

successful, well, we might try it for some time more. If it does not prove successful I shall certainly appoint a non-official and allow the Board to languish. It is not a question of my being wedded to a particular idea of bringing an official into it. I want to do some good to this industry.

Well, that seems to be the answer in regard to the various questions put. But in regard to further amendments that may be necessary, I have said before in another connection that I am examining the entire question. Even if the Silk Board Act has to be amended in some measure perhaps as I may have to amend the Coffee Marketing and Control Act and the Rubber Production Act also, we will probably bring forward the amendments together—we will put them together in one Act. I shall then tell the House how we propose to improve the working of the Board, but the matter is under examination. But I thought the present amendment was rather urgent particularly because of the insistence by hon. Members that more attention should be given to this industry by Government—an insistence which I thought had substantial basis on facts. I need not go further into this matter but I do hope that if the House approved of it some good will result out of this to the silk industry.

Shri A. C. Guha: May I know whether the Board has taken any steps in the direction of technical and economic research and for testing and grading the raw silk? Those are the two important functions of the Board.

Shri T. T. Krishnamachari: I have a summary of what the Board has been doing. It made certain recommendations to Government. It has imported some machinery from Japan. A batch of three Indian sericulturist officers from Madras, Mysore and Bengal were sent to Japan at the suggestion of the Board. Twenty thousand saplings of different varieties of mulberry plant have been imported. They have three technical inspectors affording practical technical assistance and guidance to mulberry and non-mulberry silk-growing States. So far as any research is concerned, I cannot find any evidence in any record that is produced before me, but as I said I am quite willing to concede the matter is entirely unsatisfactory.

Mr. Chairman: The question is:

“That the Bill further to amend

the Central Silk Board Act, 1948, be taken into consideration.”

The motion was adopted.

Clause 2. (Amendment of section 4 etc.)

Shri M. S. Gurupadaswamy: I am not moving my amendment.

Shri T. T. Krishnamachari: May I suggest that if the hon. Member, Mr. Gurupadaswamy moves his amendment to make “two” into “three” Members of the House of the People, I would willingly accept it.

Shri M. S. Gurupadaswamy: I beg to move:

In page 1, line 8, for “two persons” substitute “three persons”.

Shri T. T. Krishnamachari: I accept the amendment, Sir.

Mr. Chairman: The question is:

In page 1, line 8, for “two persons” substitute “three persons”.

The motion was adopted.

Mr. Chairman: The question is:

“That clause 2, as amended, stand part of the Bill.”

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Clauses 3 and 4 were added to the Bill.

Clause 1 was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Shri T. T. Krishnamachari: 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.

RESOLUTION RE BERNE CONVENTION FOR PROTECTION OF LITERARY AND ARTISTIC WORKS

The Parliamentary Secretary to the Minister of Education and Natural Resources and Scientific Research (Shri K. D. Malaviya): I beg to move:

“This House approves the Berne Convention for the protection of Literary and Artistic Works, as finally revised at Brussels on the 26th of June, 1948 and signed by

the representatives of the Government of India and of the Governments of certain other countries, and is of the opinion that the said Convention should be ratified by the Government of India."

Mr. Chairman : Resolution moved :

"This House approves the Berne Convention for the protection of Literary and Artistic Works, as finally revised at Brussels on the 26th of June, 1948 and signed by the representatives of the Government of India and of the Governments of certain other countries, and is of the opinion that the said Convention should be ratified by the Government of India."

Sardar Hukam Singh (Kapurthala-Bhatinda): Is he not going to tell us what it is about, Sir?

Shri K. D. Malaviya : This is with regard to the revised Berne Convention passed in June, 1948. The revised Convention widens the scope of the expression "Literary and Artistic Works". As knowledge advances it is felt that the scope of the expression "Literary and Artistic Works" needs expansion and hence the Rome Convention of 1928 was revised in 1948 at Brussels. We were signatories to that 1948 Convention and we are now seeking the approval of the House for the revised Convention. Immediately after this the Government of India will ratify the revised Convention and after that the Copyright Act of 1914 will need amendment. For that we will again come to the House.

Shri A. C. Guha (Santipur) : The note supplied to us by the Department is awfully meagre. We have not been told how many countries have ratified this Convention, how many are signatories to it, and whether the protection of literary and artistic rights conferred by this Convention will be applicable to all countries. At least as regards our neighbouring countries, to whom some of our literary and artistic works can go very easily, we ought to be given some idea as to how our rights will be protected. The Minister should take note of this and ought to provide full information before the House ratifies this Convention.

The Convention itself is welcome. At the same time it should not act in any way as a restriction on the spread of learning and knowledge. I can appreciate the idea of protecting these rights, but it should not be made a capital investment or a vested interest. Even quotations and collections from certain books are prohibited and to that extent it is a restriction on the spread of

knowledge. For instance, an author here may not quote from an author in the U.S.A., England or Germany or may not bring out an anthology. Previously, the U.S.A. was not bound by any such Convention. I want to know the present position. We should have more information before we may agree to this resolution.

Shri K. D. Malaviya : I quite sympathise with my hon. friend. Although the notes supplied may not be very exhaustive they do indicate one thing, viz. that the rights of authors and artists are not restricted in the sense in which the hon. Member means it. The revised Convention not merely has not interfered, but as a matter of fact the policy is to give as much protection as possible to local nationals.

Shri A. C. Guha : For how many years the proprietary rights will continue and whether the inheritors will continue to enjoy those rights—these two points require clarification.

Shri K. D. Malaviya : I speak subject to correction, but the rights will be protected for fifty years.

Shri A. C. Guha : Fifty years during life-time, or after death?

Shri K. D. Malaviya : As far as I remember, after death.

The main object of the revised Convention was to include arts and works which till 1928 had not been included in it or were inadequately mentioned. As I said, after this revised Convention is ratified, the Copyright Act will have to be amended and for that we shall approach the House again.

11 A.M.

Shri A. C. Guha : Who are the signatories to this convention?

Shri K. D. Malaviya : There are about 29 countries who are signatories and many more who watched the proceedings as non-participating nations. I am not quite sure about neighbouring countries, but some of the countries are : Greece, Hungary, Ireland, Italy, Lebanon, Denmark, Canada, Belgium, Austria, Morocco, Switzerland and Yugoslavia.

Mr. Chairman : The question is :

"This House approves the Berne Convention for the protection of Literary and Artistic Works, as finally revised at Brussel on the 26th of June, 1948 and signed by the representatives of the Govern-

ment of India and of the Governments of certain other countries, and is of the opinion that the said Convention should be ratified by the Government of India."

The motion was adopted.

COMMISSIONS OF INQUIRY BILL

The Minister of Home Affairs and States (Dr. Katju): I beg to move:

"That the Bill to provide for the appointment of Commissions of Inquiry and for vesting such Commissions with certain powers, as reported by the Select Committee, be taken into consideration."

I am happy to think that the report of the Select Committee is an almost unanimous one. Hon. Members would have seen by a perusal of the report that the Select Committee has scrutinised almost every single provision of the Bill with the utmost care and has made numerous changes which were unanimously accepted. The object of the Bill as I brought it forward was to meet an obvious inconvenience. Two or three years ago, a Committee was appointed to enquire into certain matters relating to the sugar industry and the Chairman who was a retired Judge of a High Court said that he had not received sufficient cooperation and he had been unable to examine witnesses or call people before him to give relevant information. Thereupon, after a very careful examination of this matter, it was thought desirable that instead of having *ad hoc* legislation in relating to every Inquiry Commission it might be more convenient to introduce some legislation which could be applicable to all Commissions of Inquiry and to authorise the Commissions to examine witnesses and take certain additional steps which invest them with certain powers of a civil court. With that object the Bill was introduced.

It was pointed out in the course of discussion on the motion for consideration before the Bill was sent to the Select Committee that there were enquiries and enquires and there were committees and committees and it may not be convenient, nor would it be expedient, to vest every single commission and committee of enquiry with the powers which this Bill purports to confer upon those committees and therefore some distinction ought to be made. Now that particular point of view has been given effect to by the Select Committee and the House would now observe that the Bill makes it clear that the Act would only apply to those commissions which are specifically appointed under clause 3 of the Bill and the appropriate Government

which would be either the Central Government or the State Government, will in notification appointing the committee say clearly that this was a commission appointed under clause 3 of this particular Bill and thereupon certain powers which are specified in clause 4 of the Bill would automatically vest in the committee.

In the Bill as it was originally framed these powers included the power to send for witnesses, to examine them on oath, to send for documents and records from public offices and also to compel people to give information. There was also the power of searching and seizing documents from any premises. A point was made out that while there might be no objection to the power to examine witnesses, the power to compel people to give information and the power to direct searches and seizures was a little more peremptory and, therefore, required further consideration and every committee should not have that power. Now the Select Committee has also given effect to this view and it is clearly provided that while under clause 4 of the Bill the power to summon witnesses and examine them would vest in every committee, the additional powers which are referred to in clause 5 of the Bill, namely, the power to compel people to give information and power to direct searches, would only be available if the appropriate Government, in the notification appointing the committee specifically says that the committee concerned would have also these powers and I am sure that the appropriate Government would see to it that the additional powers mentioned in clause 5 of the Bill would only be granted in appropriate and proper cases, particularly to those commissions, which are presided over by persons of high-status such as retired Judges of the High Court who may be trusted to use those powers in proper cases. Now that is provided for by clause 5 of the Bill.

Then there are certain minor matters. As the House is aware, the power to appoint commissions of enquiry are included in List I, that is the Union List, and List III which is the Concurrent List. In List III power is given both to the Central Government and to the State Governments to make enquiries or direct enquiries to be made by committees in relation to matters exclusively within the cognizance of a State, namely in List II and also to such matters included in List III, the Concurrent List. The result is that the Central Government is empowered to direct an enquiry into practically all kinds of matters anywhere throughout India, while the