

[Sh. Sharad Pawar]

However, I feel that such interviews by serving officers are best avoided. I wish he had resisted the temptation.

I would like to recall that our Armed Forces are highly disciplined and have discharged every task assigned to them, since the attainment of Independence, with utmost devotion and loyalty. I would like to take this opportunity of assuring this House that the Armed Forces function entirely under the control of my Ministry.

It has been our tradition to insulate the Armed Forces from controversy. I, therefore, appeal to this august House not to press any further debate on this issue.

16.33 hrs.

(II) Price policy for Rabi Crops of 1991-92 to be marketed in 1992-93 season.

THE MINISTER OF AGRICULTURE (SHRI BALRAM JAKHAR): Sir, the Government have fixed the Minimum Support Price of Wheat of fair average quality at Rs. 250 per quintal for 1991-92 crop to be marketed in 1992-93 season. This marks an increase of Rs. 25 per quintal over the price of Rs. 225 per quintal fixed for 1990-91 crop.

The Minimum Support Price of Barley of fair average quality has been fixed at Rs. 210 per quintal marking an increase of Rs. 10 per quintal over the price fixed for the 1990-91 crop.

The Minimum Support Price of Gram of fair average quality has been fixed at Rs. 500 per quintal marking an increase of Rs. 50 per quintal over the previous year.

The Minimum Support Price of Rapeseed/Mustard has been fixed at Rs. 6.70 per

quintal marking an increase of Rs. 70 per quintal over the previous year.

The Minimum Support Price of Saf-flower of fair average quality has been fixed at Rs. 640 per quintal marking an increase of Rs. 65 per quintal over the previous year.

The Minimum Support Price of Toria of fair average quality for the marketing year 1992-93 will be fixed by the Department of Agriculture and Cooperation in the light of normal market price differential with respect to rapeseed/mustard.

I am confident that the minimum support prices now fixed for different crops for the current marketing season will enthuse farmers to achieve further increases in production and productivity of these crops.

16.34 hrs.

STATUTORY RE. SOLUTION RE DISAPPROVAL OF THE COPYRIGHT (AMENDMENT) ORDINANCE, 1991

AND

COPYRIGHT (AMENDMENT) BILL

[English]

MR. SPEAKER: The House shall now take up items 16 and 17 together. Shri Lokanath Choudhury. He is not here. Shri Girdhari Lal Bhargava.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur) : Mr. Speaker, Sir, I beg to move:

"That this House disapproves of the Copyright (Amendment) Ordinance, 1991 (Ordinance No. 9 of 1991) prom-

ulgated by the president on the 28th December, 1991".

SHRI RAM VILAS PASWAN (Rosera): Mr. Speaker Sir, I request you that there was consensus in Business Advisory Committee regarding the holiday on 20th. The Upper House has declared it as a holiday. Here also B. J. P., C. P. I., C. P. I. (M) and my party is of the opinion that, if the House agrees, 20th should be declared as a holiday, because in Bihar hli will be celebrated on 18th. The Members from Bihar will return to their home.

MR. SPEAKER: Hon. Member, I will decide about it tomorrow at 10 A. M. Shri Girdhari Lal Bhargava, would like to say something.

SHRI GIRDHARI LAL BHARGAVA: Mr. Speaker, Sir, the Ordinance which has been promulgated regarding copyright: is in a way an old order. Actually the point was to extend the time of reprint of the books written by Shri Rabindra Nath Tagore and that is why an amendment was brought forward. The hon. Minister has brought an Amendment to substitute 40 by 50 and 50 by 60. When he saw that there was a repeated demand by the committee of Shanti Niketan, an institution set up by Shri Rabindra Nath Tagore himself, to bring an amendment to enable them to continue to publish Shri Tagore's works, he brought this amendment. Others also made a similar demand. It is not an ordinary matter. Since the time was due to expire in December, 1991, this ordinance was promulgated. I think it is not proper to promulgate ordinances frequently in this manner. There are no two opinions that the hon. Minister's intention was clean, but I feel that for such things....

MR. SPEAKER: It is all right. It will be implemented for all.

SHRI GIRDHARI LAL BHARGAVA:

Bringing forward ordinances for such reasons is not proper. You have given these rights to all except those who had got rights before 1991, I hope the hon. Minister will explain the position while replying to the debate.

MR. SPEAKER: Motion moved:

"That this House disapproves of the Copyright (Amendment) Ordinance, 1991 (Ordinance No. 9 of 1991) promulgated by the President on the 28th December, 1991".

[English]

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): Sir, I beg to move:

"That the Bill further to amend the Copyright Act, 1957, be taken into consideration."

If I have understood the hon. Member correctly, he is not against the substance of the Bill, but he thinks that perhaps we should have done it in the normal source and not brought it up as an Ordinance.

There were opinions that were coming to us on this account and we had to consult a large number of people. There were representations from the State Governments, from some hon. Members also and therefore in that process some delay occurred; and this had to be done by an Ordinance because the Copyright Act expired on 31.12.1991.

The extension that we have given for ten years is actually a means; we have tried to reduce being too much for it. Some suggestions were made for 17 years, some were for more years, but we thought that ten years should be given; and this is eligible for every one. This is not only for Guru Tagore's works; of course, Guru's works are a class by

[Sh. Arjun Singh]

themselves. It was considered appropriate therefore to extend this for another ten years.

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Copyright Act, 1957, be taken into consideration."

SHRI GIRDHARI LAL BHARGAVA

(Jaipur): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 25th June, 1992." (1)

PROF. RASA SINGH RAWAT

(Ajmer): I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 30th June, 1992." (2)

MR. SPEAKER: Shri Bijoy Krishna Handique.

16.43 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

SHRI BIJOY KRISHNA HANDIQUE (Jorhat): I rise to support the Copyright (Amendment) Bill. This is a wise decision to extend the term of Copyright generally, in all the works protected by the Copyright Act of 1957. Thought, originally, the intention was to accord extended protection to Gurudev Rabindranath's works in view of their national importance, legally, it is essential to extend the term of Copyright, generally, even to protect Gurudev Rabindranath's works. The decision is significant.

During the next ten years, we shall watch how the Visva Bharati University does

not only to protect the works of Kavi Guru Rabindranath but how to popularise his works and yet lift them from the intrigue of commercialisation and publish authentic and entire works of Kavi Guru Rabindranath Tagore at a low price.

For complaints against Visva Bharati are in the air. Though it is a well considered decision to allow Visva Bharati to retain the Copyright, complaints from distinguished educationists, writers and intellectuals must be considered too. Their opinions cannot be dismissed summarily.

We have to admit that, as has been claimed by distinguished intellectuals that all is not well with the Visva Bharati and the manner in which it has made use of the copyright in recent times is not inspiring.

Sir, I want to make it clear, Test I may be misunderstood, that when I say that the Government's decision to extend the protection and allow the Visva Bharati to retain the copyright is wise, it is not because of the fact that Kavi Guru desired before his death the copyright be given to Visva Bharati for publication. If the copyright is not protected, his works will be exposed to a sinister commercial design and ultimately only a handful of works which sell fast will be promoted and the remaining volumes of his works will lie untouched. As a result a large number of his works will not be published or re-published. To save Kavi Guru's works from rank commercialism, Visva Bharati is the only answer. For it can rise above commercialism and promote his works from the point of view of research, aesthetic and historical assessment. But that does not mean that Visva Bharati remains indifferent to the criticism of the various organisations and authors.

For those who are inclined to hold the view that Visva Bharati fails to do full justice to the promotion of Kavi Guru's works, are high dignitaries of India's culture and litera-

ture and art. Allegations of incomplete and incorrect texts poor translations, indifferent production standards and an obsession with self-safeguarding the copyright, instead of putting it to good use have been levelled and which have allegedly fallen on the deaf ears of the Visva Bharati authorities.

There is no reason to believe that this organised reaction of these intellectuals has anything to do with individual annoyance or grudge or is inspired by calculations other than merit. On the contrary, it is a rational analysis of Visva Bharati's lapses when it was expected to set standers of excellence in production, editing and marketing.

Their specific allegation is that Visva Bharati has not been also to bring to light a large volume of Kavi Guru Rabindranath's prose, many of his short works published in various periodicals, including important letters and the popular view is that the correctness and completeness of the publication is questionable. That is another complaint. They have been claiming that the last volume of Gurudev Rabindranath's Collected Works came out in 1965 and the intervening 26 years have given enough causes, enough grievances among the readers and research scholars.

Let the Government watch what steps the Visva Bharati takes during the next ten years to present authentic Tagore, and complete Tagore and inexpensive Tagore. But if the Visva Bharati, however, fails in its commitment, in the course of the next ten years, it forfeits the right to come to the Government again to plead its case. I am, however, confident that the Visva Bharati which is the creation of Kavi Guru Rabindranath himself, and it was the creator's desire that the right of publication rests with Visva Bharati, will be able to protect his works and preserve the purity and authenticity of text and also launch a drive for translation and re-translation into the Indian lan-

guages or even to foreign languages. It is a great responsibility and faith placed in the service of the Visva Bharati. The other alternative is to leave Tagore's works to the mercy of unrestrained commercialism of the big publishers whose motivation is guided by the best seller psychosis. They might argue that the best sellership is the readership among millions. But what about those which are not meant for best sellers? The best sellership is no criterion for aesthetic heights and excellence. It will be a sad day if the horizon of Tagore readership is cribbed and circumscribed by the materialistic consideration of profit and loss of the flourishing publishing houses.

Sir, all our talks about the protection of the author however end up in irrelevance when we have a copyright law without enough teeth. The infringement of Copyright Act is everywhere. But the problem is acute in third world because people cannot afford to buy books. Even in developed countries like U. K., U. S. A., this problem is there. One should however, have no illusion that if more reprints are available, it will put an end to the photocopying of books thought it may be slightly controlled.

And piracy is not limited to the context of west versus third world. Even a book published in India is pirated in other third world countries. The tragic irony is that an Indian author's book is pirated in India because of the high price of the book. Thus, the piracy of book is nothing to do with the South or North. If the book is successful in the market, there is no guarantee against its being pirated.

In 1985-86, the Copyright Act was amended not because there was a concern to save the book industry but because of video piracy. I urge the Government to take adequate steps in pursuance of the 1983 amendments, in respect of making foreign books available at a reasonable price through compulsory licensing so as to meet expedi-

[Sh. Bijoy Krishna Handique]

17.00 hrs.

tiously the country's requirement for scientific and technical books published abroad and reproduction of books required for teaching, research and other systematic instructional activities.

Why I have raised this point is this. We have now amended the Copyright Act to give protection to one of the world's great litterateurs. But if the copyright infringement is rampant and frequent, then how can we protect the great works of this great man?

There was a newsitem published in a newspaper. It was reported in some of the newspapers that one gentlemen went to a book stall in or Railway station. One of the State of our country. I do not want to name that State, which might be a reflection on that State. He found in that bookstall a book, which was a translation of Ravindranath Tagore's *Gora*. Along with that there were a few pages of pornography printed. What can the Government do to protect such works?

So, the penal measures must be strengthened and properly enforced. But merely strengthening of the penal measures is not enough. The Government should do something to see that the books are available within the easy reach of the people.

I wanted to raise this point in the course of this discussion. The main discussion, is however an extension of this copyright to Gurudev Tagore's words. Vishwa Bharati should bring out an authentic Tagore, complete Tagore and inexpensive Tagore, within the easy reach of the people.

With these words, I support this Amendment Bill. I hope the Government will also take measures so that the Copyright Act is protected against infringement.

*[Translation]

*SHRIMATI MALINI BHATTACHARYA: (Jadavpur): Hon'ble Deputy Speaker, Sir, in this copy right (Amendment) Bill, 1992, the effective clause is in the 5th Chapter of Copyright Act where the period of copyright has been extended from 50 to 60 years. Other creative works like Art, film etc. are also protected in this. It seeks extension of time limit by 10 years. Why this extension of time limit has been sought. In the three objective stated by the Government, the case of Rabindra Nath has been referred to. After Rabindra Nath's death, the copyright of his works was given to Vishwa Bharati. As per rule, the copyright would have expired in December, 1991. So Tagore's writings would have been available for any publisher to publish.

Ten years have been extended by this new Act. While stating the objective, it has been said that because the period of copyright can not be extended for a particular author, so this extension covers all the writers.

These questions arise in this regard. The first question is, whether there can be a change in the act or not. The second question is whether the common reader eager to read Rabindra Nath or get acquainted with other renowned India Writers, would be benefitted and the third question is why this extension of ten years only. Why not more or less?

I don't want to give more importance to the legal side. Because I feel if there is any lacuna in an act space for amendment should always be there.

India has been the partner in two Inter-

*Translation of the speech originally delivered in Bengali.

national convention on copyright (1) Berne convention and (2) Unesco convention. Generally the countries under Berne convention, recognise the term of copyright for 50 years. But exceptions are there. Federal Republic of Germany and Austria extended the period of 50 years to 70 years through Parliamentary Act in 1965. In India also that period of 30 years was extended to 50 years. In the second convention i. e. Unesco convention, where India is one of the signatories, the internal legislation has been recognised for the protection of copyright. No rigid international standard has been recognised with regards to protection of copyright by national legislation. So even after being a partner in these two international conventions, if any country feels the need to extend the time limit for any literary work it faces no legal restriction. Originally the govt. sought to amend the copyright act because the copyright of Rabindra Nath was going to expire. So it is necessary to say a word or two on Rabindra Nath. It has been rightly said by my previous Speaker that it cannot be claimed that Viswa Bharati has been completely successful in publishing the writings of Tagore. It cannot be denied that alongwith success failures are also there. I agree with my previous Speaker in this regard.

In the case of Rabindra Nath, this extension of 10 years means that the Copyright of his writings remains with Viswa Bharati for another 10 years whereas the extension of time limit for other writers means the copyright will be enjoyed by some persons like his relatives or inheritors. According to some people this monopoly of copyright and extension of time limit without freedom to publish would create impediment in making the writings of the great writers of the country easily available to the common reader. So they feel that the writings of Rabindra Nath should be made free from the monopoly of Viswa Bharati and there should not be any extension of time limit. This view has been expressed by many writers, intellectuals, and creative art-

ists. We agree with them to some extent. We also feel that it should be our endeavour to make as much as possible the writings of Rabindra Nath, the complete writings, the authentic writings of Rabindra Nath, easily available for common reader. Of course, this objective is meant for all great writers like Prem Chand or Subra Maniam Bharati. Their creative works are our national wealth. So they should be enjoyed lay all.

Now if we feel that after the expiry of time limit of copyright, literature because free for publication, then the extension means unnecessary delay of this freedom of publication. But is it so in reality? We have no reason to believe that authentic, complete Rabindra Nath would have been easily available for common reader even after the expiry of his copyright on 31st December, 1991. We have a different experience. In the case of other great writers in Bengali like Rabindra Nath or Sukumar Roy, market was flooded with publication of substandard editions with cheap pictures of their books after the expiry of copyright of their writings. And moreover the publishers with only regard for profit will publish only a few popular books of Rabindra Nath. We can not have the complete Rabindra Nath in the publication world.

If we want to give freedom of publication for Rabindra Nath or any great writer or want to make their complete authentic, undistorted writings easily available then we can not leave them in the hands of great business lobby or at the mercy of whimsical ups and downs of the market.

In their recommendation, the Haksar committee expressed the opinion that if national intellectual property is to be utilised for benefit of the people then you can not leave this in the hands of market force. Even the Government owes certain responsibility in this regard.

Now these extra ten years are to be

[Sh. Bijoy Krishna Hanique

utilised for publishing the complete, undistorted Rabindra Nath and make his writings available with reasonable price for common reader. We feel that this extension of 10 years is not enough in this regard. For overall development and improvement of Viswa Bharati Publication the Govt. may consider forming a supervisory committee comprising of representatives of various Government publishers so that we can publish the complete works of Rabindra Nath within a definite period of time. This objective should not be confined to Rabindra Nath only. This objective should be meant for all great writers of our country. Without this objective, just more extension of time limit won't serve any purpose.

Hon'ble Chairman, Sir, I would say a few word in the end. According to many persons, we have been objecting unnecessarily against patent act amendments advocated in the Dunkel Draft. They say that you people have no objection for extension of time limit of copy right in the country. But why you are objecting to the extension of time limit upto 20 years for Patent Act in Dunkel Draft? Our reply to them is that the same reason of protecting the act of Rabindra Nath or any great writer from market-forces is working here. We do not want the monopoly of big business group or multi nationals on our intellectual property. We have objection for giving facility to the big business lobby or multinationals through the amendment of the Patent Act.

Considering the situation in the developing countries, the Unesco convention made the International copyright Act to some extent unrestricted so these countries can utilise the intellectual property of other countries and develop their own intellectual property. Stockholm protocol wanted to go one stop ahead in this regard. But the developed countries did not agree. Today the multi-

national companirs want to have monopoly on International intellectual property. Through Dunkel Draft. The cultural, moral social sovereignty of a country can not come under Patent Act. But there multinationals want to bring these too under Patent Act. It will not be proper to judge in the same light the move of met letting a national writer to be subjected to market forces the objection to the proposal for amendment of Patent Act in Dunkel Draft.

Hon'ble Chairmen, Sir, I thank you for giving me time. After supporting the amendments I would like to submit that this extension of ten years should be utilised in such a manner so that the writings of Rabindra Nath and other great writers can be available for all of us property.

[English]

PROF. K. V. THOMAS (Ernakulam): Mr. Deputy Speaker, Sir, at the outset I support the Copyright (Amendment) Bill. The Eighth Commandment says:

"Thou should not steal".

The Copyright Bill aims to prevent the stealing of intellectual properties of men of eminence. The Copyright Act was first enacted in 1709 in England. It was first enacted in India in 1914 and subsequently there were a number of amendments and even the present amendment does not plug many of the loopholes still present in the Copyright Law. So, we should have a very comprehensive Copyright Law, so that whatever loopholes are present now can be effectively plugged. As it is specially noted in the Statement of Objects and Reasons of this Bill, one of the primary aims of this amendment is to protect the copyright of Gurudev Tagoreji's works for 10 more years. In this connection, I would like to know why it is 60 years. In Germany, a Law was enacted in 1975 and its period is 70 years. In Spain also a Law

was enacted and the period is 80 years. As you have decided to enhance the period from 50 years to 60 years, I would like to know why it is 60 years and why not a little more. I would like to know the reason behind it.

Sir, I would like to bring to the notice of the hon. Minister certain anomalies still existing in the Bill. In the case of literary, dramatic, musical and artistic works other than photographs, the period of copyright is the life time of the author and 60 years after his death. Why are the authors of photographs not given this privilege? In the present day world, photography is also a piece of art. So, I think, this privilege should be given to the authors of photographs also. Similarly, in the scientific world, computer programmes and softwares also should be adequately protected and in the present law, this protection is not given. The 1977 Supreme Court judgment gave the sole copyright of the films and sound tracks to the producers. The artists of the film who are not organised themselves are completely at the whim and fancy of the producers. My request is, there should be adequate amendment to safeguard the interests of the artist. Pirated books audio, video cassettes, paintings, computer programmes and films are now available everywhere. This is due to the absence of adequate and effective laws. Infringement of copy rights Act is analogous to misappropriation of property or even theft. Therefore, it calls for stringent penal action.

My request to the Government is, we should bring about legislation so that even imprisonment and heavy penalty should be given to those who infringe the law. There should be a special police cell to look into these cases. There should be special courts. The law should have enough teeth.

I would suggest that video parlours and shops may come under licensing agency system so that there can be frequent checks.

Seized pirated property should become the property of the State. In the present law, we do not have such a provision. Similarly, there should be public awareness scheme the Copyright law since the people do not know what are the provision under the present law.

Coming to the evidence, the evidence should be relaxed in favour of the copyright holder and not to the alleged culprit.

The developing nations and the Third world countries, they are put in a very disadvantageous position. Countries like England and France are not prepared to uphold the 1967 Stockholm Protocol as a result of this, many of the modern books which are published abroad in the Western countries come to the developing countries and the Third-world after certain period, when they become obsolete. Now the Third world countries and the developing national have become a burial ground for obsolete work done in the Western countries. We should see that the Stockholm Protocol signed by the nations is being implemented scrupulously.

With these words, I support this Bill.

[*Translation*]

SHRI MOHAN SINGH (Deoria): Mr. Deputy Speaker, Sir, there is nothing much to say against this Bill seeking to amend the Copyright Act because it has been introduced with such a perspective and background that there is nothing left to say against it. seen But, I would like to take this opportunity to make some suggestions to the hon. Minister.

It has been the misfortune of our country that our writers have been poor and the intellectuals economically unsound. The publishers of books are becoming richer and more prosperous. It should be the responsibility of the Government to propagate the ideas and thoughts of the intellectuals and to

[Sh. Mohan Singh]

publish the books of good writers because these personalities influence the generations with their mental capability. When the National Book Trust celebrated centenary of Gandhiji, all his works were available in 80-82 volumes at the cost of Rs. 10. At present if we give that to a publisher for publishing it, the cost would be Rs. 500-600. In such a situation no reader will be able to purchase those books. Munshi Preme Chand passed away in poverty. But the publishers of his copyright got paper from the Government at subsidised rates, took money from the Government and sold the published books at very high rates in the market. A complaint has been registered against them in this connection and a law suit was initiated in the court about the paper supplied by the Government. A lot of unsavoury stories about the heirs of great writers and their publishers have come before the society which have led to of the position in the matter. Now the Government has given copyright of the selected works of Shri Jawaharlal Nehru to the Oxford Press. And Oxford Press is selling that at such a high rate that if an ordinary person wants to read and pay heed to the ideas of Shri Jawaharlal Nehru, it will be a difficult task for him to do so by purchasing the published works.

Therefore, I would like to suggest that it should be responsibility of the National Book Trust and the Government to publish the works of such eminent writers, intellectuals and scientists. For example, centenary of Shri Subramanyam Bharati had been celebrated 6-7-8 years ago but the Hindi version of his books were not published. Had his books been published in Hindi too, it would have benefited the Hindi knowing persons. I think the copyright owners had no Hindi. Translators. So Hindi readers are deprived of the poems and ideas of such a great personality of this era. Similar was the case with the works of Ravindra Nath Tagore. The

Hindi speaking people suffer from a weakness that they are too vocal in demanding use of Hindi, but when they get an opportunity to learn other languages of India, they always lag behind. Therefore, keeping in view their compulsion and inactiveness, I think it will be proper if the Government makes arrangements to make available the Hindi version of the books, poems and ideas/ thoughts of such other non-Hindi speaking great intellectuals and thinkers at reasonable rates through National Book Trust and from this point of view there is a need to amend this Copyright Act because we have seen that this Act has created a problem in case of Maulana Azad's works. Maulana Azad expressed his views in a book 'India Wins Freedom' and died later on. Some portion of that book was after 40 years of his death as per his will. And during all these 40 years a lot of rumours were spread regarding Maulana Azad as to what he wanted to reveal though that portion of the Book. What secret did he want to bring to light through this publication; who were the persons and what were the circumstances, responsible for partition of India? The readers of this country had been in confusion for the long 40 years regarding the contents of that portion of the book. A dispute arose after its publication regarding its copyright and this case went upto Supreme Court for this decision as to who would be entitled to get royalty. So the Copyright Act should be amended in case of publication of the books of revolutionary writers, thinkers, leaders, poets and men of literature, who had influenced the entire generation of the country. And it should be the responsibility of the Government to make available these books at reasonable rates through National Book Trust or through its own agency to propagate such revolutionary ideas. With these few suggestions I am in a position to neither to support nor to oppose this Bill. I would like to urge the hon. Minister that an integrated policy on the publication of the books should be formulated. A few days ago a big World Book Fair was organised here. A number of visitors used to go there but among these

visitors, the buyers of the books were very few because the prices of the books were very high; so the visitors used to make a round of the Fair and return without purchasing the books. My interest and temptation towards the books also dragged me there and found that the books, which were available at less than Rs. 25 or Rs. 50 about 40-45 years ago, were available at very high prices were beyond my capacity. So the Government should formulate an integrated policy regarding the publication of the books. The Government should own the responsibility of publishing those books which can benefit the society and can propagate the good ideas and thoughts. As per the newspaper reports, the Government proposes to take some concrete measures in this respect and the History of the Indian National Movement is being included in the text books. I would like to urge that it should not only be included in the text books but the History of India's Freedom struggle should also be published in the form of a book which may be available at reasonable prices so that it could be made available to the people interested in it.

With these suggestions, I conclude.

[English]

MR. DEPUTY SPEAKER: Now Prof. Rasa Singh Rawat to speak. Each Member will have five minutes because we have got three more Bills to be passed today.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. Deputy Speaker, Sir, I welcome the Bill introduced by the hon. Minister of Human Resource Development, to replace the ordinance promulgated by the President. The intention behind this Bill is related with Shri Ravindra Nath Tagore. Who does not know the world renowned poet Ravindra Nath Tagore? There is a saying in India as to who

can count stars in the sky; who can count the dust particles in desert sand who can count the drops in torrential downpour. Similarly who can describe the stories of the great sons of Bharat Mata. Ravindra Nath Tagore was such a great son of Bharat Mata, as won laurels by writing famous book Gitanjali and won the great Noble Prize.

Optimism and humanism are reflected in the works of Ravindra Nath Tagore. The values of human life have been established through these poetical works. Alongwith this the national values also are reflected in them. In the circumstances prevailing in the country at present the works of Gurudev Ravindra Nath Tagore are like a light house for us. Today, in the absence of good literary works, an atmosphere of lessivism in the country is prevalent every where. Unrest is developing among the youths because they are not able to get good literature to read which they should have. As a result of which cheap literature is available in the market.

Mr. Deputy Speaker, Sir, through you, I would like to say that as food is necessary for the body similarly literature is essential for the mind. It is just like a food for the mind. Unless and until good literature is created, protected and propagated, the habit of self-study will not develop and good ideas will not originate. An Urdu poet said about the present circumstances -

"Ham un kul kitabon ko, kabile jabti samajhte hain,

Jinko padhkar bete bap ko, khapti samajhte hain."

In such an age when cheap literature is flooding the soviety, we had the privilege of having some great poets and writers among us. World renowned literary perons like Ravindra Nath Tagore, Munshi Prem Chand, Bankim Chandra Chatterjee, Jay Shankar Prasad and great Hindi poet Surya Kant

[Prof. Rasa Singh Rawat]

Tripathi 'Nirala' or the poets of other languages as Shri Subrahmanyam Bharati. Their works should be given wide publicity through new editions which should be authentic and of good quality and be available at reasonable prices so that our new generation may know our national values, culture, cultural heritage, music, art and literature. It is said:

"Sahitya, Sangeet, kala vihin sakshat pashu puchha vishan heen."

It would not be hypothetical if I say that Shri Ravindra Nath Tagore set up an ideal by giving such an importance to the literature, music and art.

Sir, while introducing the Bill the hon. Minister said that the term of the copyright of his works was due to expire in 1991. 50 years have passed since he died. In several cases, the term of 50 years is counted from the date of the publication. For example, the term of 50 years is counted after the creation of a work relating to literature, after the music and art. This period has been extended by 10 years. A delegation of the learned people under the leadership of Mr. Savya Sanchi, the Vice Chancellor of the Vishwa Bharti had come to meet our hon. Prime Minister and might have met the hon. Human Resource Development Minister too. They had requested to extend it by 20 years but the Government has extended it only by 10 years. I would like to submit that it should be extended by another 10 years, lest the literature of Ravindra Nath Tagore goes into the hands of a business institution. Earning money should not be the sole target, it should not be out of reach of the common readers. Therefore, it is necessary that its copyright site the Vishwa Bharti should be extended for 20 years. What are the reasons which will compel us to think about it? Most of the speakers have supported it. I want to submit

that the intellectuals of Bengal from the field of literature, art and cinema like Satyajit Ray and Mrinal Sen have opposed extension of the copyright for 10 years. They asserted that this right should not be given to Vishwa Bharati. One institution should not be given the opportunity to establish its monopoly. On the other hand, there is the hon. Chief Minister and the other people of Bengal who say that it should be extended for another 10 years in the name of Vishwa Bharti. There are different views about it, whatever may be the reasons for these views, these differences should be removed.

In view of the prevailing circumstances in Vishwa Bharati, it is essential that the literature of Ravindra Nath Tagore should be translated in Indian Languages and it should be of standard quality and inspiring. The get up and set-up should be proper. The artistic portraits drawn by Ravindra Nath Tagore should be described in such a way it may inspire the whole of the country and the mankind. Sir, no doubt it can be implemented in our country easily but I would like to submit through you that the efforts should be made through the foreign Governments, reputed publishing houses to enter into an agreement with them under this Copyright Act so that it can be implemented there also and the works of Ravindra Nath Tagore reach the common people, big Universities and leading libraries of the world.

Mr. Deputy Speaker, Sir, your bell signals danger. I want to submit that it is written in our 'Shastras':

"Swadhyayanam Pramadha."

Do not be careless towards your study. Nowadays the tendency of study is decreasing among our intellectuals, the renowned lecturers of universities and the thinkers day by day. Due to T. V. and other electronics media the number of the readers of the books has declined. Therefore, the need of

the hour is that the books of high standard may be made available at cheap rates to the common man as Gita Press Gorakhpur is doing. The ideas of the renowned poet, Ravindra Nath Tagore, who had tried hard to inspire the feelings of freedom, social, artistic, literary and cultural awareness and who had spread our honour throughout the country and the world, may reach the common man. There should be some arrangements for publicity. With these words, I support this Copyright Bill.

But I demand that its period should be extended by 20 years so that it may not be misused for making money.

Prem Chandji had to live hand to mouth but today the publishers in his name are rolling in wealth. It should not be so. The literary persons should get the benefit of their writings because they have the copyright. With these words, I conclude. Thank you for giving me an opportunity to speak.

[English]

SHRIMATI GEETA MUKHERJEE (Panskura): Hon. Deputy Speaker, Sir, I thought of speaking in Bengali. Then I thought, since I am speaking on Rabindra Nath, I should speak in English so that everybody understands clearly.

First of all, I would like to explain why I was one of the persons who moved the statutory resolution. That is because of the ordinance. I feel that this problem was known. It was to come. It should have been studied much earlier. About the Act itself, now I am not opposing. But I am also dear about the criticisms which are there about Vishva Bharti's publications. I think, these should be gone into. At the same time, this is also true that there is a feeling that among various intellectuals in Bengal that monopoly should

not be there. I think, Government will have to think over this thing much more seriously.

Rabindra Nath is not just a way of financing Vishva Bharti. Rabindra Nath is something more. Let me tell you that during this election, I declared in my constituency that from 25th Baisakh - Rabindra Nath's birthday - to 27th Baisak I shall not speak in my own language. Everything will be in Rabindra Nath's language. Be it a fight for communal harmony, be it a struggle for social justice, be it a struggle against exploitation and oppression of any kind, I tell you, I succeeded in getting all those from Rabindra Nath. Therefore, everyone in our country must have access to Rabindra Nath in different languages. This, of course, does not restrict itself only to Rabindra Nath. But there several other very important writers and poets. I need not name them because there is not much time. Therefore, I think that even if this copyright is reviewed any time after this year, I think, Government will have to bear some responsibility all the time for popularising Rabindra Nath. If you say that you do not have the resources, I will just recite a little couplet of Rabindra Nath and tell you what it is:

[Translation]

*Setting sun was glowing. He asked, "who will take up my work?" Then, the whole world was agog, speechless. They did not know what to do. There was a small lamp. That lamp rose and said, "Well, My Lord, I shall do whatever I can to take over your responsibility".

[English]

Therefore, whatever may be your financial constraints, you have to behave like this 'Maati Pradeep', that is, the little lamp of clay

*English translation of the coblet originally recited in Bengali.

[Smt. Geeta Mukherjee]

who dared to take over the responsibility of setting sun.

So, this is my request to the Government to really always think about lending their hand so that this kind of poetry goes to all our people in all languages. With that, supporting Shrimati Malini Bhattacharya in all the things that she said without repeating here, I conclude.

SHRI KODIKKUNIL SURESH (Adoor): Sir, I rise to support this Copyright (Amendment) Bill. This Act is most helpful to the writers in our country. In India, a number of writer and others have presented valuable books in our country. But these books are not sufficiently available to the country. A very large number of people want to get books by prominent writers. But the problem is that the price is too high. May I request the hon. Minister to consider this problem as well? My another request to the Government is to consider purchasing of foreign books. Valuable books and books for schools and colleges are not available in our libraries. The Government of India should take necessary steps to buy more books and send them to libraries in the rural areas especially. We must encourage people especially students and youths to read and refer those books. I am sure that they will get lot of benefits. Government should also help the writers and authors to write eminent books. The big problem which the authors and writers are facing is the problem of printing charge. Government of India should give assistance to them to publish their books.

SHRI CHITA BASU (Barasat): I rise to congratulate the Minister of Human Resources for bringing about this Bill and of course, my colleague, Mrs. Geeta Mukherjee expressed her disapproval for bringing about or promulgating an ordinance. I think

it is a wrong place criticism. As I know, it is because I belong to that delegation which waited on him and convinced him about the necessity of extending the time for the copy right of Rabindranath Tagore's works. I do not know whether the Government of India could have done it earlier or not. That is a different thing. But I must say that the hon. Minister including the Prime Minister gave the support to extend the time for the copy right of Tagore's works.

Sir, I rise to support this Bill wholeheartedly. Tagore, the philosopher, the author, the composer, the educationist, the artist, the humanist, the advocate of universal brotherhood and harmony has brought eminent invaluable glories to our nation. We have been introduced to the world outside, our prestige has been enhanced in the comity of nations. His works have enriched tremendously our culture, our civilisation, arts and literacy. We are all proud of him and naturally, that is our keenest possible desire to preserve these treasures which Tagore has left for us. It should be our vow not to allow anybody to distort, to defy, to defame these invaluable treasures. We should also take the vow that we must uphold the values that we have inherited from him. Sir, in order to do that, we strongly feel that we should all work in his direction with three specific objectives, namely, to bring about and project authentic Tagore and to bring about a complete Tagore. We should also see that Tagore's works are made available at cheap prices to the vast masses of our country. Of course, it is not only in the language of Bengali. I have no doubt in my mind that everybody knows that many of our national problems that we face today was visualised by Tagore. He also indicated solutions to those national problems that we are facing even today. Therefore, it is not only the question of just one language. Naturally, I want that Tagore's works should be translated into all our vernacular languages and should be made available to the people of our country to

achieve the objectives that I have mentioned.

Sir, there is no doubt that there is a move to commercialise the works of Tagore. That has prompted many of us and the Government of West Bengal also to see that the copyright is extended by some more years. It is now resting with the Vishwa Bharathi for some time more. This is to see that this his works are not commercialised and distorted and his works are projected in their totality. There are many commercial publishing companies who try to impress upon a section of the people that Vishwa Bharathi should not have the monopoly of publication of Tagore's works. I do not hold any brief for Vishwa Bharathi. As my predecessors have already pointed out, there are negative sides of the achievement and performance of Vishwa Bharati. But at the same time, there are also positive achievements of the Vishwa Bharathi publications. I am against commercialisation of Tagore's works. They should not be commercialised by any publication centre to earn profits.

We want to see complete Rabindranath. If his works are handed over to a commercial firm, they will publish only those which are best sellers, such as *Sanchayata*, *Geeto Bithan*, *Gora*, *Sesher Kavitha*, *Geetanjali*, *Balaka*, etc. But they may not be interested in publishing and popularising his some other works, such as *Palli Prakriti*, *Manusher Dharma*, *Swadeshi Samaj*, *Aroop Ratan*, *Nataraj Ritu Rangashala*, *Beethika*, *Parishes* and so on which are considered his best works, though they may not be best sellers. Herein lies the significance for asking for a complete Rabindranath, undistorted Rabindranath.

Sir, I do not like to take much of your time. So far as Vishwa Bharathi is concerned, I suggest that the copyright should not be left with the Vishwa Bharathi alone. A national board should be set up to aid and

advise Vishwa Bharathi for the coming ten years at least and this national board may be formed with representatives from Vishwa Bharathi, National Book Trust, Sahitya Akademi, Bangla Akademi and other such organisations as the Government may think fit. It will be proper that the works of Rabindranath Tagore are not allowed to be commercialised on the one hand. On the other, this Board with the help of the Vishwa Bharathi can produce all the works of Tagore in a complete and undistorted manner and serve the cause of the nation. I support this Bill wholeheartedly.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Deputy Speaker, Sir, there is nothing wrong in the Bill moved by the hon. Minister. My submission is that the copyright of Tagore's works should be extended, it was opposed by Satyajit Ray and Mrinal Sen. The main reason of opposing this Bill was only that the hon. Prime Minister Shri Narasimaha Rao Ji is the Chancellor of the Vishwa Bharti; but Shri Jyoti Basuji, Shri Ajit Panja ji and the hon. Arjun Singh ji have asserted that its period must be extended. My submission is that the contention of the Vishwa Bharti was that if the copyright period is over then every Tom, Dick and Harry and if the works of Tagore, the composer to our National Anthem "Jana-Gana-Mana, Adhinayak", were not published properly then it would a blow to the Indian culture. Ravindra Nath Tagore passed away in 1941 and the copyright of his works was coming to an end under the copyright laws of 1957. The right of publishing the works of Gurudev is with the Vishwa Bharti which is an institution established by the poet himself in Shanti Niketan. Then the Government thought, if the right of publication is given to a writer or the Vishwa Bharti then it will cause a great loss, therefore the Government extended the time limit in the case of a writer and its period was fixed between 50 to 60 years and the hon. Minister

[Sh. Girdhari Lal Bhargava]

has brought an amendment here that it should not be 60 but it should be 70 years and this amendment has moved by you. It is said in it that it will not be applicable on those cases whose copyright ended before 31st December, 1991. As per the provisions of Copyright Act, 1970 the right of any work will come to an end after expiry of a period of 50 years. My submission is that in case of writers, playwright the and Artists etc. it starts after their death, but in all the other cases it starts after the year of the publication. of the work.

My submission is that hon. Minister has brought a good Bill and there are no two opinions about it but it would be much better if he includes some suggestions also given by the people. In this Bill time has been extended by ten years that is from 60 to 70 years. Now the ordinance has automatically become ineffective I welcome the extension of time limit by the ten years but would like to request the hon. Minister, who is also a learned person, a scholar of Hindi and is also our Education Minister to include in this Bill all the constructive suggestions made by the hon. Members.

[English]

SHRI RADHIKA RANJAN RRAMANIK (Mathurapur): Hon. Deputy Speaker, Sir, I rise to support the Copyright (Amendment) Bill, 1992 but with some reservations and with some hunable queries and also with one request.

Much has been said about the Bill and about Rabindra Nath Tagore, for whose works this Bill has come before this House. I will not repeat points that have already been made. I will confine my remarks to some new items and in a very few words.

In the Statement of Objects and Reasons it is stated that:

"There had been numerous demands for according protection to his works in view of their national importance."

He means Rabindranath Tagore. So, protection to Rabindranath Tagore's works. So, there are the works and the author, whose works are in question and the readers, the publishers and so many other parties are there who are connected with literary works. Whose interest is primary to the Government? Is it the interest of the works or the author or the copyright holder or the publishers or the reader? To me, it seems that the interest of the readers is to be the primary concern of the Government and perhaps we are all thinking about the interest of the readers. Readers will get the works, the authenticated works at reasonable price and not at the cost of quality.

So, it is stated that, review the whole question. What should be the appropriate term of copyright? What are our criteria for this appropriate terms? If it is only the extension of time, Whether the extension of time is appropriate or the reduction of the terms is the appropriate terms? If it is only a measure, that is the extension of the term is the appropriate terms, then the obvious corollary states that if the protection means the extension of the term, then for more protection, more extension, for more more protection, more move extension and if you go on, there is no limit to it. Why fifty years and why not sixty years and so on? What is the reason behind it? So, you are doing it in and *ad hoc* manner. What is the scientific reason? I want to know from the hon. Minister this. He is a man of learning. What are the criteria to determine this? Unless the object, that is the protection is not achieved within fifty years, then how can you assure that the protection can be achieved within ten years? So, if it is not done in fifty years, then it can also not be done in ten years. Then, again, the question of extension will come.

I want to know the hon Minister whether he will assure the House that the protection will be achieved within the extended period?

Now, I would request the hon. Minister, through you, that he should come with a comprehensive Bill and not with this type of piecemeal amendment. It will not serve the purpose. Because, there are so many items. There is a piracy in computer software technology. We, in India, at present, are at par with a advanced countries of the world in computer software technology. We can earn billions of dollars from Third World countries by exporting our computer software technology. There is a random piracy and this piracy is going on in software technology and also in audio and video cassettes.

So, I would request the hon. Minister to come forward with a comprehensive Bill, if possible, in this Session, so that, threadbare discussions can be held and various amendments can be brought in.

Lastly, I would thank the hon. Minister because he has brought this Bill in connection with the works of Rabindranath Tagore.

18.00 hrs.

So, for this reason, firstly, the Bill originated regarding the works of Rabindranath Tagore. So, I must support this Bill; I cannot go against this Bill. Secondly, the Minister has good intention.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMAR-MANGALAM): There was a feeling among many Members that the 20TH March, Friday, should be a holiday. At the same time, we have a time constraint on seven Ordinances to be got through within a time limit.

Today, if we could sit for two hours, maybe we could finish three Ordinances on the list; and it would make it convenient for us to finish the other business tomorrow; and Friday could be a holiday. In the light of that, may I request that we sit for two house today? I will be obliged if the House agrees with it.

SHRI CHITTABASU (Barasat): We may take up another Bill, not three Bills.

SHRI CHANDRA JEET YADAV (Azamgarh): As the Minister has made a proposal, we should take a decision on this. This is true an understanding was there. This is a fact that there is a general feeling amongst the members that if House opens on the 20th, they will come back and then again they will have to go because of Saturday and Sunday. So, it was thought that 20th should be a holiday. We also agree that we will help in passing all those Ordinances before the 27th March. This was the understanding. Last day you were saying and we said we will pass all the Bills; if necessary we will extend the time of the House.

I think if all the hon. Members agree, we have no objection; we can do that.

MR. SPEAKER: I think the House agrees with the proposal moved by the hon. Minister.

SHRI RAM KAPSE (Thane): We will let you know our reaction within five to ten minutes.

SHRI RANGARAJAN KUMARAMANGALAM: At the moment, what I am asking is the extension of the time of the House for two years. You agree to this. We can decide in the Bills and all that later.

SHRI RAM KAPSE: About the next Bills, we have something to say. Please wait for five minutes.

SHRI RADHIKA RANJAN PRAMANIK: I cannot but support this Bill, because it has originated in the names of Rabindranath Tagore. This is the first cause. Secondly, the Bill has come with a good intention of the hon. Minister; and I appreciate his good intention. Thirdly, I expect that in the near future, if possible, in this Session, he will come forward with a comprehensive Bill to cover all the items include computer technology, video cassettes and audio cassettes.

And last but not the least, I was MLA for 23 years and now I am an MP for three years. In my life time, I have never seen such a simple Bill; it is the simplest one; this is the simplest ever Bill that I have come across in my life. So, I cannot but support this Bill, a very simple Bill, a very humble Bill and the simplest one. So, with many thanks to our hon. Minister, I support this Bill.

[Translation]

PROF. PREMDHUMAL (Hamirpur): Mr. Deputy Speaker, Sir, as the earlier speakers have asserted that if any proposal linked with the name of Ravindra Nath Tagore comes, it will be welcomed. Ravindra Nath Tagore is a personality beyond the limits of time, region and country. Everyone will acclaim the proposal regarding him. I too welcome it.

Hon. Sir, I had a chance to visit South Africa with the Parliamentary delegation. We visited the capital of Argentina, Buenos Aires, where a friend of Ravindra Nath Tagore lived. The house, where Ravindra Nath Tagore had stayed and had fallen ill, has been preserved as a monument. Today we welcome the Bill which has been brought to keep up his works safe and to maintain their standard.

Mr. Deputy Speaker, Sir, the previous speakers have also that the copyright has been extended from 50 to 60 years and an amendment has been tabled that it should be extended not by 10 years but by 20 years

and it should be made for 70 years, then I want to know how the purpose can be achieved only in next 20 years when it has not achieved in 50 years and how this right can be protected.

I am fully agree with this fact that the good works should be given protection but is it possible by enacting laws only? I would like the hon. Minister to clarify this situation when he gives reply to all these queries.

The N.C.E.R.T. which is associated with the department of the hon. Minister, publishes books; these books should be made available through Government depots but you will be surprised to know that these books are not available there but the duplicate of these books are openly being sold in the market.

I would like to warn the Government of the situation in which even the Government publications are pirated and sold in the open market. Under such circumstances, it is to be seen, how far the Government would be able to implement the Bill. The hon. Minister may please clarify in his reply as to what extent he would be able to implement this provision. When the authorised books of your Ministry are not available at your depots, but the same are available in black market.

Since the time is short and much remains to be done. I would like to repeat only these to things. Would the Government be able to do now what it has not been able to do for fifty years and implement the provisions of Copy-Right Bill and check the piracy of books in 60 to 70 years which it could not do in 50 years. The hon. Minister may explain while replying to these two questions. With these words, I thank you.

SHRI RAMASHRAY PRASAD SINGH (Jahanabad): Mr. Deputy Sir, I support the Bill which has been brought forward. Shri Ravindra Nath Tagore was an outstanding personality of our country. He has added to the prestige of our country. That is why I support the Bill. We should protect his works of art. His writings should be maintained in

the interest of the country. It is our heritage. It is the job of the Government to remove the irregularities in this regard.

Mr. Deputy Speaker, Sir, there has been a lot of criticism with regard to Visva Bharati. The Government should take it seriously and the monopoly of its publication should be cancelled. He was proficient not only in one language but in many languages, so his poems should be known and read in every language, how would you be able to stop it in 90 years when you could not stop it in 50 years? It appears from the time extended by you. Keeping it in view, you should give a satisfactory reply to this question. Besides, it should be translated, in every language so that it is made more popular. Efforts should be made so that his writings reach everybody in his native language.

Finally, I would like to say that he was an outstanding scholar of our country. It is our duty to preserve the heritage provided by him. With these words, I conclude.

SHRI GEORGE FERNANDES (Muzaffarpur): Mr. Deputy Speaker, Sir, I fail to understand the reason behind the support being extended to this Bill. The Government should leave aside the provisions of Copyright Bill if the works of Rabindra Nath Tagore are to be made popular among the masses. On the other hand, we should ask everybody to publish these and distribute them to the maximum possible extent. I have not been able to understand the concept behind the implementation of provisions of Copyright Act in the case of such a person whose writings are a big achievement for the society as well as the whole world. How far is it correct to confine his ideas bound under the provisions of Copyright Bill?

Books and speeches of Mahatma Gandhi are in 150-175 volumes. Efforts should be made so that the ideas of such a great soul and his ideas should be made available at cheaper rate not only to the Indian public but throughout the world. In my opinion, the writings of Rabindra Nath Tagore come under a category for which we

should make efforts to make these available to the public of the world. These writings should not be confined. I don't understand the rationality behind extending 10 years, i.e. from 50 years to 60 years. It would be better if the Government would bring forward a Bill in the Parliament for the sake of one argument in which copyright in India is maintained as long as that man or institution is existing. Extending 10 years from 50 years to 60 years does not make any difference. After 10 years, the provisions of Copyright Act will not be applicable on his writings. Thereafter, we would have the right to get it published and distribute it in our respective regions.

The duration of copyright expired on 31st December, 1991. I do not understand the logic behind its extension by 10 years. I am unable to understand the terminology used in the Bill to protect the views of Shri Rabindra Nath Tagore. I would like the hon. Minister to clarify it. I want to raise some fundamental issues on copyright. Since in India we see variety of collected works in book-shops and particularly in Government libraries. These collected works include many writings such as speeches as the Ministers or Prime Minister, prepared by the concerned bureaucrats. If anything is written after going through a lot of study, before becoming a Minister or Prime Minister, it is undoubtedly historic. For example, the writings of Pandit Jawahar Lal Nehru are a historical record. There cannot be two opinions about it. But the Minister reads out the speech which is prepared by an I.A.S. officer or some speech writer. If such speeches are collected which are delivered during the tenure of the hon. Minister and they are got printed by utilising the services of every Ministry, especially Ministry of External Affairs and Ministry of Home Affairs, and they are published as the collected works of the speeches of George Fernandes, it would be a case of dishonesty furthermore, if the Minister demands royalty for such collected works. It goes without saying that it is a case of dishonesty. I feel sorry to say that these things are happening in India on a large scale. As regards the question of copyright,

[Sh. George Fernandes]

I would like to know from the hon. Minister as to how many volumes of collected works of these speeches, prepared by the concerned Departments have been printed by the Government or any other agency. We would like that the hon. Minister, after taking the House into confidence, should state as to what amount the Ministry of External Affairs or any other Ministry has spent in procuring them and whether its royalty is being given to the members of their families.

It has become the practice to misappropriate the public funds whenever one gets an opportunity to do so. The hon. Minister may consider the point and help us in solving this problem. We have been discussing this issue since long. When our hon. Minister of Railways has delivered a speech today, some official has written it and the hon. Minister only read it out. He was facing some difficulty even in reading it. He had delivered a speech on Railway Budget last year also. Prior to this also he had been the Minister of Railway. Is there any honesty or morality if the Ministry of Railways or Government of India gets the collected speeches of Jaffer Sharief printed and sells it to libraries of all the States and then makes it available to all the embassies of the world through our embassies, what degree of honesty and morality it would have. Will it not be tantamount to international misappropriation of funds?

How far it is morally right and how far justified that while it is published by the Government of India, yet its copyright is retained by the son, grandsons and granddaughters of Shri Jaffer Sharief? I would therefore like to have an assurance from the hon. Minister that detailed information should be made available to know as to how many such books have thus been published, are being purchased or sold and the same would be placed before the House. Because you are the Minister of Human Resource Development and you have been repeatedly giving assurances in and outside the House to safeguard all those values. So, you should check the onslaught on those values. This

practice of selling the speeches prepared by the bureaucrats to make money by their family members should be stopped. I had to say only this about this Bill.

THE MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH): Hon. Mr. Deputy Speaker, Sir, let me first take the matter raised by Shri George Saheb because even if what he has said has no direct relation with the present Bill, yet it relates to a practice and public issue. I am, however, not in a position to give detailed information which he has sought, but how far the Copyright Act provides or does not provide protection to such books or how the people are benefited by it is not a matter of interest for him alone; the correct information should be brought forward and I would try to know the correct position.

So far as this Bill is concerned it is clear that it has been brought forward for only one purpose and that is raising the period of validiting of copyright from fifty to sixty years. A question has been raised as to why an ordinance was passed and secondly, What is the justification of raising the period from fifty to sixty years? I would like to submit, Mr. Deputy Speaker, Sir, that efforts were being made for the last four-five months for a large scale amendment in the copyright Act. Opinions of the people of India and of the institutions concerned with it were invited. Notes came from the individual authors, and from the institutions affected by it, film-industry and author's guild. We were carrying out that process and we hoped that we would be able to put the amended Copyright Bill before the House and there it self we would make provision to raise this limit. But unfortunately that work could not be concluded. A strong proposal has been made by many honourable Members from Bengal, by the hon. Chief Minister and also by several intellectuals that it should be raised and it should be raised by twenty years. There was another view as well, which has to some extent been referred to here, that it should not be raised at all. There is not a fixed criterion for it, but, after hearing the views of both the sides it was considered proper to strike a

balance and that is why the idea of raising the limit by ten years came.

We cannot really assess the works of a great man of our country—revered Gurudev Tagore who gave expression to his feelings in written words and thereby became famous throughout the world. His merit is being appreciated by the whole world and history will be doing so far centuries. I agree that his works must be published in their totality and care should be taken to maintain their authenticity. Whatever is being done towards this by the Vishwa Bharti is really commendable. The hon. Members have rightly told that what must be done is for some reasons not being done. If a help from outside is required to complete it, we must do that.

An honourable Member has given suggestion of setting up of a national board. I cannot assure about a board, but what has been stated by the members of the House about the activities of the Vishwa Bharti, I would certainly put that matter before the Vice Chancellor of the Vishwa Bharti and also before the prime Minister who happens to be the Chancellor. It is hoped that keeping in mind the sentiments of the people, the Vishwa Bharti will take appropriate steps. At the moment it would not be proper for me to go into the complaints that have been made against the Vishwa Bharti, I would certainly take that matter when an occasion comes. Various suggestions have been given regarding the copyright act, I can only say that the work to revise the copyright act which was taken up is now complete and I hope we will be able to bring a comprehensive Copyright (amendment) Bill in the House during the current session and then we are ready to extend our full help according to their suggestions or whatever action they want.

Hon. Deputy Speaker, Sir, in the end I would only like to say that though this Bill is very brief and simple but the sentiments behind it are great and respecting to that very sentiments, all the hon. Members have supported that. I am very thankful to them

and I would request the House that this Bill may be passed.

SHRI GIRDHARI LAL BHARGAVA (Jaipur): I hope that the hon. Minister would soon bring a Comprehensive Bill as per his assurance and the period would also be extended. Since they have brought this Bill with clear intention, I therefore, seek leave of the House to withdraw my resolution disapproving the ordinance.

[English]

MR. DEPUTY SPEAKER: Has the Member leave of the House to withdraw his resolution.

SEVERAL HON. MEMBERS: Yes.

The Resolution was by leave, withdrawn.

MR. DEPUTY- SPEAKER: Now I shall take up the motion for consideration of the Bill.

There are two amendments.

[Translation]

SHRI GIRDHARI LAL BHARGAVA: Respecting the sentiments of the hon. Minister I withdraw my amendment.

[English]

MR. DEPUTY SPEAKER: Has the Member leave of the House to withdraw his amendment.

SEVERAL HON. MEMBERS: Yes.

Amendment No. 1 was by leave, withdrawn.

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Respecting the sentiments of the hon. Minister I withdraw my amendment.

Amendment No. 2 was, by leave, withdrawn.

[English]

MR. DEPUTY-SPEAKER: I shall now put the motion for consideration of the Bill to the vote of the House.

The question is:

" That the Bill further to amend the Copyright Act, 1957, be taken into consideration."

The motion was adopted.

MR. DEPUTY-SPEAKER: We shall now take up clause-by-clause consideration of the Bill. First, let us take up clause 2.

Shri Rasa Singh Rawat, are you moving your amendment?

[Translation]

PROF. RASA SINGH RAWAT: Sir, as regards the extension, I would like to request that it should be done after detailed discussion on it. I would not move my amendment.

[English]

MR. DEPUTY-SPEAKER: The question is:

" That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

MR. DEPUTY SPEAKER: The question is:

" That clause 3 and 4 stand part of the Bill"

The motion was adopted

Clause 3 and 4 were added to the Bill

MR. DEPUTY SPEAKER: The question is:

" That clause 1, the Enacting Formula and the Long Title stand part of the Bill"

The motion was adopted

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

[Translation]

SHRI ARJUN SINGH: I beg to move " That the Bill be passed."

[English]

MR. DEPUTY SPEAKER: That question is:

" That the Bill be passed."

The motion was adopted

18.31 hrs.

STATUTORY RESOLUTION RE. DISAPPROVAL OF THE REPRESENTATION OF PEOPLE (AMENDMENT) ORDINANCE, AND REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

As Passed by Rahya Sabha

[English]

MR. DEPUTY SPEAKER: Now, we shall take up item nos. 18 and 19 together. Shri Girdhari Lal Bhargava.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): I beg to move:-

" That this House disapproves of the Representation of the People (Amendment) Ordinance, 1992 (Ordinance No. 1 of 1992)