

RE. QUESTION OF PRIVILEGE—*contd.*

श्री शिव चन्द्र झा : जवाब कुछ नहीं आया ।

MR. SPEAKER : I am sorry. I do not give my consent. It is not in order. But I can invite the attention of the Minister and the Papers that when they give the proceedings they should cover it in detail. I have been studying them all this time. This matter does not come within the ambit of privilege.

Now, the House will take up further consideration of the Architects Bill. The Hon. Minister.

12.17 hrs.

ARCHITECTS BILL—*contd.*

THE MINISTER OF EDUCATION AND YOUTH SERVICES (DR. V.K.R.V. RAO) : I am grateful to all the Hon. Members who participated in the debate on the Architects' Bill and spoke on the various aspects of the Bill. There is practically unanimous agreement on the need to legislate for the registration of architects.

The Bill itself is non-controversial. Shri Piloo Mody referred to the long delay in bringing forward the legislation. He also paid me a compliment which I don't think I deserved. As he himself knows, the Bill in its original form sought to protect the profession of architecture and that implied exclusion of a large body of engineers and others engaged in the design, construction and supervision of buildings. There was naturally great opposition to the Bill in that form. After great care and deliberation and discussions with professional bodies the Joint Committee has changed the Bill in a very fundamental way.

The Bill before the House seeks only to protect the title 'Architect' and not the practice of architecture as such. All engineers, past and present, are free to carry on their work for the design, construction and supervision of buildings as before,

and this will also apply to future entrants to the engineering profession.

I would therefore like to repeat and repeat again that the Bill protects only the title of 'Architect' and does not prevent engineers from engaging themselves in the design, construction and supervision of buildings.

All those engineers who are engaged in the practice of architecture can also be registered when the Act comes into force, even if they do not hold a recognised architectural qualification. I would, in particular, invite the attention of the House to Section 25 (b) which permits registration of any person who is engaged in practice as an architect for a period of not less than 5 years prior to a specific date appointed for application for registration.

A question was however raised about all those engineers who might enter the architectural field in future years. There will be no bar to their professional work for the design construction and supervision of buildings as long as they call themselves engineers and not architects. If they wish to register themselves as architects, they must comply with the provisions prescribed for the purpose. We—by that I mean the Ministry—would be prepared to help them to acquire the necessary qualifications as architects. We will organise for civil engineer short-term courses both on full-time and part-time basis so that they can qualify for recognised degrees or diplomas in architecture, if they feel like doing so.

There are only 14 or 15 architectural schools in our country which are training about 450—500 qualified architects each year. It is, therefore, evident that when the Act comes into force, a very large proportion of those who will be registered will belong to the second category covered by section 25 (b), that is, those who do not hold recognised architectural qualifications but have been engaged in the practice of architecture for a period of not less than five years.

In the course of the debate, a reference was made to the need not only to preserve our great traditions in Indian architecture but also to elaborate these traditions in our educational system. I am in full agreement with this suggestion. In fact, our degree courses in architecture do include considerable instruction in and appreciation of Indian architecture. I will go further; I will ask the Board of Architectural studies of All India Council for Technical Education to examine the matter further and suggest the lines along which the study of Indian architecture can be strengthened in our architectural curriculum.

A number of members suggested the inclusion of various other qualifications to the Schedule. As I explained earlier, the present Schedule includes only those architectural qualifications which have been recognised by the Central Government and the Union Public Service Commission for recruitment to superior posts and services. These are strictly professional architectural qualifications equivalent to a degree in the subject field. The qualifications suggested for inclusion must be examined carefully before a decision can be taken. I would, therefore, be prepared to set up an expert committee to examine all those qualifications and upon the recommendations of the committee, revise the Schedule even before the first register is compiled. I am personally anxious that no injustice should be done to any individual only because he possesses a qualification that is not at present included in the Schedule. I am, therefore, proposing an amendment to sub-section (2) of sec. 14 to provide for the appointment immediately of an expert committee to examine all these qualifications, and upon the recommendations of the committee, revise the Schedule wherever necessary even before the first register is compiled.

I would like to add that as regards the request which has been made by my distinguished friend, Shri Pilloo Mody, backed by a letter from the President of the Indian Institute of Architects, I understand that the Indian Institute of Architects is proposing to hold an examination for its membership. All I wish to explain at this stage is that as soon as the proposals

are received from the institute, the expert committee, I mentioned which will be appointed immediately, in the next few days, will go into all these various new qualifications. The committee will also examine what is being suggested by the Indian Institute of Architects and, if it is satisfied with these qualifications, they will be included in the Schedule even before the first register is compiled.

SHRI DEVEN SEN (Asansol) : What will be the composition of the expert committee?

DR. V.K.R.V. RAO : I am sorry; that is for the Government to decide.

MR. SPEAKER : The full Cabinet will decide.

Dr. V.K.R.V. RAO : That is what I meant.

Shri Hem Raj and perhaps another member referred to the dominance of bureaucrats and government architects on the Registration Council. I feel this fear is unfounded. If the House refers to the composition of the Architects Registration Council, as explained in section 3 (3), it will be clear that the Council will consist largely of non-official practising architects. It will have five architects representing the Indian Institute of Architects, two engineers nominated by the Institution of Engineers, one surveyor nominated by the Institution of Surveyors, five heads of architectural institution and two expert architects nominated by the All India Council for Technical Education.

In the original Bill the State Governments were to be represented by their own State architects. The Joint Committee modified this provision, and each State is free to send any architect from the State either practising or in Government employment. Further, the Council includes only three Chief Architects of the Central Government, It will thus be seen that the Council is largely composed of non-official practising Architects and engineers. Should the Bill is non-controversial, and the various provisions have been carefully examined by the Joint Committee, a large number of amendments have been tabled. While most of these

[Dr. V. K. R. V. Rao]

amendments are either unnecessary or I am afraid, not acceptable. I would be prepared to consider a few amendments which, to my mind, will make for improvement in the provisions of the Bill.

The first amendment is No. 67 to cause 3 (4) by Shri Madhukar who has suggested that the term of the first Registration Council nominated by the Government shall not exceed one year and that in the meantime regular Council should be constituted. This is to prevent the nominated Council functioning indefinitely. I would have no objection to the time limit of one year being prescribed.

The second amendment is No. 68 to clause 6 (5) again by Shri Madhukar. He has suggested that the Members of the Council shall be eligible for re-election or re-nomination but not exceeding three consecutive terms. In my opinion, it is a good principle to have a limit to the number of consecutive terms to which an individual member should be entitled for re-election or re-nomination. This, of course, does not apply to this hon. House. I am talking only in general terms. I will be prepared to accept his amendment.

By amendment No. 18 Shri Deven Sen has suggested that an architect whose name is received from the Register for various reasons mentioned in sub-clause (2) of clause 29 should be ineligible for registration for all time to time. The original Bill visualises that an architect whose name is removed from the Register should be ineligible for Registration either permanently or for such period of years as may be specified by the Council. I have no objection to his amendment, but I hope there will be no special cases where we would have to consider further amendment at a later stage.

There are two amendments to clause 34 (2). No. 19 by Shri Deven Sen and No. 92 by Shri Kundu. Shri Deven Sen has suggested inclusion of the words "without sufficient reasons" to qualify the provisions of the sub-clause. While I have no objection to the principle underlying Shri Deven Sen's amendment, I would draw his

attention to the more comprehensive amendment given notice of by Shri Kundu. Shri Kundu has suggested that a person registered in the Register should get preference in holding and appointment as an architect under the Central and State Governments or any other local bodies or institutions which are reported or aided from public or local funds or any institution recognised by Central or State Government. I would be prepared to accept Shri Kundu's amendment, particularly since in the event of a suitable person registered as architect not being available, the post should not remain vacant, but should be filled by other qualified persons. As regards Shri Deven Sen's apprehension that persons may be registered without sufficient reason, I can assure him that if any such cases are brought to the notice of the Registration Council, suitable action will be taken on the same.

By amendment No. 54 to Clause 36 (1) Shri Lobo Prabhu has suggested the insertion of the words "a registered" under this sub-clause. According to the definition given in the Bill, an architect is a person who is Registered under this Act. It will, therefore, be redundant to call him a registered architect. I would, however, have no objection to the amendment proposed by Shri Lobo Prabhu.

A number of amendments have been proposed for the inclusion of various other qualifications in the Schedule. As explained earlier, all these qualifications need to be examined carefully, and for that purpose I have already agreed to the setting up of an expert committee even before the first Register is compiled. We will amend the Schedule according to the recommendation of the Committee.

As for the Diploma in Architecture of the Government of Maharashtra, the present Schedule stipulates that only those diploma holders who, after acquiring two years practical experience, have also passed in three additional papers of the five-year full-time diploma course are recognised. This is the basis on which the Maharashtra Government diploma awarded to private and part-time students has been recognised

by the Central Government and the Union Public Service Commission.

But I have received a number of amendments, 47, 74, 87 and 138 on this. In view, however, of the strong representations made in favour of this diploma and the representations made by the Government of Maharashtra, I should be prepared to accept the amendment to delete the condition of passing in three additional papers for these diploma holders. Shrimati Tara Sapre has suggested the removal of the Certificate of Fellowship awarded by the Frank Lloyd Wright Foundation, United States from the schedule. I am afraid the reasons given by her are not at all convincing. As the House knows the Frank Lloyd Wright Foundation is one of the world's well-known institutions. Its fellowship is a well recognised architectural qualification and some of our distinguished Indian architects have taken this Fellowship.

SHRI SHIVA CHANDRA JHA (Madhubani): If that is so, why is it not included in item 7 of the Schedule? Why is it put in a separate category? Why is it excluded from seven.

DR. V. K. R. V. RAO: The hon. Member has an amendment and I am sure he will press it and the House will decide on it.

SHRI SHIVA CHANDRA JHA: That is not the point. This is not recognised even in the United States. In order to accommodate one architect, in this form it had been brought up. The acceptance of so many amendments means that the Government has not made up its mind on anything and the whole thing is a hotchpotch.

MR. SPEAKER: How can you force him to accept your amendment.

DR. V. K. R. V. RAO: If no amendment is accepted, the Government is called absolutely rigid; if amendments are accepted, then they say that the Government has no mind of its own. I have tried my best....(Interruptions) He must allow me to make my speech.

MR. SPEAKER: Order, Order. Please sit down. He is not yielding. After all there is a procedure.

DR. V. K. R. V. RAO: I must confess that I do not have the architectural knowledge of my distinguished friend; I do not know the details of architectural education except in a very general way. But I have been informed by people who are respected me in the profession that the Frank Lloyd Fellowship included in this particular schedule is not by correspondence course; it is a regular academic training of two years including practical experience. Why it has been put in separately, and not included in the earlier item, honestly I do not know; there must be some reason....(Interruptions)

MR. SPEAKER: The hon. Member is disturbing the House every time; this is not the way. When a Member speaks without the permission of the Chair, without being called, the rule is that it should not be put on record.

DR. V. K. R. V. RAO: I do not want to claim knowledge which I do not possess. Even if its inclusion is redundant, I do not think it matters materially because I am told that it is a well-recognised qualification and many professional architects have assured me that it is not correspondence course but a regular professional course.

SHRI DEVEN SEN: I am told that it does not exist now. Has it been closed?

DR. V. K. R. V. RAO: That is not my information. As a matter of fact, I was rather surprised to hear that this Bill has been brought in to accommodate one particular architect, because the Central Government recognised this as long back as 15 years. I may further add that it is not a correspondence course but a full-fledged academic and training programme.

Then Shri Madhu Limaye referred to private practice in which some Government architects are engaged, and suggested that Government architects should not be registered. The Bill does not seek to

[Dr. V. K. R. V. Rao]

control the profession of architecture in any particular manner But only to protect the title "architect". I hope the House will agree that in a legislation of this type, it is not desirable to make any invidious distinction between architects in Government service and architects in private practice in the matter of more registration as long as they fulfil the prescribed conditions of registration.

As for private practice, in which, according to Mr. Madhu Limaye, some Government architects are engaged, there a specific Government Servants' Conduct Rules is applicable to all Government servants. If any Government architect is guilty of breaking the Government Servants' Conduct Rules, the concerned Ministry or the department can take action against him. I will refer the cases mentioned by Shri Madhu Limaye to the concerned Ministries or Departments or organisations.

Incidentally, Mr. Madhu Limaye also charged a senior architect of the CPWD of having designed the farm house of the Prime minister. I can state that no architect, senior or otherwise, of the CPWD has designed the farmhouse of the Prime Minister. This charge therefore, is baseless and without foundation.

Now, I hope the House will pass the Bill clause by clause with the amendments that are accepted and also with the official amendments of which I have given notice.

MR. SPEAKER : The question is:

"That the Bill to provide for the registration of architects and for purposes connected therewith, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted

MR SPEAKER : Clause No. 2. There are certain amendments, by Shri Sreedharan and others.

SHRI PILOO MODY (Godhra) : Sir, I have sent some amendments to the

office. But for some strange reasons, they have been completely misplaced or they do not appear in the list of amendments. I have shown to Mr. Lobo Prabhu printed copies of my amendments appearing in my name. But for some strange reason, they seem to have disappeared. So, I request you to permit me to couple my name with his name for amendment Nos. 136, 137, 138 and 139.

MR. SPEAKER : Did you send them in time earlier ?

SHRI PILOO MODY. Yes, they have been printed. Mr. Lobo Prabhu himself has framed those amendments from my amendments, word for word, from the copy that I gave him. So, I seek your permission to couple my name with those amendments.

SHRI S. M. BANERJEE (Kanpur) : Before you give your ruling, Sir, let us ascertain which is original, whether Mr. Lobo Prabhu's or Mr. Piloos Mody's.....
(*Interruption*)

MR. SPEAKER : Would you like to be couple your name with Mr. Mody for these amendments, Mr. Lobo Prabhu ?

SHRI LOBO PRABHU (Udipi) : I would only like to clarify one point : the original contributor of these amendments is Mr. Piloos Mody, I carried his amendments, because he said he would not be here. I certainly do not object to his leading the discussion the amendments.

SHRI S. M. BANERJEE : Then I request you to drop that matter.

MR. SPEAKER : Now, clause 2. Mr. Sreedharan—not present. Who is moving those amendments on clause 2 ? I think it is the duty of those members to be cautious about it. (*Interruption*)

श्री शिव चन्द्र झा : आप चाहते हैं—कि मैं नहीं मूव करूँ तो मैं नहीं मूव करूँगा।

Shri Shiva Chandra Jha then left the House.

Clause 2 (Definitions)

SHRI RAM CHARAN (Khurja) : I beg to move :

Page 3,—

for lines 10 and 11; *substitute*—

(a) "architect" means a person competent to design and supervise the erection of any building; (28)

SHRI K. M. MADHUKAR (Kesaria) : I beg to move :

Page 3,—

for lines 10 and 11, *substitute*—

(a) "architect" means a person competent to design and supervise the erection of any building ; (93)

SHRI HEM RAJ (Kangra) : I beg to move :

Page 3,—

for lines 10 and 11, *substitute*—

(a) "architect" means a person competent to design and supervise the erection of any building ; (101)

MR. SPEAKER : We have already taken a lot of time, much more than what was allotted by the Business Advisory Committee and a lot of discussion has already taken place. In his reply to the general discussion, the minister has indicated the amendment which he proposes to accept. Is he accepting any amendment to clause 2 ?

DR. V. K. R. V. RAO : No, Sir.

MR. SPEAKER : I will now put Mr. Ram Charan's amendment No. 28.

Amendment No. 28 was put and negatived.

MR. SPEAKER : I will now put Mr. Madhukar's amendment No. 93.

Amendment No. 93 was put and negatived.

SHRI HEM RAJ : I want to withdraw my amendment No. 101.

MR. SPEAKER : Has he the leave of the House to withdraw his amendment ?

SOME HON MEMBERS : Yes.

Amendment No. 101 was, by leave, withdrawn.

MR. SPEAKER : The question is :

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(Constitution of Council)

SHRI DEVEN SEN : I beg to move:

Page 4,—

for lines 21 to 41, *substitute*—

(3) The Council shall consist of twenty-one members to be elected by the Registered architects entered in the Register." (14)

SHRI LOBO PRABHU : I beg to move :

Page 4, lines 36,—

after "architect" insert—

"or an engineer" (49)

SHRI K. M. MADHUKAR ; I beg to move :

Page 4,—

for lines 18 to 20, *substitute*—

(2) The head office of the Council shall be at Delhi." (66)

Page 5, line 9,—

add at the end—

"The term of the first Architects Council nominated by Government shall not exceed one year and in the meantime an architects Council shall be duly constituted." (67)

[Shri K.M. Madhukar]

Pages 4 and 5, —

for Clause 3, substitute—

“3. The Architects Registration Council, President, Vice President; and Executive Committee and other Committee, shall be elected by the registered architects on democratic lines by votes and other democratic means.” (94)

SHRI LOBO PRABHU : I beg to move :

Page 4, line 39. —

after “members” insert—

“of whom one member shall also belong to the Association of Consulting Engineers (India)” (136)

Sir, my amendment goes to the root of the Bill. This Bill is not only going to affect architects but engineers. The number of architects in the country is about 10,000, but the number of engineers is 1 lakh. The number of practising architects is possibly about 200 to 500. The others are most in Government service. There has been no voice initially for the engineers on the committee. It has been more an architects committee in which the engineers were brought in at a later stage. What representation are you going to give to the engineers on this body for registration under clause 3 ? There are only four seats out of 30 which had been given to engineers. I have suggested a very slight amendment. The States are going to nominate architects to the committee. Would the minister kindly agree to leave the discretion to the State whether their nominee will be an architect or an engineer, because it is quite possible that their architect may be junior or they may have no architect at all on their staff ? If you leave that alternative to the States, there will be a better representation of engineers on this general body. I think such a slight change should be permitted because after all, the State Government is there to see the rival claims of engineers and architects in respect of their nominee.

Then, there is amendment No. 136 about which Mr Piloo Mody is very keen. He wants one member to be there who belongs to the Association of Consulting Engineers (India). I hope the Minister will give due consideration to this proposal also.

DR. V. K. R. V. RAO : The hon. member has tried to be very persuasive and I should like to be persuaded by him. But this is a body which registers architects. As a matter of fact, all engineers who are practising architecture and who fulfill the prescribed conditions are going to be registered as architects.

There is already the Institution of Engineers (India) which is represented on the Council. As far as the practice of architecture by engineers is concerned, it is fully protected by this Bill. This Council is also going to send out inspection committees to visit all the schools of architecture. Therefore, I would request Shri Lobo Prabhu not to press it.

MR. SPEAKER : Shri Piloo Mody made a reference to one of his amendments. I find that is printed in the list of 4th August 1970. Perhaps, he is referring to that.

SHRI PILOO MODY : I do not know because that is not with me.

MR. SPEAKER : That has lapsed. He has not given fresh notice.

SHRI PILOO MODY : What about amendment No. 136? Whenever an architect is commissioned with a job he normally consults a consulting structural engineer to give him the structural calculations. So, this is a body which is in constant touch with the profession of architects and it constantly provides services to the architects,

DR. V. K. R. V. RAO : The hon. Member was a very active member of the Joint Committee when we went in great detail into all these matters and if he had drawn our attention at that time to the great importance of this particular matter

there would have been no difficulty. But now for me at this late stage to accept amendments of this kind without having full examination of their implications would not be proper. So I cannot accept it. I shall keep this in mind when there is actual registration but I do not think I can accept it as an official amendment.

MR. SPEAKER : So, the Minister is not accepting any amendment. Is Shri Deven Sen withdrawing his amendment?

SHRI DEVEN SEN : No, I am not withdrawing it.

MR. SPEAKER : I will now put amendment No. 14 by Shri Deven Sen to the vote of the House.

Amendment No. 14 was put and negatived.

MR. SPEAKER : What about the amendment of Shri Lobo Prabhu?

SHRI LOBO PRABHU : I am not pressing it.

MR. SPEAKER : Is it the pleasure of the House to allow the hon. Member to withdraw his amendment (amendment No. 49)?

SOME HON. MEMBERS : Yes.

Amendment No. 49 was, by leave, withdrawn.

SHRI LOBO PRABHU : What about my amendment? No. 49?

MR. SPEAKER : That is what you have withdrawn just now.

SHRI LOBO PRABHU : I am sorry, I was under a misapprehension.

MR. SPEAKER : Now it is too late. Then I will put amendment No. 136 to the vote of the House.

Amendment No. 136 was put and negatived.

MR. SPEAKER : I will now put amendment Nos. 66, 67 and 94 by Shri Madhukar to the vote of the House.

Amendments No. 66, 67 and 94 were put and negatived.

MR. SPEAKER : The question is:

“That clause 3 stand part of the Bill”

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4.—(President and Vice President of Council)

MR. SPEAKER : There is an amendment by Shri Shiva Chandra Jha. He just now withdrew not because of any grievance [but perhaps because he had made up his mind not to move amendments. There is another by Shri Mandal who also is not here.

The question is:

“That clause 4 stand part of the Bill.”

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

Clause 6.—(Term of office and casual vacancies)

MR. SPEAKER : Now we take up clause 6.

SHRI K. M. MADHUKAR : Sir, I move :

Page 6, line 24,—

add at the end—

“but not exceeding three consecutive terms” (68)

DR. V. K. R. V. RAO : I accept his amendment.

MR. SPEAKER : I am so happy that, after all, some of his amendments are accepted.

SHRI LOBO PRABHU : The Minister is reasonable.

MR. SPEAKER : The question is :

Page 6, line 24,—

add at the end—

“but not exceeding three consecutive terms” (68)

The motion was adopted

MR. SPEAKER : The question is :

“That clause 6, as amended, stand part of the Bill.”

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clause 7 was added to the Bill.

Clause 8.—(Disabilities)

MR. SPEAKER : Now we take up clause 8.

SHRI K. M. MADHUKAR . Sir, I move:

Page 6, line 35,—

after “insolvent,” insert.—

“and is covered by any of the disqualifications mentioned in the Constitution of India” (69)

Page 6, line 39,—

add at the end—

“and is covered by any of the disqualifications mentioned in the Constitution of India” (70)

MR. SPEAKER : Are you accepting them?

DR. V. K. R. V. RAO : No, Sir.

MR. SPEAKER: Then, I am putting them to the vote of the House.

The Amendments No. 69 and 70 were put and negatived.

MR. SPFAKER : The question is:

“That clause 8 stand part of the Bill.”

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 to 12 were added to the Bill.

13 hrs.

Clause 13.—(Finances of Council)

SHRI K. M. MADHUKAR : I beg to move:

Page 8, line 7,—

add at the end—

“and where the Council is unable to get its accounts audited by an auditor every year, the Central Government shall get the accounts audited.” (71)

MR. SPEAKER : Now I put Amendment No. 71 in the name of Shri Madhukar to the vote of the House.

Amendment No. 71 was put and negatived.

MR. SPEAKER : The question is:

“That clause 13 stand part of the Bill.”

The motion was adopted.

Clause 13 was added to the Bill

Clause 14.—(Recognition of qualifications granted by authorities in India)

MR. SPEAKER : Shri Kundu—not here. There is Government Amendment No. 124

DR. V. K. R. V. RAO : I beg to move:

Page 8,—

after line 29, insert—

“Provided that until the first Council is constituted, the Central Government shall, before issuing any notification as aforesaid consult an expert committee consisting of three members to be appointed by the Central Government by notification in the Official Gazette.”

(124)

MR. SPEAKER : I put Government Amendment No. 124 to vote.

The question is:

Page 8,—

after line 29, insert—

“Provided that until the first Council is constituted, the Central Government shall, before issuing any notification as aforesaid, consult an expert committee consisting of three members to be appointed by the Central Government by notification in the Official Gazette.”

(124)

The motion was adopted.

MR. SPEAKER : I now put clause 14, as amended, to the vote of the House.

The question is:

‘That clause 14, as amended, stand part of the Bill.’

The motion was adopted.

Clause 14, as amended, was added to the Bill.

Clauses 15 to 21 were added to the Bill.

New Clause 21A

SHRI K. M. MADHUKAR : I beg to move:

Page 10,—

after line 28, insert—

“21A. An Experts Committee may be appointed in consultation with the Central and State Governments to

prescribe and implement minimum required standards of architectural education which could prescribe and improve educational standards periodically in the light of the modern techniques evolved in this field.” (72)

MR. SPEAKER : I now put Amendment No. 72 moved by Shri K. M. Madhukar to vote.

Amendment No. 72 was put and negatived.

Clauses 22 and 23 were added to the Bill.

MR. SPEAKER : We now adjourn for lunch to meet again at 2 O’Clock. 13.05 hrs.

Lok Sabha adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at five minutes past Fourteen of the Clock

[SHRI K. N. TIWARY in the Chair.]

श्री झारखण्डे राय (घोसी) : सभापति महोदय, बार-बार ध्यान आकृष्ट करने के बाद भी प्रान्तीय सरकार अथवा केन्द्रीय सरकार ने संसद् श्री जगेश्वर यादव के प्राणों की रक्षा के लिये कोई कार्रवाई नहीं की। उन की जान को खतरा है। वहाँ के कुछ लोग, जिन में कांग्रेस के भी कुछ लोग हैं, पुलिस अधिकारियों से मिल कर उन को जान से मरवाना चाहते हैं। ...

सभापति महोदय : मैं इस की आज्ञा नहीं देता। (व्यवधान)

श्री रामावतार शास्त्री (पटना) : आप चाहे जो कर लीजिये, लेकिन संसद् के एक सदस्य के साथ ...

सभापति महोदय : एक सदस्य बोल रहे हैं, आप उन की मदद के लिये न बढ़े हो जाइये।

श्री शारखण्डे राय : पिछली बार जब उन्होंने लाबी में भूख हड़ताल की थी तब प्रधान मंत्री ने आश्वासन भी दिया था। उस के बाद भी कोई ठोस कार्रवाई नहीं हो सकी तब से उन के तीन साथी जान से मारे जा चुके . . .

सभापति महोदय : अब आप इस को छोड़िये। मैं इस को उठाने की इजाजत नहीं देता, आप बैठ जाइये।

श्री शारखण्डे राय : यह सदन के एक सदस्य का सवाल है, बाहर के लोगों को कुछ होता तो मैं कुछ न कहता।

सभापति महोदय : मैं इस की इजाजत नहीं देता।

श्री शारखण्डे राय : मैं आप से आग्रह करूंगा कि आप इस बात पर जोर दें कि उन की रक्षा का प्रबन्ध किया जाये।

श्री मधु लिमये (मुंगेर) : पटेल चौक में जो घटनायें हुई थीं उस के बारे में जो कमिशन बँठा है चूँकि मैं उस के सामने गवाही के लिये गया था, इस लिये मैं पहले हाजिर नहीं हो सका।

मैंने स्पीकर साहब को पत्र लिखा था और उन से प्रार्थना की थी कि नियम 377 की तहत मुझे एक मामला उठाने की इजाजत दी जाये। वह मामला यह था, मैं जानता हूँ कि वह ध्यान आकर्षण में नहीं आ सकता—कि आन्ध्र विधान सभा में आन्ध्र सरकार की पराजय हुई और उस के बाद सदन को स्थगित कर दिया गया। मैं जानता हूँ कि राज्यों के मामले यहाँ पर नहीं आ सकते, लेकिन जिस तरह राज्यपालों के कर्तव्यों के बारे में यहाँ पर बहस उठाई जाती है उसी तरह इस को भी उठाने देना चाहिये। अगर इस देश में हम लोकतन्त्री की रक्षा करना चाहते हैं तो किसी भी पराजय के बाद सरकार को तुरन्त इस्तीफा देना चाहिये या तत्काल अविश्वास प्रस्ताव आना चाहिये। इस बारे में

कुछ परिपाटियाँ अथवा कन्वेन्शन बनने चाहियें, इस से तो आप भी सहमत होंगे।

इसलिये मेरी यह प्रार्थना थी कि अगर इस वक्त आप मुझे अनुमति नहीं देना चाहते हैं तो कोई और दिन नियुक्त कीजिये, लेकिन इस पर लोक-सभा को बहस करने का मौका मिलना चाहिये और हमारी राय में विधान सभाओं को अबगत कराना चाहिये। हमारा उन के उपर कोई दबाव नहीं है, लेकिन इस में संवैधानिक सवाल उत्पन्न होते हैं, इस लिये हमें मौका दिया जाये। श्री रघु रमैया आन्ध्र से आते हैं। क्या वह इस को नहीं मानते हैं कि इस में लोक-सभा की गरिमा है, कि उस में संवैधानिक पहलुओं पर बहस करने का मौका मिले ?

श्री देवेन सेन : सभापति महोदय, आप मेरी भी बात सुन लीजिये। कैरन टी गार्डेन, नगर-कांटेटी में एस एस पी के तीन आदमियों को पकड़ा गया अब तक उनका कोई ट्रेस नहीं मिल रहा है। ऐप्रिहेंशन है कि उन का मर्डर कर दिया गया है।

सभापति महोदय : यह सब जाने दीजिये। जब कोई चिट्ठी या तार आता है तभी इस इस तरह के मामले सामने आते हैं। चूँकि माननीय सदस्य ने स्पीकर साहब को लिखा था; इस लिये उन को मैं अलाउ कर रहा हूँ। लेकिन जिन बातों की इजाजत मा० स्पीकर साहब ने नहीं दी उस पर बहस की इजाजत नहीं देता। वरना किसी को भी कोई सवाल उठाने की इजाजत नहीं दे रहा हूँ।

ARCHITECTS BILL—Contd.

Clause 24—(First preparation of register)

SHRI DEVEN SEN : I beg to move:

Page 11, lines 11 to 13,—

for "three members who have, in the opinion of the Central Government, the knowledge of, or experience in, architecture."

substitute—

- “(a) two members nominated by the All India Association of Consulting Engineers and Architects, New Delhi;
 - (b) one member nominated by Ministry of Education and Youth Services;
 - (c) one member nominated by Institution of Engineers (India); and
 - (d) one member nominated by the Indian Institute of Architects.”
- (15)

SHRI RAMAVATAR SHASTRI (Patna) : I beg to move:

Page 11,

for lines 9 to 14, *substitute—*

- “24. (1) For the purpose of preparing the Register of Architects for the first time, the Central Government shall by notification in the official Gazette, constitute a Registration Tribunal consisting of five members as follows:—
- (a) two members nominated by the All India Association of Consulting Engineers and Architects, New Delhi;
 - (b) one member nominated by the Ministry of Education and Youth Services;
 - (c) one member nominated by the Institution of Engineers (India); and
 - (d) one member nominated by the Indian Institute of Architects.”
- (24)

SHRI K. M. MADHUKAR : I beg to move:—

Page 11,—

for lines 9 to 14, *substitute—*

“24. (1) for the purposes of preparing the Register of Architects for the first time, the Central Government shall by notification in the Official Gazette, constitute a Registration Tribunal consisting of six members as follows:

- (a) two members nominated by the All India Association of Consulting Engineers and Architects, New Delhi;
 - (b) one member nominated by the Ministry of Education and Youth Services;
 - (c) one member nominated by the Institution of Engineers (India); and
 - (d) two members nominated by the Indian Institute of Architects.”
- (95)

SHRI LOBO PRABHU : I beg to move:

Page 11,—

for lines 9 to 14, *substitute—*

- “24 (1) For the purposes of preparing the Register of Architects for the first time, the Central Government shall by notification in the Official Gazette, constitute a Registration Tribunal consisting of five members as follows:—
- (a) one member nominated by the All India Association of Consulting Engineers and Architects, New Delhi;
 - (b) one member nominated by the Ministry of Education and Youth Services;
 - (c) one member nominated by the Institution of Engineers (India); and
 - (d) two members nominated by the Indian Institute of Architects.”
- (151)

श्री देवेन सेन : मैं इस पर भाषण नहीं दूंगा। थर्ड रीडिंग पर मैं बोलूंगा।

श्री क. मि. मधुकर : क्लज 24 एक महत्वपूर्ण क्लज है। मंत्री महोदय ने अभी संशोधन मंजूर किया है और इसको भी मंजूर करने में उनको कोई एतराज नहीं होना चाहिये। अगर हमारे मुझाव को जो कि एमेंडमेंट नम्बर 95 में है, मान लिया जाए तो इसका अर्थ यह होगा की और भी डेमोक्रेटिक ढंग से काम होंगे। इसको मान लेने से जनवादी ढंग से रिप्रिजेंटेशन हो सकेगा। जिस विवेक से उन्होंने अब तक काम लिया है उसको देखते हुए यह कह जा सकता है कि वह इसको भी कबूल कर लेंगे।

श्री रामबतार शास्त्री : मेरा संशोधन 11 पृष्ठ पर है। क्लज 24 ए को वहाँ से हटाकर हम अपनी एमेंडमेंट को उस में इस वास्ते शामिल करवाना चाहते हैं कि इससे जो इस पेशे में लोग हैं, उनको ज्यादा आसानी होगी काम करने में और सरकार जो उसको सिमित करना चाहती है उससे जो उद्देश्य की प्राप्ति वह करना चाहती है, उस उद्देश्य की प्राप्ति नहीं होगी और ज्यादा से ज्यादा लोग हिस्सा भी नहीं ले सकेंगे। इसलिए मेरा निवेदन होगा कि पूरी उस क्लज को हटाकर, 24 ए को हटा कर, हमने जो दी है और जिस में ए बी सी डी करके सारी बातें गिनाने की कोशिश की है, सरकार उसको मान ले। ऐसा उसने किया तो जो आर्किटेक्ट के अन्दर, लोगों के अन्दर असन्तोष है, वह दूर होगा और उनको जो यह खतरा है कि उस में तरह तरह की गड़बड़ी हो सकती है, उस खतरे से बचने के लिए भी यह आवश्यक है कि इस एमेंडमेंट को माना जाए ताकि किसी को फिर कोई शिकायत करने का मौका न मिले।

SHRI HEM RAJ: My amendments are the same as those of Shri K. M. Madhukar In this clause, Government say that there will be three members who will be nominated. We simply want that this should be spelt out clearly so that we may know which institutions will be represented. My amendment as well as that of my hon. friend Shri K. M. Madhukar spells out certain things in this connection. I hope the hon. Minister will appreciate this. He says that

so far as the Council is concerned, the non-officials are in a majority. We say that in the tribunal also, which would be set up to decide cases, there should not only be nominated members but there should also be non-officials. That is our amendment. I hope the hon. Minister will accept it.

SHRI LOBO PRABHU: We have to examine clause 24 which provides for the appointment of a registration tribunal of three persons who have in the opinion of the Central Government knowledge of or experience in architecture.

This morning, the hon. Minister was not well disposed to any suggestion that contravened the authority of Government to appoint such committees or tribunals. But there is a natural feeling in the minds of the persons concerned and of the public that if Government are given such blanket authority to choose anyone who has experience in or knowledge of architecture there may be no proper representation.

In these circumstances, our amendment which is common, has spelt out the persons whom the Government may put on this panel of three. They have proposed a panel of six, or as I have proposed a panel of five. There are three classes to be represented. First, there are the architects. We have no doubt about the importance of architects, and this Bill concerns them. Secondly, we have the engineers, and thirdly we have a class which consists of engineering architects. The All India Association of Consulting Engineers and Architects, New Delhi combines both. They are a bridge between the two, and actually a good part of the work which is done outside Government is done by them.

So, the suggestion is that the Minister may kindly agree to spell out this that these three classes will be represented. If the hon. Minister could give a definite assurance perhaps, the amendment may not be pressed. But if there is no assurance, and Government load it with officials from the Ministry or load it with any architects who give them pleasure, then there is a natural apprehension that the law is incomplete and that the law could be misused.

Since the hon. Minister has been disposed to accept every reasonable amendment, and he has already accepted two of mine. I hope he will accept the third one also which provides that this body will reflect these three classes namely the architects. the engineers and the engineering architects.

DR. V.K.R.V.RAO: I would very much like to have been in a position to accept the amendments and to have given pleasure to my hon. friend, Shri Lobo Prabhu, of having performed a hat-trick. But on all previous occasions, when, for example, the Medical Council was Constituted or the Council of the Chartered Accountants was constituted, the procedure always has been for Government to appoint three eminent persons to compile the first Register. These eminent persons are selected not on the basis of representing any of the organisations. But I can assure the hon. member that no official of the Ministry of Education will be on this tribunal; I can tell him straightway that no official of the Ministry of Education will sit on this tribunal of three. They will consist of eminent persons who are eminent either in the field of architecture or the architectural profession which also means engineers, and surveyors (*Interruption*). Of course, they are all together because the people who are going to be registered are people who have been engineers, surveyors, draftsmen etc. etc. who have qualified and have been practising as architects for the last five years or more. Therefore, I am sorry I am not in a position to accept the amendments.

Mr. CHAIRMAN: I shall now put all the amendments Nos. 15, 24, 95 and 151 to the vote of the House.

Amendments No. 15, 24, 95 and 151 were put and negatived.

MR. CHAIRMAN: The question is:

“That clause 24 stand part of the Bill”

The motion was adopted.

Clause 24 was added to the Bill.

Clause 25 (*Qualification for entry in register*).

SHRI DEVEN SEN: I beg to move:

Page 12, line 6,—

After “architect” insert—

“as his principal means of livelihood”
(16)

Page 12, line 6—

for “in practice as an architect”—

Substitute “in the architectural profession holding trade licences”
(51)

Page 12.—

after line 18, insert—

“Provided further that persons as long as they are in the employment of Govt. Local Bodies or elsewhere shall not be registered as architects”
(52)

SHRI SHRI CHAND GOYAL (Chandigarh): I beg to move:

Page 12, line 6,—

after “architect” insert—

“Surveyor Engineer, Draftsman or person authorised by the Chief Inspector of Factories of a State to certify the plans specifications and stability of factory buildings”
(17)

SHRI LOBO PRABHU: I beg to move:

Page 12, lines 5 and 6,—

for “a citizen of India” substitute—

“an engineer or surveyor”
(50)

SHRI K. M. MADHUKAR: I beg to move:

Page 12, line, 6—

for “practice as an architect”

substitute—

“the architectural profession having trade licences”
(96)

SHRI HEM RAJ: I beg to move:

Page 12,—

after line 18, insert—

“Provided that persons as long as they are in the employment of Government, Local Bodies or elsewhere shall not be registered as architects.” (105)

श्री देवेन सेन : सभापति महोदय, मैं मंत्री महोदय से एक स्पष्टीकरण चाहता हूँ। क्लॉज 25 की लाइन 6 में लिखा गया है, "एन-गेज्ड इन प्रैक्टिस एज एन आर्किटेक्ट"। मैं यह पूछना चाहता हूँ कि जो व्यक्ति ड्राफ्ट्समैन या सरवेयर है, लेकिन जिस का आर्किटेक्ट के रूप में रजिस्ट्रेशन नहीं हुआ है, क्या उस का रजिस्ट्रेशन हो सकेगा।

मैं अपने एमेंडमेंट 16 द्वारा चाहता हूँ कि लाइन 6 में "आर्किटेक्ट" के बाद "एज हिज प्रिंसिपल मीन्ज आफ लाइवलीहुड" शब्द जोड़ दिये जायें। हमें मालुम है कि जो आर्किटेक्ट सरकार की नौकरी करते हैं, हिन्दुस्तान के अस्सी परसेंट मकानात उन के द्वारा, या उन के टाउट्स के द्वारा, बनाये जाते हैं। मैं इस एमेंडमेंट के द्वारा इंजीनियरिंग और देश की तमाम जनता को प्रोटेक्ट करना चाहता हूँ। इसका तात्पर्य यह है कि जो आर्किटेक्ट सरकारी नौकर हैं, उन का रजिस्ट्रेशन नहीं होगा। वे तो नौकरी कर ही रहे हैं। उन को दो मौके क्यों दिये जायें ?

SHRI SHRI CHAND GOYAL: The hon. Minister must be aware that the civic bodies used to authorise technicians to prepare and sign building plans under the designations architect, surveyor and engineer, and the Chief Inspector of Factories also used to authorise persons to prepare and sign factory building plans and issue stability certificates of factory buildings without any particular designation. If my amendment is not accepted, it will deprive a good many persons who are engaged in the profession of the opportunity of being registered as architects, and it will be an injustice to these persons.

रामावतार शास्त्री : अध्यक्ष महोदय, मैं सिर्फ यह कहना चाहता हूँ कि जो इस में लूपहोल इन्होंने रखे हैं जिन का उल्लेख देवेन बाबू ने किया कि आर्किटेक्ट के बाद अगर इसी तरह से छोड़ देंगे तो बहुत से लोग रह जाएंगे, जो लोग घंटे दो घंटे यह पेशा करेंगे वह तो रजिस्टर हो जाएंगे या जिन का संपर्क अफसरों से होगा वह हो जाएंगे लेकिन जिन का सही माने में वही एकमात्र पेशा

है, इसी पर वह निर्भर करते हैं वह लोग बच जाएंगे उन का रजिस्ट्रेशन नहीं हो पाएगा और उन के सामने बहुत कठिनाइयां आएंगी, इसलिए इसका साफ कर देने में क्या कठिनाई है ? जिन का प्रमुख धन्धा यही है आर्किटेक्ट का जिस के बारे में इस अमेंडमेंट में कहा गया है, उस को साफ कर देना आवश्यक है। यह जो लूपहोल रह जाता है इसको बंद करने में मंत्री महोदय को क्या कठिनाई है ? इसलिए मैं चाहूंगा कि यह सफाई हो जाए और कोई छुटने नहीं पाए, किसी का यहां शिकायत करने का मौका नहीं मिले कि जो सही माने में यह धन्धे में है उस को तो मौका नहीं मिल रहा है रजिस्टर होने का और जा एक या दो घंटे यह काम करते हैं उन का मौका मिल जायगा। इस लूपहोल को बन्द करने के लिए यह जरूरी है कि यह अमेंडमेंट स्वीकार किया जाय।

SHRI LOBO PRABHU : This is a question again of definition. The clause provides that 'any citizen of India if engaged in the practice as an architect...'. In the first place, why a citizen of India ? We are not concerned with legal rights, citizenship rights or constitutional rights. We are concerned with people who are interested in engineering. I suggest that instead of 'citizen of India', it should be as proposed by my friend Shri Goyal—surveyor, engineer or draftsman—or as proposed by me, architect, engineer or surveyor.

SHRI PILOO MODY : Any one.

SHRI LOBO PRABHU : 'Any one' leaves the field open widely; it is possible that Government may declare some one to be an architect, who has no qualification; it will then degrade the title of architect. Anyway that is a change only in terminology where as mine is a little more than that; it is a change in qualification. What has been suggested by Mr. Goyal or what I have suggested will clarify the thing; it will not leave the thing open for any one to say. I have practised as an architect.

Secondly, how are you going to define practice as an architect. He is already in

architecture; he could not become an architect till he has been recognised by you. Do you mean by 'practising architect' that he has put up in five years, some little building, may be, a wall or a drain or anything. It is very vague. That is why I should like the Minister to accept the force of my argument that they should be people in the profession, either as architects, surveyors, engineers or draftsmen. Then alone can this law have that kind of definition.

SHRI HEM RAJ: So far as this clause is concerned, I want to add the proviso : "provided the persons as long as they are in the employ of Government, local bodies or elsewhere shall not be registered as architects". My reasons are simple. If such persons are registered they will have some influence through somebody else. The other day Mr. Madhu Limaye brought it to the notice of the House that officials keep their touts and get things done through somebody.

Therefore, if Government servants are debarred from taking up so many other things, why should not Government servants be barred from coming in here as long as they are in Government service? After they retire from service they are free to get themselves registered but as long as they are in service, they should not be registered under this Act. That is my amendment, and I hope the Minister will accept it.

DR. V. K. R. V. RAO : Regarding the amendments about principal means of livelihood, in fact, I have found that most of the amendment which have been moved are trying to restrict the scope. Hitherto, the tendency was to liberalise it and all the public opinions that were transmitted to me were to liberalise the provisions as much as possible and to say that anybody who has been practising architecture that is "designing, construction of building" etc. should be included. So, for us to confine registration to certain categories of people would be unnecessarily restricting the scope of the clause, and I do not think I am prepared to accept the amendment.

Then, regarding the question of principal means of livelihood, I do not understand it again. This is again a restrictive thing. In fact, the original bill had the term "principal means of livelihood" and it was debated at length the other day, and it was deleted by the Joint Committee. As a matter of fact, it is extremely difficult to define what is the principal means of livelihood. To say what it is would create a great deal of confusion. I do not think one would like to restrict it to a certain category. If an engineer has been working part-time in designing or constructing a building, I do not think he should be prevented from being registered as an architect if he fulfils the condition that he has at least five years' experience in this field. I do not think it will be in the public interest to accept this restrictive amendment.

Regarding the suggestion made by my esteemed friend Shri Hemraj, that Government architects should not be allowed to register themselves, I would respectfully suggest to him that it will be most unfair. If a man is a doctor, if he is a Government doctor, he is not prevented from registering himself. Registration does not mean that he can practise as a part-time architect, unless the Government Servants Conduct Rules allow it. But to deprive the architect, just because he is in government service; from being registered and thus to prevent him, is unfair. I would not be prepared to accept that amendment.

Therefore, I am not in a position to accept any of the amendments.

SHRI LOBO PRABHU : Does the Minister allow a mistry to become an architect.

DR. V. K. R. V. RAO : It depends. It is not a question of my allowing anybody. I will leave nothing to do with it. The whole point is, that the bill originally was intended to protect both the profession of architecture and the title architect. As the Bill finally emerged after great care and deliberation in the joint committee it was only to protect the title "architect". Therefore, if a mistry is good enough, and if there are customers who are prepared to entrust him with designing and construction, and if he has been doing the job for

[DR. V. K. R. V. RAO]

a period of five years, he will be registered as an architect.

MR. CHAIRMAN : I am putting all the amendments together.

SHRI SHRI CHAND GOYAL : My amendment should be put separately.

MR. CHAIRMAN : All right. Mr. Deven Sen, are you, pressing your amendments ?

SHRI DEVEN SEN : No, Sir,

MR. CHAIRMAN ; First, I am putting amendment No. 17

The question is :

Page 12, line 6, after "architect" insert—

"Surveyor Engineer, Draftsmen or person authorised by the Chief Inspector of Factories of a State to certify that the plans specifications and stability of factory buildings" (17)

The motion was negatived.

MR. CHAIRMAN : Now I am putting all the other amendments together : Nos. 16, 50, 51, 52, 96 and 105.

Amendments Nos. 16, 50 to 52, 96 and 105 were put and negatived.

MR. CHAIRMAN : The question is: "That clause 25 stand part of the Bill."

The motion was adopted.

Clause 25 was added to the Bill.

MR. CHAIRMAN : There are no amendments to clauses 26 to 28.

The question is :

"That clauses 26 to 28 stand part of the Bill."

The motion was adopted.

Clauses 26 to 28 were added to the Bill.

Clause 29—(Removal from Register)

SHRI DEVEN SEN : I beg to move :

Page 13, line 24, omit "either permanently or" (18)

DR. V.K.R.V. RAO : I accept the amendment.

MR. CHAIRMAN : The question is : Page 13, line 24, omit "either permanently or" (18)

The motion was adopted.

MR. CHAIRMAN : The question is : "That clause 29, as amended, stand part of the Bill."

The motion was adopted.

Clause 29, as amended, was added to the Bill.

Clauses 30 to 33 were added to the Bill.

Clause 34—(Effect of Registration)

SHRI DEVEN SEN : I beg to move :

Page 14, line 20, after "register" insert—

"without sufficient reason" (19)

Page 14, omit lines 19 to 25. (53)

I do not want to speak.

DR. V.K.R.V. RAO : I said I will accept amendment No. 92 tabled by Mr. Kundu. But he is not present. Therefore, I am moving it as an official amendment.

I beg to move:

Page 14,—

for lines 19 to 25, substitute

"(2) After the expiry of to years from the date appointed under sub-section (2) of section 24, a person who is registered in the register shall get preference in holding an appointment as an architect under the Central or State Government or in any other local body or institution which is supported or aided from the public or local funds or in any institution recognised by the Central or State Government." (156)

MR. CHAIRMAN : I will first put Mr. Deven Sen's amendments Nos. 19 and 53.

Amendments Nos. 19 and 53 were put and negatived.

MR. CHAIRMAN : I will now put Government amendment (156).

The question is :

Page 14, for lines 19 to 25, substitute—

“(2) After the expiry of two years from the date appointed under subsection (2) of section 24, a person who is registered in the register shall get preference in holding an appointment as an architect under the Central or State Government or in any other local body or institution which is supported or aided from the public or local funds or in any institution recognised by the Central or State Government.” (156)

The motion was adopted.

MR. CHAIRMAN : The question is :

“That clause 34, as amended, stand part of the Bill”

The motion was adopted.

Clause 34, as amended, was added to the Bill.

Clause 35 (Penalty for falsely claiming to be registered)

SHRI K.M. MADHUKAR : I beg to move :

Page 14, line 32, add at the end—

“and one year's rigorous imprisonment” (73)

सभापति महोदय, इस में ऐसी व्यवस्था की गई है कि यदि कोई आदमी जिस का रजिस्ट्रेशन न हुआ हो, लेकिन वह कहे कि उस का रजिस्ट्रेशन हो गया है, उस पर एक हजार रुपये तक जुर्माना हो सकता है। मैं अपने संशोधन द्वारा चाहता हूँ कि न केवल जुर्माना हो, बल्कि एक साल की सजा भी उस को दी जाय, ताकि रजिस्ट्रेशन में जो गड़बड़ी होती है, वह न हो पावे। मंत्री महोदय को इसे स्वीकार करने में कोई आपत्ति नहीं

होनी चाहिये क्यों कि मेरा संशोधन उन के उद्देश्य की पूर्ति में सहायक हो रहा है। इसलिये मुझे विश्वास है कि मंत्री महोदय मेरे संशोधन को कबूल करेंगे।

DR. V.K.R.V. RAO : I sympathise with the objective underlying the amendment, but you should first give the architects a chance to see if they are going to violate it. I am not inclined to agree to putting one year's rigorous imprisonment straightway.

MR. CHAIRMAN : I will now put amendment No. 73 to the House.

Amendment No. 73 was put and negatived.

MR. CHAIRMAN : The question is :

“That clause 35 stand part of the Bill.”

The motion was adopted.

Clause 35 was added to the Bill.

Clause 36—(Prohibition against use of title)

SHRI LOBO PRABHU : I beg to move :

Page 14, line 34, for “an” substitute—

“a registered” (54)

DR. V.K.R.V. RAO : I am accepting it.

SHRI LOBO PRABHU : I am very careful to the minister for accepting it. But when he did it in a left-handed way this morning saying that it was redundant, it looked as if he was accepting it as a matter of peace. It is not only a matter of peace but of some importance, because we have under clauses 24 and 25 provided for architects who are registered and we refer precisely to registered architects.

MR. CHAIRMAN : The question is :

Page 14, line 34, for “an” substitute—

“a registered” (54)

The motion was adopted.

MR. CHAIRMAN : The question is :

“That clause 36, as amended, stand Part of the Bill.”

The motion was adopted.

Clause 36, as amended, was added to the Bill.

Clause 37-(Failure to surrender certificate of registration)

MR. CHAIRMAN : Mr. Jha.

SHRI SHIVA CHANDRA JHA : I am not moving my amendments.

MR. CHAIRMAN : The question is :

“That clause 37 stand part of the Bill,”

The motion was adopted.

Clause 37 was added to the Bill.

Clauses 38 to 41 were added to the Bill

Clause 42-(Power to remove difficulties)

MR. CHAIRMAN : Mr. Jha.

SHRI SHIVA CHANDRA JHA : I am not moving my amendment.

MR. CHAIRMAN : The question is :

“That clause 42 stand part of the Bill.”

The motion was adopted.

Clause 42 was added to the Bill.

Clause 43-(Power of Central Government to make rules)

DR. V.K.R.V. RAO : I beg to move :

Page 16,—

(i) after line 7, insert—

“(b) the procedure to be followed by the expert committee constituted under the proviso to sub-section (2) of section 14 in the transaction of its business and the powers and duties of expert committee;”

(ii) in lines 8 to 24, re-letter clauses

(b) to (i) as clauses (c) to (j) respectively. (125)

This is a consequential amendment. This is consequential to the amendment accepted by the House that the Central Government should immediately appoint an expert committee to examine all the various qualifications recommended for inclusion in the Schedule and make recommendations even before the first register is compiled.

MR. CHAIRMAN : The question is :

Page 16,—

(i) after line 7, insert—

(b) the procedure to be followed by the expert committee constituted under the proviso to sub-section (2) of section 14 in the transaction of its business and the powers and duties of the expert committee;”;

(ii) in lines 8 to 24, re-letter clauses (b) to (i) as clauses (c) to (j) respectively. (125)

The motion was adopted.

MR. CHAIRMAN : The question is :

“That clause 43, as amended, stand part of the Bill”

The motion was adopted.

Clause 43, as amended, was added to the Bill.

MR. CHAIRMAN : The question is :

“That clause 44 stand part of the Bill”

The motion was adopted.

Clause 44 was added to the Bill.

The Schedule

SHRI DEVEN SEN : I beg to move :

Page 17,—

after line 41, insert—

“8. Diplomas and Degrees in Civil Engineering....from the Indian

and Foreign Civil Engineering Institution." (20)

Page 17,—

after line 41, insert—

- "8. Certificate of fellowship awarded by the All India Association of Consulting Engineers and Architects, New Delhi." (21)

SHRI SHRI CHAND GOYAL : I beg to move :

Page 18,—

after line 11, insert—

- "10. Engineering Draftsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38).

11. Third Year Course for Draftsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38)." (22)

SHRI RAM AVATAR SHASTRI : I beg to move :

Page 18,—

after line 11, insert—

- "10. persons holding Diplomas and Degrees in Civil Engineering from the Indian and Foreign Civil Engineering Institutions.

11. Certificate of Fellowship awarded by the All India Association of Consulting Engineers and Architects (Regd.) New Delhi." (26)

SHRI SHINKRE (Panjim) : I beg to move :

Page 17,—

after line 41, insert—

- "7A. Diplomas and Degrees in Civil Engineering from the Indian and Foreign Civil Engineering Institutions.

- 7B. Diplomas and Degrees in Architecture from the Universities of Portugal and Brazil" (46)

SHRI K.M. MADHUKAR : I beg to move :

Page 18,—

after line 11, insert—

- "10. Engineering Draftsman (granted by Government School of Engineering, Resul, Punjab) between 1925 and 1938.

11. Three years' course for Draftsmen granted by Government School of Engineering, Rasul (Punjab) between 1925 and 1938." (76)

SHRIMATI TARA SAPRE (Bombay-North-East) : I beg to move :

Page 18,—for lines 1 to 9, substitute—

- "8. Government Diploma in Architecture awarded by the Government of Maharashtra (also awarded by the former Government of Bombay) to private and part-time students with effect from 1956." (86)

Page 18,—

omit lines 34 and 35. (88)

SHRI DEO RAO PATIL (Yeotmal) : I beg to move :

Page 18,—for lines 1 to 9, substitute—

- "8. Diploma in Architecture awarded by the Government of Maharashtra (or by the former Government of Bombay)" (87)

SHRI K.M. MADHUKAR : I beg to move :

Page 18,—

after line 38, insert—

- "(10) Persons holding Diplomas and Degrees in Civil Engineering from the Indian and Foreign Civil Engineering Institutions.

- (11)[†] Certificate of Fellowship awarded by the All India Association of Consulting Engineers and Architects (Regd.), New Delhi." (100)

SHRI BHAGABAN DAS (Ausgram) :

I beg to move :

Page 18,—after line 11, insert—

“(10) Engineering Draftsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38).

(11) Third year course for Draftsman granted by the Government School Engineering Punjab, Rasul between 1925-38.

(12) Membership of the Indian Institute of Architects.

(13) Government Diploma in Architects, Maharashtra without reservation.” (123)

SHRI PILOO MODY : Sir, the Speaker has permitted me to move amendment Nos. 137 to 140, where my name has been clubbed with that of Shri Lobo Prabhu.

SHRI LOBO PRABHU : Sir, I have no objection. He has a bigger body and louder voice. His amendment will have greater force.

सभापति महोदय : अगर स्पीकर साहब ने परमिशन दी है तो आप लिखकर दे दीजिए और मूव कर दीजिये ।

SHRI PILOO MODY : I beg to move :

Page 17,—after line 21, insert—

“1. Membership of the Indian Institute of Architects.” (137)

Page 18,—

for lines 3 to 9, substitute—

“to private and part-time students with effect from 1956”. (138)

Page 18,—

after line 11, insert

“10. Qualification awarded by Kala Bhavan, Baroda.” (139)

Page 18,—

after line 11, insert—

“10. Third Year Course for Draftsman (granted by the Government School of Engineering, Punjab, Rasul) between 1925-38.” (140)

SHRI SHRI CHAND GOYAL :

Through my amendment I am suggesting the inclusion of two more items as Nos. 10 and 11 in the Schedule, namely, Engineering Draftsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38) and Third Year Course for Draftsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38).

My reasons for moving this amendment are these. It appears that the qualifications, which have been included in the Schedule, were in fact accepted by the Union Public Service Commission for the appointment of Assistant Architects. These qualifications were prescribed after 1957 and the inclusion of item No. 8 was done possibly in the year 1964 or 1965. Since the Union Public Service Commission was concerned with the recruitment of architects in Government Service, it naturally had to prescribe those qualifications the holders of which were not too old for entry into Government service. Hence these qualifications from old schools, even though they were better, could not be considered.

The qualifications, which I am seeking to include here, are in fact better than the qualifications prescribed at item No. 8. I have closely and minutely studied the courses prescribed for item No. 8 and for the item which I am suggesting. The courses for the item that I am suggesting are more difficult and include better and more subjects. But I fail to understand why the Government Diploma in Architecture awarded by the Government of Maharashtra is being included as item No. 8 but the qualifications which I am suggesting are not. The School of Engineering, Punjab, Rasul was a Government institute before the partition of the country. I do not know why people, who qualified from there between the years 1925 and 1938, and also persons, who have done three-year course as draftsmen and have been given degrees by that School, are unnecessarily being kept out. There are 56 or 57 persons, in fact, who are displaced persons from West Punjab. The Minister should, in fact, be more sympathetic towards those displaced persons who have been carrying on their profession for so

many years. I do not understand the logic and the rationale for the inclusion of items at Nos. 7 and 8 and the exclusion of these qualifications.

I think, the hon. Minister will realise the gravity of the situation and the weight of my arguments and would be kind enough to include these qualifications also, because that would be a service to displaced persons from West Punjab who are well qualified and who have been carrying on this professional word for years.

श्री रामावतार शास्त्री : सभापति महोदय, मैं अपने संशोधन नं० 26 के जरिए से शेड्यूल के पार्ट 1 में इन क्वालिफिकेशन को नं० 10 और नं० 11 के रूप में और जोड़ना चाहता हूँ। इसमें नं० 10 तो जनरल नेचर की है जिसमें मैंने यह कहा है :

“Persons holding Diplomas and Degrees in Civil Engineering from the Indian and Foreign Civil Engineering Institutions.”

ऊपर के जो 9 हैं उनमें गवर्नमेंट ने नाम गिनाए हैं कि फलानी जगह की डिग्री लें लेकिन हमारा कहना यह है कि इसको जनरल किया जाये ताकि डिग्री प्राप्त करने वाले कहीं से भी इस तरह की डिग्री प्राप्त करें, चाहे हिन्दुस्तान की जो संस्थायें हैं उनसे प्राप्त करें या विदेशी संस्थाओं से प्राप्त करें लेकिन अगर उन्होंने डिग्री प्राप्त की है तो फिर उनको रजिस्ट्रेशन से वंचित रखना, मैं समझता हूँ किसी भी तरह से उचित नहीं होगा। तो 10 के जरिए से मैं ने मन्त्री महोदय से अनुरोध किया है कि इसको भी उसमें शामिल कर लें।

नं० 11 में मैं ने कहा है :

“Certificate of Fellowship awarded by the All India Association of Consulting Engineers and Architects (Regd.) New Delhi.”

नई दिल्ली में यह रजिस्टर्ड है। तब ऐसी स्थिति इसको मैं वंचित रखना, या जो योग्यता की सूची है उसमें शामिल न करना उचित नहीं होगा।

मैं चाहूंगा कि इस को भी शामिल किया जाय। क्यों कि जिन्होंने डिग्रीयां प्राप्त की हैं या योग्यता हासिल की है उन्हें भी मौका मिले और वह यह न समझें कि इस की सीमा बन्दी कर दी गयी है। और फिर इस का यह असर होगा की जो लोग पढ़ते हैं इस तरह के इंस्टीट्यूशन में, या ता ऐसे इंस्टीट्यूशन ही न चलाये जायें, लेकिन अगर चल रहे हैं और सरकार उस पर बंदिश नहीं लगाती है और लड़के वहां से डिग्रीज लेते है, उन के माँ बाप का पैसा खर्च होता है उस के बाद अगर आप उन को क्वालिफिकेशन में शामिल नहीं करेंगे तो फिर इसका असर हमारे देश पर अच्छा नहीं पड़ेगा। इसलिये मैं चाहूंगा कि मेरे दोनों संशोधनों का मंत्री महोदय स्वीकार करें। इन को स्वीकार न करने का कोई औचित्य नहीं है। अगर वह समझते हैं कि इस तरह की बात नहीं की जानी चाहिये तो फिर इन संस्थाओं का क्या होगा जो लोग पढ़कर बाहर आते है, उन का क्या होगा। इसलिये यह बहुत ही मासूम संशोधन हैं और सरकार को इन्हें स्वीकार कर लेना चाहिये।

15 hrs.

श्री शिंकरे (पंजिम) : सभापति जी, कहा जाता है कि हाथ में जो कंगन है वह दिखाने के लिए आइने की जरूरत नहीं है। लेकिन हम तो यहां देखते हैं कि हाथ में भी जो कंगन होता है वह दिखाने के लिये मंत्री महोदय को यहां प्रयत्न करना पड़ता है और आइना भी देना पड़ता है।

सभापति जी, आप का मालूम होगा कि गोआ के लोगों को 1960 के पहले पोर्चुगीज युनिवर्सिटी में एंजुन्रेशन लेना पड़ता था और वहीं से डिग्रीज मिलती थीं। इसलिये गोआ के जो लोग आर्किटेक्ट हैं उन को ब्राजील में डिग्री या डिप्लोमा मिल गया और उस की वजह से उन को प्रोफेशन करने की इजाजत मिली।

अभी अभी मंत्री जी ने कहा कि एक समिति नियुक्त की जाने वाली है जो क्वालिफिकेशन को देने वाली है। जो कंगन है वह जरूर देखे और उनको मायता दे। लेकिन मैं कहना चाहता

[श्री शिंदरे]

हूँ कि 1960 के पहले हम तो पोर्चुगीज सिटीजन थे और हमें बाहर की यूनिवर्सिटी में एजुकेशन लेनी पड़ती थी इसलिये मैं चाहूँगा कि मेरा जो संशोधन है 46 नम्बर का, वह मंत्री जी एक्सेप्ट करें क्यों कि उम से मालूम होगा कि गोआ के लोगों को आजादी मिलने के बाद जो उन्हें पुराने हक मिले हुए थे वे छीने नहीं जा रहे हैं, बल्कि उन को कायम रखा जा रहा है।

मैं जानता हूँ मंत्री जी कहेंगे कि हमारी जो समिति नियुक्त होने वाली है वह सिम्पैथिटिकली कंसीडर करेगी। लेकिन जब ये कमेटियाँ बन जाती हैं, गोआ के बारे में क्या करती हैं यह हम को मालूम है। उदाहरण के लिये मैं बताऊँ कि गोआ में एक मेडिकल कालेज था और वहाँ से जो मेडिकोज डिग्री लेकर बाहर आते थे उन की वे डिग्रीयाँ कंसीडर नहीं कीं गयीं और जिन को पोर्चुगीज जमाने में मेडिकल कालेज में उसी डिग्री के आधार पर प्रोफेसर बनने का अधिकार था, उन का अब मेडिकल कालेज में प्रोफेसर बनना तो दूर रहा, उन के सामने किसी अस्पताल में भी काम करने में दिक्कत पेश आती है। इसलिये यह जो कमेटी नियुक्त होने वाली है वह दो ठीक है लेकिन मैं चाहूँगा कि मैंने जो सुझाव दिये हैं सरकार उन को स्वीकार करे जिससे गोआ के लोगों के साथ किसी प्रकार का अन्याय न होने पाए।

SHRI R. D. BHANDARE (Bombay Central) : Mr. Chairman, Sir, I am supporting the amendment moved by Shri Shinkre for the justice demands that the degrees which acquired by some of the persons from the University of Portugal and the University of Brazil should be recognised for the purpose of carrying on the profession. I spoke to the hon. Minister and he said that the matter should be referred to the committee to be appointed.

Now, here is an illustration also given by Mr. Shinkre that in the medical profession some of the members were not

recognised to carry on their profession and even the teaching profession even though they were well-qualified in medicine. Therefore, in view of this illustration, if the matter is simply left to the committee and the committee somehow or the other comes to the conclusion that these degrees should not be recognised, then these people will go without any remedy. What should be the assurance in that respect : the Minister would like to give? That is the main purpose in my supporting the amendment. I am prepared to be satisfied with the assurance to be given by the Minister that in case the committee does not recognise, some other method would be found out to do justice to those who have already gone through the course and got the degree from the universities of Portugal and Brazil.

With these words I strongly support the amendment and request the Minister either to accept it or to give an assurance in categorical terms so that these people may not be deprived of their profession.

SHRIMATI TARA SAPRE : This diploma was the earliest diploma in India. It has been accepted by the authorities Associateship Examination of the Royal Institute of British Architects, London that the Government of Bombay diploma in Architects obtained since 1941 is equivalent in training and qualification to those who pass the final or Associateship examination of that body and are enrolled as Associates of that body.

For the last fourteen years these diploma-holders are working successfully in different Government departments and Central Government services also. It is ridiculous for the Government to ask these diploma-holders who are already in the architectural field to take registration.

There are 2500 diploma-holders who will be affected if this Bill is passed without this amendment and I find no reason why they should be put to these hardships.

श्री देवराव पाटिल : समापति जी, श्रीमती तारा सप्रे ने जो संशोधन रखा है उसी तरह का

मेरा संशोधन है। और मेरे मित्र श्री शिंदरे जी ने जो संशोधन रखा है उस का भी यही मतलब है। यह जो संशोधन है यह बहुत महत्वपूर्ण है कि किसी को मान्यता प्राप्त होते हुए भी इस बिल के द्वारा वह मान्यता वापस ली जा रही है, जो कि नहीं ली जानी चाहिये।

मेरा संशोधन यह है कि महाराष्ट्र सरकार द्वारा या भूतपूर्व बम्बई सरकार द्वारा प्राइवेट और अंशकालिन छात्रों को दिया गया स्थापत्य कला डिप्लोमा मान लिया जाय। यह सीधी बात है और ऐसे 2,500 लोग हैं। जैसा मंडारे जी ने कहा, इन लोगों की हालत क्या हो जायगी? यह कोई प्राइवेट डिप्लोमा नहीं है बल्की महाराष्ट्र सरकार ने और भूतपूर्व बम्बई सरकार ने उन को यह डिप्लोमा दिया है। और यह सरकार उस को नहीं मान रही है।

जैसा की बताया गया कि समिति मुकर्रर की जायगी, लेकिन समिति ने अगर यह नहीं माना तो उन की क्या हालत होगी। एक तरफ सरकार 14 वर्ष का अनुभव प्राप्त इन 2,500 लोगों की मान्यता वापस ले रही है और दूसरी और वही सरकार, जिस का इस सरकार पर प्रभाव है, ऐसी विदेशी सरकार के प्रमाण-पत्र को मान्यता दे रही है। मैं चाहूंगा कि राज्य सरकार ने जो मान्यता दी है, जो डिप्लोमा दिया है वह मान लिया जाय, यही मेरा संशोधन है। मेरा ख्याल है कि सरकार इस पर गौर से विचार करेगी।

SHRI LOBO PRABHU: I have already agreed that this amendment which belongs to Mr. Mody should be transferred by me, and he should move it. I have only got to say two things.

By accepting the amendment the Minister has set an example of sweet reasonableness. I wish that other Ministers will follow his example.

Having said that, I have to say this that Mr. Pilloo Mody is the only architect in this House. Probably he is the only archi-

tect that will be in any Parliament in this country and therefore his services in piloting this Bill and his services in bringing forward these amendments deserve to be equally eulogised.

SHRI PILOO MODY: I am very thankful to the Minister for informing me that he has accepted Amendment No. 137.

DR. V.K.R.V. RAO: Only relating to Indian Institute of Architects.

SHRI PILOO MODY: That has saved me from inflicting a long speech on the House.

My amendment is a very simple amendment that the qualification of the Indian Institute of Architects should be considered as sufficient qualification for registration under the provisions of the Bill. There is another amendment, No. 138 which talks of exactly what Mrs. Tara Sapre has just referred to. I will not go over the ground once again. The Minister has been good enough to accept that also.

Amendment No. 139 talks about Kala Bhavan, Baroda. The facts are that this particular qualification is no longer in existence since 1951. The people who qualified under that course even today are holding important Government appointments. And, therefore, I think, it was, sheer oversight that this particular thing was not included, I know the Minister will say that the Committee he is setting up will take care of this qualification. I do not know whether that will be a satisfactory procedure or not. Anyway I leave that to him.

I would like to take this opportunity of reiterating what my colleague Mr. Lobo Prabhu just said about the 'sweet reasonableness' of Dr. V.K.R.V. Rao who, after 23 years of effort by this Ministry and this Department, has finally succeeded in bringing forward this particular Bill to the floor of the Lok Sabha. I think his name will be cherished in architectural annals, Professor V.K.R.V. Rao should not be astonished of what my colleague termed as his 'Sweet reasonableness' and I think this is a good beginning, no matter at what stage of life.

DR. V.K.R.V. RAO : I think there is some misunderstanding in the minds of some Hon. Members, particularly in the mind of Shri Goyal. He referred to 57 or 58 displaced persons and he wanted to show his sympathy to these gentlemen who took their diplomas before 1938 and are practising in the profession of architecture. Automatically they get registered. 5 years is the minimum period of practice in architecture. If, for the last 20 years or so they have not designed or constructed or done any work, and if now they want to be recognised, I think, even Mr. Goyal will not want me to accept such a position. I can assure him that all those who have taken this diploma and are doing the work of designing, construction and supervision of buildings, come under this Act and there is no need for me to accept that particular amendment.

The same thing applies to Mr. Raghbir Singh Shastri's amendment. We have liberalised the provisions. If any one has been engaged in architectural profession for at least five years, he can get himself registered.

I would like to say something as Shri Bhandare wanted an assurance from me. Those persons who have been practising as architects for at least five years can be registered. Further in order to recognise their professional qualifications, we shall refer the matter to the committee and if the committee recommends then we shall include those qualifications also in the schedule.

Regarding the amendment, I do not know why Shrimati Tara Sapre got herself misled by Shri Lobo Prabhu who is sitting next to her to move her amendment—I have said and accepted the amendment tabled by Shri Indrajit Gupta. His amendment is Number 75. I have given notice now, since he is not present in the House, of an official amendment.

I bef to move:

Page 18,—

after line 11, insert—

“10. Membership of the Indian Institute of Architects”

(157)

SHRIMATI TARA SAPRE : I was not present at that time.

DR. V.K.R.V. RAO : I have given notice of an amendment to this clause. Regarding the other qualifications, as I said earlier, they will all be referred to the Expert Committee. One thing I want to make clear here. The qualifications which we want to include in the schedule must be architectural qualifications and not engineering qualifications. Engineers can practise and nothing prevents them from practising. But, to call anyone an architect, the necessary architectural qualifications have to be prescribed. The Committee will examine all those new qualifications which have been suggested. As I said earlier I shall see to it that before the first register is compiled the recommendations of the Committee are available and upon these recommendations the Schedule is revised.

श्री क० मि० मधुकर : समापति महोदय, अनडिवाइड्ड पंजाब में जो एक रसूल इंस्टीच्यूट आफ आर्किटेक्ट्स होता था और वह अपने वहाँ से कोर्स पास करके निकलनेवालों को डिप्लोमाज एवार्ड करता था तो उन को इस शैड्यूल के अन्दर लाने की बात मंत्री महोदय ने कुछ नहीं कहा है।

DR. V.K.R.V. RAO : I thought I had spoken on that. Shri Goyal had also spoken. There is nothing new about it.

MR. CHAIRMAN : May I now put all these amendments together to the vote of the House?

SHRI SHRI CHAND GOYAL : Please do not club my amendment with other amendments. My amendment is to be put separately.

DR. V.K.R.V. RAO : Before you put the amendments to the vote, I want to say that I have accepted the substance of the amendment moved by Shri Pilo Mody (Amendment Number 137) and included Membership of the Indian Institute of Architects in the Schedule according to amendment No. 157 which I have already moved. But, I do not want to make a

speech on that. I am accepting the substance of Shri Mody's amendment not only because of his reasonableness and his persuasiveness but because of a letter that I have received from the President of the Institute of Architects. I would like to quote it so that it may go on record. This is what he says:—

“You will observe that the Institute has already revised the Constitution and in future only such graduates would be admitted to the membership who, besides requisite practical experience, would pass the examination to be conducted by the Institute.”

In the light of that as well as the reasonableness of Shri Mody, I am accepting the substance of his amendment.

MR. CHAIRMAN : I shall now put amendment Number 20 to the vote.

Amendment No. 20 was put and negatived.

MR. CHAIRMAN : Now, I shall put amendment Number 21 to the vote.

Amendment No. 21 was put and negatived.

MR. CHAIRMAN : Now amendment No. 22 by Shri Shri Chand Goyal.

SHRI SHRI CHAND GOYAL : Mr. Chairman, Sir, I am pressing for a division.

MR. CHAIRMAN : Let the Lobby be cleared.

The question is :

Page 18,—

after line 11, insert—

“10. Engineering Draughtsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38).

11. Third Year Course for Draftsman (granted by the Government School of Engineering, Punjab, Rasul between 1925-38.” (22)

The Lok Sabha divided :

AYES

Division No. 13]

[15.24 hrs.

Arumugam, Shri R.S.
 Avedya Nath, Shri
 Behera, Shri Baidhar
 Dass, Shri C.
 Ghosh, Shri Ganesh
 Goyal, Shri Shri Chand
 Jai Singh, Shri
 Jha, Shri Shiva Chandra
 Jharkhande Rai, Shri
 Joshi, Shri S.M.
 Kunte, Shri Dattatraya
 Kushwah, Shri Yashwant Singh
 Madhok, Shri Bal Raj
 Madhukar, Shri K.M.
 Masuriya Din, Shri
 Meena, Shri Meetha Lal
 Misra, Shri Janeshwar
 Modi, Shri Pilloo
 Mohammad Ismail, Shri
 Pandey, Shri K.N.
 Pandey, Shri Vishwa Nath
 Patel, Shri J.H.
 Patil, Shri N.R.
 Rajasekharan, Shri
 Raju, Shri D.B.
 Raju Dr. D.S.
 Satya Narain Singh, Shri
 Sen, Shri Deven
 Shastri, Shri Ramavatar
 Shastri, Shri Sheopujan
 Shastri, Shri Shiv Kumar
 Sheo Narain, Shri
 Thakur, Shri Gunanand
 Tyagi, Shri Om Prakash
 Viswambharan, Shri P.
 Yadav, Shri Jageshwar
 Yadav, Shri Ram Sewak

NOES

Ahirwar, Shri Nathu Ram
 Awadesh Chandra Singh, Shri
 Barua, Shri Bedabrata
 Bhagat, Shri B.R.
 Bhandare, Shri R.D.

Chanda, Shrimati Jyotsna
 Chatterji, Shri Krishna Kumar
 Chavan, Shri D.R.
 Dalbir Singh, Shri
 Deshmukh, Shri B.D.
 Deshmukh, Shri K.G.
 Dixit, Shri G.C.
 Dwivedi, Shri Nageshwar
 Gandhi, Shrimati Indira
 Ganesh, Shri K.R.
 Gautam, Shri C.D.
 Gavit, Shri Tukaram
 George, Shri A. C.
 Ghosh, Shri Parimal
 Girja Kumari, Shrimati
 Hanumanthaiya, Shri K.
 Heerji Bhai, Shri
 Hem Raj, Shri
 Iqbal Singh, Shri
 Jadhav, Shri Tulshidas
 Jadhav, Shri V.N.
 Jamna Lal, Shri
 Kamble, Shri
 Kasture, Shri A. S.
 Kesri, Shri Sitaram
 Kinder Lal, Shri
 Kisku, Shri A. K.
 Kotoki, Shri Liladhar
 Kuchelar, Shri G.
 Kureel, Shri B.N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Maharaj Singh, Shri
 Marandi, Shri
 Master, Shri Bhola Nath
 Mishra, Shri Bibhuti
 Mishra, Shri G.S.
 Oraon, Shri Kartik
 Pant, Shri K. C.
 Partap Singh, Shri
 Parthasarathy, Shri P.
 Patil, Shri Deorao
 Raghuramaiah, Shri

Raj Deo Singh, Shri
 Ram, Shri T.
 Ram Sewak, Chowdhary
 Roa, Shri Jaganath
 Roa, Dr. V. K. R. V.
 Reddy, Shri P. Antony
 Roy, Shri Bishwanath
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Sanghi, Shri N.K.,
 Sankata Prasad, Dr.
 Savitri Shyam, Shrimati
 Sayeed, Shri P.M.
 Sen, Shri Dwaipayana
 Shambhu Nath, Shri
 Shankaranand, Shri B
 Shastri, Shri Ramanand
 Sher Singh, Shri
 Shiv Chandika Prasad, Shri
 Siddheshwar Prasad, Shri
 Snatak, Shri Nar Deo
 Swaran Singh, Shri
 Ulaka, Shri Ramachandra

MR. CHAIRMAN : The result* of the division is : *Ayes*: 37; *Noes*: 71

The motion was negatived.

MR. CHAIRMAN : I shall now put amendment No. 26 to the vote of the House.

Let the Lobby be cleared.

The question is:

Page 18, after line 11, insert—

“10. persons holding Diplomas and Degrees in Civil Engineering from the Indian and Foreign Civil Engineering Institutions.

11. Certificate of Fellowship awarded by the All India Association of Consulting Engineers and Architects (Regd.), New Delhi.” (26)

The Lok Sabha divided :

* The following Members also recorded their votes :

AYES : Sarvashri Bhaljibhai Parmar, A.T. Sarma and N. Sethuraman.

NOES : Shri Randhir Singh.

Division No. 14]

[15.30 hrs.

AYES

Banerjee, Shri S.M.
 Ghosh, Shri Ganesh
 Goyal, Shri Shri Chand
 Jha, Shri Shiva Chandra
 Jharkhande Rai, Shri
 Kushwah, Shri Yashwant Singh
 Madhukar, Shri K.M.
 Masuriya Din, Shri
 Mohammad Ismail, Shri
 Patel, Shri J.H.
 Patil Shri N.R.
 Sarma, Shri A.T.
 Satya Narain Singh, Shri
 Sen, Shri Deven
 Sethuraman, Shri N.
 Shastri, Shri Ramavatar
 Viswambharan, Shri P.
 Yadav, Shri Jageshwar
 Yadav, Shri Ram Sewak

NOES

Ahirwar Shri Nathu Ram
 Amjad Ali, Shri Sardar
 Atam Das, Shri
 Awadesh Chandra Singh, Shri
 Bhagat, Shri B.R.
 Bhandare, Shri R.D.
 Bhargava, Shri B.N.
 Chanda, Shrimati Jyotsna
 Chandrakar, Shri Chandulal
 Chatterji, Shri Krishna Kumar
 Chavan, Shri D.R.
 Dalbir Singh, Shri
 Deshmukh, Shri B.D.
 Deshmukh, Shri K.G.
 Dixit, Shri G.C.
 Dwivedi, Shri Nageshwar
 Gandhi, Shrimati Indira
 Ganesh, Shri K.R.
 Gautam, Shri C.D.
 Gavit, Shri Tukaram
 George, Shri A.C.
 Ghosh, Shri Parimal
 Girja Kumari, Shrimati

Gounder, Shri Muthu
 Gowder, Shri Nanja
 Hanumanthaiya, Shri K.
 Heerji Bhai, Shri
 Hem Raj, Shri
 Iqbal Singh, Shri
 Jadhav, Shri Tulsidas
 Jadhav, Shri V.N.
 Jai Singh, Shri
 Jamna Lal, Shri
 Kamble, Shri
 Kasture, Shri A.S.
 Kesri, Shri Sitaram
 Kinder Lal, Shri
 Kisku, Shri A.K.
 Kotoki, Shri Liladhar
 Kuchelar, Shri G.
 Kureel, Shri B.N.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Marandi, Shri
 Master, Shri Bhola Nath
 Meena, Shri Meetha Lal
 Mishra, Shri Bib'uti
 Mishra, Shri G.S.
 Muhammad Ismail, Shri M.
 Oraon, Shri Kartik
 Pant, Shri K.C.
 Parmar, Shri Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri P.
 Patil, Shri Deorao
 Qureshi, Shri Mohd. Shaffi
 Raghuramaiah, Shri
 Raj Deo Singh, Shri
 Ram, Shri T.
 Ram Sewak, Chowdhury
 Rao, Shri Jaganath
 Rao, Dr. V.K.R.V.
 Rao, Shri V. Narasimha
 Reddy, Shri P. Antony
 Roy, Shri Bishwanath
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Sanghi, Shri N. K.
 Sankata Prasad, Dr.
 Savitri Shyam, Shrimati.

Sayeed, Shri P. M.
 Sen, Shri Dwaipayan
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Shastri, Shri Ramanand
 Shastri, Shri Sheopujan
 Sher Singh, Shri
 Shinkre, Shri
 Shiv Chandika Prasad, Shri
 Siddheshwar Prasad, Shri
 Snatak, Shri Nar Deo
 Swaran Singh, Shri
 Ulaka, Shri Ramchandra

MR. CHAIRMAN : The result of the division is: *Ayes*: 19; *Noes*: 83.

The motion was negatived.

MR. CHAIRMAN : I shall put amendment No. 46 to the Vote of this House.

Amendment No. 46 was put and negatived

MR. CHAIRMAN: I shall put amendment No. 76 to the Vote of this House.

Amendment No. 76 was put and negatived.

MR. CHAIRMAN : The question is :

'Page 18.—

after line 11, insert—

"10. Membership of the Indian Institute of Architects." (157)

The motion was adopted.

MR. CHAIRMAN : I put amendment No. 86 to the House.

Amendment No. 86 was put and negatived.

DR. V.K.R.V. RAO : I accept the amendment of Shri Deorao Patil, No. 87.

MR. CHAIRMAN : The question is :

'Page 18,—

for lines 1 to 9, substitute—

"8. Diploma in Architecture awarded by the Government of Maharashtra (or by the former Government of Bombay)." (87)

The motion was adopted.

MR. CHAIRMAN : I am putting amendment No. 88. Government are not accepting it.

SHRIMATI TARA SAPRE : I want to speak on this amendment.

MR. CHAIRMAN: You have spoken already—

Amendment No. 88 was put and negatived.

MR. CHAIRMAN : I shall put amendments 100 and 123 to vote.

Amendments Nos. 100 and 123 were put and negatived.

MR. CHAIRMAN : I shall put amendments No. 137, 138, 139 and 140 of Shri Piloo Mody to the vote of the House.

Amendments Nos. 137 to 140 were put and negatived.

MR. CHAIRMAN : The question is :

"That the Schedule, as amended, stand part of the Bill."

The motion was adopted.

The Schedule, as amended, was added to the Bill.

Clause 1—(Short title, extent and commencement)

MR. CHAIRMAN : Then, clause 1. Shri Shinkre—not present.

The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to Bill.

The Enacting Formula was added to the Bill.

Long Title.

MR. CHAIRMAN : Mr. Deven Sen, are you moving the amendment to the long title?

SHRI DEVEN SEN : Moving, but not speaking. I move:

Page 3, in the Long Title, after "architects" insert "and civil engineers" (13)

MR. CHAIRMAN : The question is :

•Page 3, in the Long Title,—

after "architects" insert "and civil engineers" (13)

The Lok Sabha divided :

Division No. 15] [15.47 hrs.

AYES

Avedya Nath, Shri
Bhagaban Das, Shri
Ghosh, Shri Ganesh
Jha, Shri Shiva Chandra
Jharkhande Rai, Shri
Joshi, Shri S.M.
Kunte, Shri Dattatraya
Kushwah, Shri Yashwant Singh
Misra, Shri Janeshwar
Patel, Shri J.H.
Raju, Dr. D.S.
Ram Charan, Shri
Sen, Shri Deven
Thakur, Shri Gunanand
Viswambharan, Shri P.
Yadav, Shri Jageshwar
Yadav, Shri Ram Sewak

NOES

Ahirwar, Shri Nathu Ram
Amjad Ali, Shri Sardar
Awadesh Chandra Singh Shri
Basumatari, Shri
Bhagat, Shri B.R.
Bhandare, Shri R.D.
Bhargava, Shri B.N.

Chanda, Shrimati Jyotsna
Chandrakar, Shri Chandulal
Chavan, Shri D. R.
Dalbir Singh, Shri
Deshmukh, Shri B. D.
Deshmukh, Shri K.G.
Dhuleshwar Meena, Shri
Dixit, Shri G.C.
Dwivedi, Shri Nageshwar
Ganesh, Shri K.R.
Gautam, Shri C. D.
Gavit, Shri Tukaram
George, Shri A.C.
Ghosh, Shri Parimal
Girja Kumari, Shrimati
Gounder, Shri Muthu
Heerji Bhai, Shri
Jadhav, Shri Tulshidas
Jadhav, Shri V.N.
Jamna Lal, Shri
Kamble, Shri
Kasture, Shri A.S.
Kesri, Shri Sitaram
Khan, Shri Zulfiquar Ali
Kinder Lal, Shri
Kisku, Shri A.K.
Krishnan, Shri G.Y.
Kuchelar, Shri G.
Kureel, Shri B.N.
Lakshmikanthamma, Shrimati
Lalit Sen, Shri
Marandi, Shri
Master, Shri Bholu Nath
Meena, Shri Meetha Lal
Melkote, Dr.
Mishra, Shri Bibhuti
Mishra, Shri G.S.
Muhummad Ismail, Shri M.
Oraon, Shri Karik
Pant, Shri K.C.
Partap Singh, Shri
Patil, Shri Deorao
Qureshi, Shri Mohd. Shaffi
Raghu Ramaiah, Shri
Raj Deo Singh, Shri
Ram, Shri T.
Ram Sewak, Chowdhury

Rana, Shri M. B.
 Randhir Singh, Shri
 Rao, Shri Jaganath
 Rao, Dr. V. K. R. V.
 Reddy, Shri P. Antony
 Roy, Shri Bishwanath
 Roy, Shrimati Uma
 Sadhu Ram, Shri
 Samanta, Shri S. C.
 Sankata Prasad, Dr.
 Sayeed, Shri P. M.
 Sen, Shri Dwaipayana
 Shambhu Nath, Shri
 Shankaranand, Shri B.
 Shastri, Shri Ramanand
 Sher Singh, Shri
 Shiv Chandika Prasad, Shri
 Siddheshwar Prasad, Shri
 Snatak, Shri Nar Deo
 Ulaka, Shri Ramchandra

MR. CHAIRMAN : The result* of the division is: *Ayes*: 17; *Noes*: 74.

The motion was negatived.

MR. CHAIRMAN: The question is:

"That the Title stand part of the Bill."

The motion was adopted.

The Title was added to the Bill.

DR. V. K. R. V. RAO : I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN : The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) BILL

THE MINISTER OF PARLIAMEN-
 TARY AFFAIRS AND SHIPPING AND
 TRANSPORT (SHRI RAGHU
 RAMAIAH) : I beg to move**

"That the Bill to amend the Salaries and Allowances of Officers of Parliament Act, 1953, be taken into consideration."

This is a very simple piece of legislation relating to the right of residence of Officers of Parliament, which term means the Chairman and Deputy Chairman of the Rajya Sabha and the Speaker and Deputy Speaker of the Lok Sabha. It is intended to bring the right of residence in these cases on a line with that now being enjoyed by ministers, which was brought about by an amending Bill some-time back. We want to equate the two. At present, if an officer, as defined by me just now, demits office, he can remain there for 15 days and if an officer dies, his people can remain there for one month. The effect of this amending Bill is instead of 15 days, we propose to give a period of one month in the case where an officer demits office and two months in the case of death of an officer, as is done in the case of ministers. For the first month of the two months referred to by me just now, there will be no rent and charges but for the second month, there will be rent and charges, as in the case of ministers.

The other provision is to give effect to it from an earlier date, the only idea being the family of Mrs. Alva might get the benefit. In fact, in the case of the amending Bill for ministers also, there was a similar provision giving effect to it from an earlier date, to give advantage in case of some ministers.

I hope the House will take this into consideration.

*Shri Liladhar Kotoki also recorded
 **Moved with the recommendation of

the President.
 his vote for NOES.