

Model Gramdan Act

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*1965. { Shri Ram Krishna Gupta:
Shri D. C. Sharma:

Will the Minister of Planning be pleased to refer to the reply given to Starred Question No. 362 on the 27th November, 1958 and state:

(a) whether a Model Gramdan Act has since been prepared; and

(b) if so, the main features thereof?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b). The draft Gramdan Bill prepared by the All India Serve Seva Sangh has been considered and revised by the Working Group set up in the Planning Commission in consultation with the All India Serve Seva Sangh. The draft is being finalised in consultation with the Ministry of Law. The object of the Bill is to facilitate donation and management of Gramdan lands and to promote self-government in Gramdan villages.

Shri Ram Krishna Gupta: May I know whether the view of Acharya Vinoba Bhave has been ascertained in this matter?

Shri S. N. Mishra: The Serve Seva Sangh forwarded this Bill to us. We expect that the Sangh must have got the opinion of Acharya Vinoba Bhave on it.

शेठ गोविन्द दास : यह जो विधेयक ग्रामदान के सम्बन्ध में बनाया जा रहा है यह केन्द्रीय कानून होगा या प्रांतों का कानून होगा, और अगरे केन्द्रीय कानून न होकर राज्य का कानून होने वाला है तो क्या केन्द्रीय सरकार हर राज्य को इस सम्बन्ध में निरु रही है कि हर राज्य में इसी तरह का कानून बनाया जाये ?

श्री इया० नं० विजय : यह माडल कानून तैयार किया जा रहा है। जाहिर है कि बहुत सी जगहों में जहां विभिन्न परिस्थितियां होतीं तो उनके अनुसार राज्य सरकारें उसमें

परिवर्तन कर सकेंगी। लेकिन कहाँ तक ग्रामदान के एक स्वल्प का सवाल है मैं समझता हूँ कि उसमें ज्यादा परिवर्तनों की आवश्यकता नहीं होगी।

श्री अमृत बर्बन : क्या मंत्री जी बताना सकेंगे कि देरी से देरी कब तक यह तैयार हो जायेगा और राज्य सरकारों को भेजा जा सकेगा ?

श्री इया० नं० विजय : यह बहुत लीज तैयार हो जायगा। कोई निश्चित मियाद मैं अभी बताना नहीं यह तो बरा मुश्किल है।

श्री पहाड़िया : क्या मैं जान सकता हूँ कि इस एक्ट में कोई ऐसी व्यवस्था की जायेगी कि जिससे ग्रामदान में प्राप्त जमीन पर सहकारी तरीके से खेती हो सके ?

श्री इया० नं० विजय : जी हाँ। मैं समझता हूँ कि ग्रामदान की भूमि सहकारी खेती के लिए बड़ी उपयुक्त भूमि होगी, लेकिन इस जिले में इसके बारे में भी विचार किया जा रहा है कि व्यक्तिगत रूप से भी लोगों को जमीन दी जाये या नहीं दी जाये। शायद बिल के प्रणेतारों का यह खयाल है कि इस पर कोई प्रतिबन्ध नहीं होना चाहिए। अगर वह चाहे कि व्यक्तिगत रूप से भी खेती के लिए जमीन ले तो उनको जमीन दी जाये, लेकिन सहकारी खेती की व्यवस्था तो इसमें होगी ही।

शेठ गोविन्द दास : यह जो माडल बिल बन रहा है वह क्या लोक सभा और राज्य सभा में पास होगा या वह केवल नमूने के सदृश राज्यों में भेजा जायेगा क्योंकि अभी मंत्री जी ने कहा कि राज्य सरकारें परिस्थिति के अनुसार इसमें परिवर्तन कर सकती हैं। तो मैं जानना चाहता हूँ कि यह बिल यहां पास होगा या प्रत्येक प्रत्येक राज्यों में पास होगा।

श्री इया० नं० विजय : जहाँ तक भूमि का सवाल है मेरी राय में तो यह राज्यों का क्षेत्र है। इसलिये जहाँ हम भूमि के सम्बन्ध में

कोई कानून पास करें यह बात मेरे जहन में नहीं आयी। पर यह कानूनी बात है। मैं इसके बारे में दरिवास्त करूंगा।

Shri Panigrahi: May I know whether any of the State Governments have enacted by now any Gramdan Act? If so, what are the names of such States, and whether the enactment of a model Gramdan Act here will not defeat the very purpose of Gramdan?

जी हाँ। नं० बिज : मेरी जानकारी में भामदान ऐक्ट के लिए कोई ऐसी बात नहीं आयी है लेकिन मैं इसके लिए इन्शायरी करूंगा।

SHORT NOTICE QUESTION

Northern India Amrit Bazar Patrika

S.N.Q. No. 23, Shri Anwar Harvani:
Will the Minister of Information and Broadcasting be pleased to state:

(a) whether government are aware that an un-authorized publication known as 'Northern India Amrit Bazar Patrika' has started publication from Allahabad without the proper permission from the Registrar of Newspapers (under Government of India); and

(b) if so, the action proposed?

The Minister of Information and Broadcasting (Dr. Kestkar): (a) and (b). On January 15, 1950, a paper called 'Northern India Amrit Bazar Patrika' started publication. The company owning this paper had applied to the District Magistrate, Allahabad for filing a declaration. But the publication was commenced without waiting for authentication of the declaration by the Magistrate, which is necessary according to the provisions of the Press and Registration of Books Act. The printer, publisher and editor were asked by the District Magistrate to show cause why action should not be taken against them for publishing the paper without conforming to the provisions of the Act. The paper 'Northern India Amrit Bazar Patrika' suspended publication on the 23rd January. It, however, resumed publication, again without getting the

necessary approval from the District Magistrate, on the 31st March.

The Registrar of Newspapers had, after careful consideration, advised the necessary authorities in Allahabad that the title 'Northern India Amrit Bazar Patrika' was similar to the 'Amrit Bazar Patrika' published from Calcutta and, therefore, its acceptance would contravene the proviso to Section 6 of the relevant Act. It is understood from information received from Allahabad now that the 'Northern India Amrita Bazar Patrika', which was being published without authentication, ceased publication on the 10th April.

According to the Press and Registration of Books Act, the duty of the Registrar is to advise the relevant authority, which is the District Magistrate, in this case as to whether a particular title is similar to one used by another and, therefore, should be allowed or not. Action has to be taken by the District authorities and not by the Registrar. It is understood that in this case, the District authorities, under the guidance of the State Government, are prosecuting the printer, publisher and editor of the paper, which started on January 15, and continued publication with one interruption, till the 10th of April. As far as the Government of India is concerned, relevant action was taken in consultation with the Department of Posts and Telegraphs and the Railways.

Shri Anwar Harvani: Does the Government propose to create an apparatus through which the Registrar of Newspapers would be fully competent and his advice would always be accepted by the District authorities so that the defaulting papers do not come out in this way?

Dr. Kestkar: As the Act at present is, the Registrar has no authority to take any action. He can only advise the district authorities who are the ultimate persons to take action. It is possible that they do not accept the advice. This lacuna in the Act is being examined and it is possible that Government may introduce an