंपा जा रहा है, इस लिये उन से रोका न जाये । उहे अपने विचार व्यक्त करने का पूरा अवसर मिलना चाहिय । कई बार हमने इस प्रकार की प्रैक्टिस देखी है कि जब कोई विधेयक सयुक्त प्रवर समिति को सौंपा जाता है ता इस सदन में उन पर विचार व्यक्त नहीं होत । मैं चाहूंगा कि सभी सदस्यों को इस के बारे में अपनी राय देने का अवसर दिया जाय । मैं चाहूंगा कि माननीय सदस्य इस पर पूरा विचार विनिमय कर सकें और अपनी राय व्यक्त कर सकें ।

MR DEPUTY SPEAKER As I said there is nothing to bar Members from making observations even when a motion to refer a Bill to the Select Committee is there As a matter of fact, very often Members express their views and they are referred to the Select Committee for its consideration I have said so when I replied to Mr Samar Guha's objection

[Mr. Deputy Speaker]

Now, the question is:

"That the debate on the Bill be adjourned".

The motion was adopted

16.25 hrs.

**RICHARDSON AND CRUDDAS
LIMITED (ACQUISITION AND
TRANSFER OF UNDERTAKING)
BILL**

THE DEPUTY MINISTER IN THE
MINISTRY OF INDUSTRIAL DEVELOPMENT
(SHRI SIDDHESHWAR PRASAD): I beg to move.*

"That the Bill to provide for the acquisition and transfer of the undertaking of the Richardson and Cruddas Limited, for the reconstruction of the register of its members and for matter connected therewith or incidental thereto, be taken into consideration."

16.26 hrs.

[SHRI R. D. BHANDARE in the Chair]

Richardson and Cruddas Ltd. is an old engineering Company which was established as a partnership firm in 1858 in Bombay. It has at present three workshops—in Bombay, Madras and Nagpur—employing a large number of skilled workmen. As an established engineering company, it has done valuable work for the construction of steel plants, thermal power stations, heavy engineering workshops and railway bridges and for the supply of railway points and crossings and machinery for the rubber and sugar industries.

The partnership firm was acquired by Shri Haridas Mundhra in 1947 and converted into a Limited Company in 1949. One of the Private Limited Companies of Mundhra Group was appointed as Managing Agents. Since

1956, there were complaints of mismanagement and in 1957, it was found that the Company had not held any general meeting for a long time and the filing of the accounts with the Registrar of Companies was in arrears. Several shareholders had not been paid their dividends and share certificates submitted by the Company for registration had not been returned to the persons concerned. The L.I.C., one of the major shareholders, applied to the Calcutta High Court in December, 1957 for the removal of the Directors and Managing Agents and for the appointment of a Special Officer to manage the affairs of the Company and make full enquiries into its affairs. The Special Officer was appointed on the 9th December, 1957.

Subsequent enquiries by the Special Officer revealed financial irregularities resulting in losses to the Company of more than Rs. 40 lakhs. It was also found that there were several claims for the same shares. Against a paid-up capital of Rs. 100 lakhs, shares to the value of Rs. 2,08,56,750 were produced to the Special Officer. The Special Officer rejected a large number of these claims and prepared a provisional register of shareholders. The holders of share certificates, whose claims were rejected, have filed suits against the Company for rectification of the Register and payment of damages by the Company in the alternative. These proceedings are still pending before the Calcutta High Court.

As the Company was doing valuable work for various Government projects, it was necessary for Government to extend from time to time assistance to the Company to meet its financial requirements. Government have up-to-date guaranteed loans given by the State Bank of India to the Company for the value of Rs. 217 lakhs and have also granted direct loans to the Company for

*Moved with the recommendation of the President.