re. TV Network (Regulation) Ordinance, 1994&

him. Don't worry. We vvill give him enough time.

SHRI ASHOK MITRA (West Bengal): You kindly tell us.

THE DEPUTY CHAIRMAN: First you and then the Minister. Okay? Agreed? Happy? (Interruptions) The Government business is our business. It is our responsibility he House has to pass. it.

Now, Mathursaheb.

I. STATUTORY RESOLUTION SEEKING DISAPPROVAL OF THE CABLE TELEVISION NETWORKS **^REGULATION) ORDINANCE, 1994** PROMULGATED ON THE 29th SEPT., 1994.

ir. THE CABLE TELEVISION NETWORKS (REGULATION) BILL, 1993.

उपसभापति : माथर साहब, मेरी एक विनती है कि जितना टाइम पार्टी को दिया गया है, कृपया उसी टाइम में ग्राप वोंलें । कोई ज्यादा बोलेगा तो बार्ड विल डिसकन्टिन्य दि डिसकशन ।

श्री जगवीश प्रमाद माथर(उत्तर प्रदेश): महोदया, भेरा निवेदन यह है कि जो डिस-ग्रप्रुवल का मोशन मृद करता है वह इस टाइम में नहीं ग्राता। वह ग्रलग समय है। मैं संक्षेप मै कहूंगा ।

उपसभापति : ग्रापका उसमें नहीं है। ग्रापकी बी.जे.पी. की तरफ से डिस-ग्रप्रवल हो रहा है स्रोर यह डिस-स्रप्रवल का समय इसमें नहीं है। वह ग्रलग है ग्राप ग्रपना भाषण शुरू करें।

श्री जनदोश प्रसाद शायुर : 23 मिनट में से उनका समय पार्टी के समय में

!"HE DEPUTY CHAIRMAN: ~e will tell **शामिल न किया जाये । वह अलग है ।** मंत्री जी जो समय लेंगे वह पार्टी के समय में शामिल नही होता। वह अलग है। मेरा समय मत लीजिए ।

> उपसभापति : भ्राप जब बोलना शुरु करेंगे, उस टाइम से भ्रापका समय नोट होगा।

> श्री जगदीश प्रसाद माथुर: उपसभापति महोदया, मैं संक्षेप में ग्रपनी बात कहूंगा। ताकि मेरे दूसरी साथी मलकानी जी भी कुछ कह सकें।

सबसे पहले मैं इस बाद पर खेद प्रकट करना चाहता हं कि मन्नी महोदय ने ग्राडिनेंस जारी करने के लिए ज'सफाई दी है वह सर्वदा श्रनकन्विसिंग है, उससे कोई बात पूरी नहीं होती ।

उन्होंने कहा है कि चंकि वहत से ग्राप्रेटर्ज को दबाया जा रहा था, कोहिस किया जा रहा था, स्थिति वास्तव में इससे उल्टी हुई है । मेरे पास दास्तावेज मौजूद है इसमें दो बड़ी कम्पनियों ने दिल्ली में स्वयं दबाव डाले है। एक ए०ए०एस० ब्राई०ए० जो कि इंडिस्ट्रीयल, टेक्नोलोजी प्राइवेट लिमिटेड हिन्दूजाज की है, मेरेहाथ में यह कांट्रेक्ट है, जिन्होंने यहां पर दबाव डाल कर लोगों को खरीदना चाहा। ऐसे ही दूसरी कम्पनी है जीव्टीव्योव, उन लोगों ने भी किया है। एक बिलकुल शायद मंत्री महोदय के सामने केस भी ऋाया होगा पश्चिम बिहार में उन्होंने वाकायदा जी ०टी ०वी ० का कंट्रोल रुम स्थापित किया। ग्राप कहें तो नाम भी ले दूं। कोई हरी गोयनका है उनके माध्यम से दवाव डाल कर पैसे के लेन देन की बात की है। ऐसे जाने कितने उदाहरण हैं। इसलिए यह कहना कि वास्तव में इसलिए किया गया या कि बड़े लोग दबाव डाल करन खरीद सकें, इसका उल्टा हो रहा है । यह कम्पनीज विदेशी कम्पनीज जैसी ही हैं। इसलिए इस बात को रोकना चाहिये। दुसरी व्यवहारिक कठिनाई क्या है । ऋापने उस दिन कहा कि इसके एल्ज बने हैं और इंस्ट्रक्शंस गय हैं। मेरे पास जानकारी है कि

committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence."

यहां पर दिल्ली में कम से कम किसी भी डाकखाने में रिजिस्ट्रेशन नहीं कर रहा है। उनके पास फार्म्स उपलब्ध नहीं हैं। डाकखाने में आते हैं तो उनको मना कर देते हैं और यह कहते हैं कि हमारे पास इंस्ट्रक्शंस नहीं है। स्थिति यह है। इसलिए आपका यह दावा कि आपने विशेष उद्देश्य के लिए आडिनम जारी किया, वह बिलकुल स्थापित नहीं होता। इसलिए आप शीझातिशीझ उस विषय में कार्यवाही करने की कपा करें।

दूसरा जो मुझे सब में बोब्जेक्शनेवल लगता है, अग्राने कहा है कि विदेशी प्रभाव हों रोका जाए। इसमें उल्टा हो रहा है। जो बिल के मेक्शंस हैं, मैं उनकी तरफ अग्रामका ध्यान आकथिन करना चाहना हैं। सेक्शन एक में——

'person' 'person' means what?

"(i) an individual who is a citizen of India;"

ठीक है। नम्बर दो~…

"(h) an association of individuals or body of individuals, whether in corporated or not,....."

"(hi) a company in which not less than fifty-one per cent of the paid-up share capital is held by the citizens of India;"

बात ठीक है लेकिन श्राप क्या समझते हे कि पाकिस्तान में कोई बैठा है श्रीर उसक एजेंटस यहां है वह कम्पनी को नहीं चला सकते ? इसके साथ ही श्रापने दरवाजा खोल दिया है। अब श्राइये सेक्शन 17 में, श्राप जो सजा देने वाले हैं श्राफेंस में, उसमें श्राप यह कहते हैं—

"Provided that nothing contained in this sub-section shall render any such person liable to any punishniej tt if he proves that Ihe ot fence wis जो विदेशी कम्पनी है शैयसं हैं, उसका आदमी कहीं बाहर बैठा है, उसकी इंस्ट्रक्शंस मौखिक है, ग्राप उसको कुछ नहीं कह सकते हैं। गलत हैं। इसपे ग्राम—

"(a) 'company'meansany body corporate and includes a firm or other association of individuals;".

बात ठीक है लेकिन यहा पाकिस्तान के एजेंट बहुत हैं. में इसलिए यह बात कह रहा हूं क्योंकि आई०एस०आई० का जोर है। इसके अन्दर यह भी हो सकता है कि यहां पर कम्मनी बनाई अन्ति। जो चाहे वह प्रोपेगंडा करती रहे। इसोलिए आपने मिसलेनिक्स में नेक्सन 20 में कहा है——

"Power to prohibit operation of cable television network in public interest."

अनर आप चाहे किसी अन्यभी को नार्मली रोक मही सकते हैं। आपने कही यह प्रोविजन किया है जिनकी आप चाहें वह कम्पनी वहां पर रोजन्छ ने हो। Can you do it?

कही कोई प्रोत्वश्चन नहीं है। सब से बड़ा जो खनरा है, यह वह है कि जिस उद्देश्य के लिए ग्रापन वह किया है, इस उद्देश्य को यह बिल पूरा नहीं कर सकता है। इसमें बहुत म खतरे हैं। जहां छोटे छोटे ग्राप्टर्ज को ममाप्त कर दिया जाएगा, वहां दिदेशी प्रभाव भी बहुत चला जाएगा। यद्यपि ग्रापन किया नहीं है जिसकी कहते हैं नीचे किसी को ग्रिश्वसर देना, फेंचाइज करना, फेंचाइज तो हो जाएगा। ग्रगर दवाव डाला गया कि ग्राप केवल टी०वी० से 100 रुपया लेते हैं, ग्राप हमको 15-रुपये दोजिये बाकी पैसा आप रख सकते हैं। ग्रीर हमारे नाम से इस्टेमाल करिए।

Statutory Resolution re. TV Network {Regulation) Ordinance 1994& तो सबसे बड़ी चीज तो मैं यह भ्राश्वासन चाहुंगा कि किन्हीं बड़ी-बड़ी कम्पनियों को, विदेशो हों या स्वदेशी, सारे हिंदुस्तान पर छाने का ग्रवसर नहीं देना चाहिए वरना जैसा मेंने कहा कि मान लीजिए 'जी'' टी ० वी ० है या और टो ० वी ० हैं, उहोंने सारा खरीद लिया नो एक तो यह मोनोबोली होती है, नम्बर दो,पोलिटिकली

वेस(रो राजनीतिको प्रभावित करसकेंगे। कज़ स्रापर एक कस्पनीहै जो हिंदस्तान में----बम्बई मे, दिल्लो गें---सब तरक श्रपनानेटबर्कवढ़ालेतो है श्रीर कोई भी पार्टी उसे खरीद ले. ही कैन परवेश इट, तो वह पत्यां ग्रापको राजनीति को,ग्रापकी द्यार्थिक व्यवस्था को इत्याद्योग करने की स्थिति में होगी। इसके विश्व में म्रापने श्रमी तक जिसको कहते हैं कोई इकायट या उसके लिए कोई व्यवस्था नहीं की है। म चाहगा कि इसके विषय में ग्राप बाकायदा कुछ चिता करें। इस विषय में श्रीर कहुंगा। बड़ा खुला सबल है। क्राज साईस बहुत बढ़ गयी है। ग्रांप जानते हैं कि थोड़े दिनों मे ऐसी स्विति ग्रा जाएगी जबिक टी ०वी ०, रेडियो, टजीफोन, ये सब एक लाइन पर ग्रा जाएंगे--फाइबर जिसको कहते हैं, नया बनने के बाद । ग्रापने कह तो दिया है कि किसी प्रकार में जो रेडियो है या दूसरे ऋषिक साधन है उसने वह इंटरफेयर नहीं करेगा । इसका उल्टा साचिए। क्या ग्रापने किसी प्रकार की व्यवस्था की है कि वड़े टेली हमनिकेशंस---

म्राप विदेशी टेलीकम्य्निकेशन कम्यतियों को

बुला रहे हैं -- उसको टेकथ्रोयर न करें।

ग्रापने क्या व्यवस्था को है ? बड़े-बड़े

समाचार पत्र है--टाइम्स ग्राफ इंडिया,

हिंदुस्तान टाइम्म, इंडियन एक्सप्रैम, कोई भी हों, कल वे कहेंगे हमको यह अधिकार है, हम न्यूज पेपर चलाते है, हम जो

म्रापरेटर्स है इनको ने लेंगे। जब तक ग्राप

इन पर बंधन नहीं लगा सकते है तब तक कोई भी आजजा छोटे ग्रापरेटर्स हैं वे

समान्त हो जाएंगे । उनमें से एक मोनोपोली

पैदा हो जाएगी जिसके कारण में राजनीति श्रीर बाकी नीतियों को, चाहे वह कोई

पोलिटिकल पार्टी हो, सरकार को प्रभावित

करने की स्थिति में ह्या जल्ली। इसलिए

में चाहूंगा कि इस चीज की सरकार की क्लियर करना चाहिए । ग्रापने एक ग्रौर टी०वी० के लिए तो कर लिया है जिस ी पेड-चैनल कहते हैं । ग्रापके पास व्यवस्था है। मेंने सूना है। मंत्री जी बना सजते हैं कि स्केमबलर जिसको कहते हैं वह व्यवस्था की है। ऋष क्या समझते है कि ऋषाज जो टेली अप्रापरेटसे है, ही कैन डूइट ? उसके पास द्याज इतना पैसा नहीं है । सामान्यतः छोटे रुंट्रोल रूम को बनाने में दम से बारह लाल रुपये को भ्रावश्यक्ता होती है। एक अच्छा मिडिल क्लास का श्रादमी कर सकता है। मेरा निवेदन यह है---शायद दिल्ली मे, मैं श्योर नहीं हं, हुआ हो याकेन्द्र में हुआ। हो, इसको में स्माल स्केत इंडम्झी माना गया था. शीर महों मात्रा गया है तो वे जो केवल यापरेटर्स हैं इनहों स्माल स्केल इंडस्ट्रो में मानें जिससे कि बड़े-बड़े पैसे वाले प्रभावी लोग और सरकार एक मोनोबोली स्थापित च कर सकें। यह मेरा स्रापने निवेदा है।

दुसरी बात, साफ्टबेयर पर आता हूं। श्राज चैनस्स भायद 40-50 होंगे । ग्रापका ही कहीं वबतब्य है शादि 70-80 तक करने वाले है । लेकिन जैसे जैसे विज्ञान बढ़ रहा है तो और देशों में डेढ़-डेढ़, दो-दो, तीन-तीत हज⊹र चैत∂स.... (व्यवधान) हां,हां,मैडम इतते है। ग्रगर चैनहम बढ गए तो श्राप उनका एडजस्डमेंट कैसे करेंगे । क्या आपने व्यवस्था की है ?

उपन्नभापति : सौ-दो सौ तो सुना है. दो तीन हजार का नो नहीं सुना है।

श्री जनदीश प्रसाद माथुर : नहीं, नहीं। दो सौ तो अपने यहां ही हो। जाएंगे।

उपसभागति अराग जीरो ज्यादा बढ़ा रहे हैं।

श्री जगदीलश प्रसाद मायुर. एवः कम्पनी नहीं, डिफरेंट कम्पनीज मिला करके । दूसरा, जो नधी व्यवस्थाएं वढ़ा रहे हैं, क्या उसके लिए श्रापने कोई व्यवस्था की है। मैं उदाहरण देता हूं। चैनल तीन आपका है। बड़ी परेशानी हुई है श्रापको। ग्राज नक उसका मेटलमेंट नहीं हुग्रा है...

SHRI MISA R. GANESAN (Tamil Nadu): The transaction is not coming, Madam.

THE DEPUTY CHAIRMAN: In English?

SHRI MISA R.GANESAN: Yes

श्री जगदीश प्रसाद माथुर : यह मेरा समय न काटिए ।

उपसभापति : नहीं । If you are not being heard by Members, what is the point in your making the speech? Let him be heard.

SHRI MISA R. GANESAN: It is coming now, Madam.

श्री जगदीश प्रसाद माथुर : लिहाजा, ये प्रोपोजीशंस जैसे मैंने पेड चेनल ग्रादि कहा, इनकी भी ग्राप चिंता करें। दूसरा, आज फिल्म हैं। फिल्में ब्राती हैं। कुछ फिल्म प्रोड्यूजर्सका ग्रीर जो ये केसेट्स बनाते हैं उनका तो कुछ समझौना है प्रापस में लेकिन यह गरीब जो ग्रापरेटर हैं यह क्या करेगा । तो आपको लीगली कोई न कोई इसकी व्यवस्था करनी चाहिए। यदि में देखना चाहता हूं नयी फिल्म तो सिनेमा हाल में जाऊं, कम से कम 25, 26 या 30 रुपये खर्च करुं। वह भी शायद करने को तैयार हैं। लेकिन आप कैंसेटस जो बनाते हैं, उनको परमिशन है तो भ्राप उनको परमिशन देंगे या नहीं देंगे या कहेंगे ध्रापस में समझौता करने की स्थिति ग्राएगी या नहीं ग्राएगी, उसके लिए फिर ग्रापको कोई न कोई व्यवस्था करनी ब्रावश्यक होगी । खैर एक तो ब्रापने

ग्रच्छा किया है कि दूरदर्शन की आपने पहले मांग की थी कि दो वह उनके प्रोग्राम दिखाएं, भ्रापने एक कर दिया । यह तो ठीक है, लेकिन एक दान मैं पूछना चाहंगा कि क्या इसमें न्युज शामिल हैं ? क्या नेशनल न्यूज़ इसमें शामिल हैं या नहीं ? यदि एके ही है तो केवल नेशनल न्यज दिखा दें, बाकी खत्म । लिहाजा भ्रोपको दो बातें चाहिए । एक, अब चैनलज बढ़ने वाले हैं तो ग्राप साफ्टबेयर भी इतना तैयार कर सकते हैं ब्राज टैलीविजन पर साफ्टवेयर की इतनी कमी है। पुरानी-पुरानी रद्दी सड़ी पिनचर्जी दिखा देते हैं । ग्रब चैनलज बढ़ जायेंग अगले दो, चार, दस साल में तो आप नया करेंगे ? इसके लिए भी आपको कुछ कुछ करना चाहिए । तीसरी अपकी जिम्मेदारी है, जिसको ट्रांसनेशनल न्यूज कहते है, एक विदेशी में कोई स्राया है किसी नेटवर्क ने दिखाया तो उसको आप दिखा दीजिए । स्नापने जिम्मेदारी इसमें डाली है कि जो प्रापरेटर हैं उसकी जिम्मेदारी होगी । हाउ रुज ही रेसपांसिबल अपर आप कोई ऐसी व्यवस्था कर सकते हैं स्केंबलिंग की जैसे कहते हैं आप करिए और मैं कहंगा हिन्द्रस्तान की सरकार इसमें सक्षम है। मैं पूरी तरह से और दावे से नहीं कह सकता, शायद कुछ देशों में जानकारी है। उन्होंने इस प्रकार की व्यवस्था की है। कोई सेन्ट्रल उनका अरेंज मेंट है कि दे कैन पूट इट आर्थेफ । जब चाहे उसकी तिकाल देंगे कैन यु डुइट? अगर ग्राप कर सकते हैं तो बहुत ग्रन्छा होगा।

दूसरा मेरा एक नुझाव है, आप जो केबल आपरेटर्स है उनके एरियाज बाट दीजिए, जिससे कि कोई भी बड़ी कंपनी आकर छा न सके। आपने बाटा कि इस एरिया में इतने लोक करेंगे, इस एरिया में इतने लोग करेंगे, लेकिन बड़ शहरों में अथवा छोट शहरों में भी एरियाज बांटे हम लोग जब विचार करते हैं तो बात करते हैं तो बात करते हैं दिल्ली, बम्बई, कलकता जैसे बड़े शहरों की, लेकिन छोटे जो गांव हैं, मान लीजिए एक छोटा कस्बा या डिस्ट्रिक्ट है, इदायूं का मान लीजिए और आप चाहते

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है यह केबल टी०वी० लगा दिया तोकोई भी आदमी वहां के गांवों में जा सकते हैं। कर सकते है। तो मेरा कहनायह है कि आफें खुला छोड़ दिया है कि जो चाहे लगः वे बड़ी-बड़ी कंपनियां ग्रा जाएं। आप 🕫 न कुछ बड़ेशहरवम्बई, कलकत्ता को छोड कर भी इसकी ब्यवस्था ग्रौर चित्र करे।

बापने एक और बात कही है। एडवर्राइजमेट का कोड, कौन सा कोड. एस दिन मेने अर्ज की थी कि कोड कौन साहै । ग्रापने कहा कि जो प्रानाकोड, पिछर्ला सदीका। क्या ग्रापने इस बिल में कही कहा है कि फलां-फलां कोड लागू होगा : यू हैव नाट सैड एनीथिंग । ऐसे ही जो स्टैंडर्ड ब्रापने कहा कि इक्किंग्मेंट होना चाहिए, ठीक बात है । भ्रापने म्टैडई कह दी है कि इतने-इतन साल भर के पीरियङ के अंदर इसको पूरा कर लिया जाएगा। साल भर तो खत्म होते वाला है, जापने क्यों नहीं किया है? क्षु हेड नाट उन इट। फिर ग्रापने जो इंदिवपमेट्स है, पूछना चाहुगा वाहर से जो क्राप्ता है उसमे की की ब्युटी है। आप क्या करना चाहते है, उसको क्लैरीफाई तो करिए। अब इसमें नहीं कहा है। तो कहुंगा कि अप बोलते समय कहिए कि इसकी स्थिति क्या बनाना चाहते हैं। रुलज् प्रापने कहा रुलज बने उस दिन तमाहा हो गया । इलज यहां बनेगे या डाक्खाने वाले बना रहे है । डाकखाने में बता रहे है या सैन्ट्ल गवर्नमेट बना रही ुहै, इप्राप्क तमाशे की स्थिति है क्रौर में ,पुरुतः चाहंगा कि ग्राडिनेंस या ग्राज इस केवीच में, कौन से रूल में काम हो रहा है : ब्रार्य्यक्तिंग इन एवैक्यूम ? क्या कर रहे हैं ? फिर दूसरा रुलज ग्रापने कहा है कि इस बिल में कि वह सदन के ्सासने रखे जायेंगे । उस दिन भी हम ं लोगों ने कहा था कि सदन के सामने पूरी चीज पानी चाहिए। हलजभी ग्राएं,ग्रापका जो कोड है वह भी आए । मैं चाहंगा कि इस पर ग्राप क्लेरिफिकेशन दे।

श्रंत में एक बात कह कर में खत्म करुगा। जो भ्रापने दंड की बात कही है, ठीक है। ग्रापने कहा है कि उसको 90 दिन के अंदर नोटिस दिया जाना चाहिए। 90 दिन बहुत होते है। अगर किसी का **ग्रा**पने इक्ष्यिपमेंट कैप्चर किया है, श्रौर कौन करेगा, एक छोटा स्राफिसर, स्रापने ऊपर के एक सीनियर मोस्ट ब्राफिसरको कुछ कह दिया है जो कि सर्टिफाइ या **अ**थोराइज होगा स्टेट गवर्नमेंट मे, श्रव उसका डिसोजन है कि वह कौन सा समझता है कि उचित या अनुचित है, बंद कर देगा, भ्रौर भ्रापने उसको कह दिया कि 90 दिन में नोटिस देना। तीन महीने में, वह तो एक दिन देखकर तथ कर देता है, "नो इट इज रांग।" यह भ्रापने प्रोहिबिट कर दिया और म्राप कहते है कि 90 दिन में होगा यानी 90 दिन तो उस बचारे का कारोबार बंद हो गया। उसका कारोबार बंद न हो ग्रीर वह उसे चलाता रहे. इसलिए । कहता why can't you do it in 15 days? अगर वह केवल स्राधा घंटा, पौभ घंटा या दस मिनिट कार्यक्रम को देखकर तय कर सकता है कि यह ग्रन्चिन है, भद्दा है, खराब है, गंदा है तो ग्रव उसको प्रव करने में तीन महीने लगेगे ग्रौर तीन महीने तक वह ऋ।दमी लटका रहेगा । मेरा ग्रापसे निवंदन है कि ये जो केबल भ्रापरेटर्स हैं--इन्हें स्माल स्केल इंडस्ट्रीज के रूप में स्वीकार किया जाए। दूसरे म्राज उनका काम-धंधाबंद न हो मीर यह **बड़े-बड़े पैसे वालों ग्रौर कंपनियों के हाथ** में न जाए, विदेशी क्राक्रमण से इसका बचाव हो, इसका ग्राप ध्यान रखें । इतना ही कहकर मैं इन वातों पर आपसे स्पष्टीकरण चाहुंगा । जहां तक बिल की ब्रात्मा का सवाल है, मैं उससे सहमत हूं, लेकिन जो उसमें खामियां हैं, उन्हें दूर करने कः ग्राप प्रयत्न करें। धन्यवाद।

THE DEPUTY CHAIRMAN: Shri Vayalar Ravi. The Hon. Member is absent.

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SHRI G. G. SWELL (Meghalaya): Madam, our friend, Mr. Jethmalani has some urgent business to go. If -you agree, I will request hon. Members to let him speak now and go.

SHRI RAM JETHMALANI

(Maharashtra): Madarn, there was some misunderstanding. I had thought that I was the first to speak at 2.30. Therefore, 1 fixed up a. meeting. If I speak now, I don't think there will be any objection.

THE DEPUTY CHAIRMAN:

ff the House does not have objection, ! think he can speak and go. But ulease confine yourself to the stipula-

ted time. ग्राप ग्रपने समय क ग्रदर बोलिएगा।

श्री रामजेठ मलानी : मैं समय वॉरो क्षर लगा ।

उपसभापति : यहां वॉरोधिंग नहीं चलता ।

This is a House.

SHRI JAGDISH PRASAD MATHUR: But he can steal it.

SHRI RAM JETHMALANI: I hope the hon. Minister and the Government will take my criticism in the spirit in which I want to say it. It is meant to be a constructive criticism. It is meant to help the Government to administer this law; it is meant to prevent the Government from having unnecessary litigations which will only bring it to some amount of embarrassment.

First of all, you had declared the purposes in the Statement when the Ordinance was brought into force. You have mentioned four purposes. The first is that there is a mushrooming of cable television networks. I do not find in the whole Bill single provision which enables you to control the mushrooming of these cable network operators because the only qualification for registration is prescribed in Clause 2E. Under Clause 2E, if a person is a person within the meaning of the Act, he has the right to be registered. So, how are you going to control this mushrooming business? The Bill does not indicate at all.

The second purpose, which is perhaps ihe legitimate purpose to some extent, is this. You han e said that you want to protect tlie small operators. If that is the prurpose, you won the support and admiration of my hon. friend, Mathui sahib, but I find that in the Bill \oi- have no power, you have no sucli provision. How do you propose to control big operators from taking e/er? I do not know. There is no power, once again. Once again yougu back to Clause 2E. Under Clause 2E whoever is the person, as defind, will have the right to operate one of these television units.

The other purposes, which you have given, are all obnoxious to the Constitution. You must realise and the Government should realise. and I want hon. Members ot the House to appreciate, that this is a seemingly innocuous measure. But, in substance, it raises great issues of Constitutional importance. You are dealing first with the rights of free speech of those who want to appear on the television networks and express their opinions on moral issues, on social issues, on political issues, on aesthetic issues and even on commercial issues. And, second, which is still more important, is the correlative and concomitant right of the people to know. The people are entitled to know the trnth and the people are entitled to the fullest possible information. Once you are dealing with these two important rights of somebody to express his ideas and all others to receive those ideas, rights

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the foundation of constitu->nal democracy. Unless you have a Jmpletely informed electorate, there in be no democracy. The second •inciple which is inolved which is lually a very, very important prin-ple is that ultimately the right of ee speech and the right to form >ur own conclusion is a part of Jinan dignity, is a part of human tellectual and spiritual autonomy :cause these are the issues which e inolved. Sir, the third important iuc which the Bill seems to forget 'tally is that the democracy is ised upon the of the eat philosophy philosopher, Uoltaire when; said, "I don't accept a word of fiat you say. But I shah give ray e to defend, your right to say." ow, in other words, nobody has e right to prescribe good test. No-)dy has the right to prescribe the iture of views which are acceptable

the society. 1 may not accept e views on good taste and the soiled vulgarity and obscenity of ther your Government or the treaucrats who help you. Therefor e Bill does not take notice of these eat Constitutional principles at I. In fact, truth has a very uncanny ibit of leaking out. You have id that you want some kind of nsorship. Censorship is repug-uit to our Constitution. Those tio have committed offences, those ao are doing something which prohibited by law, for them Jaws ive already been made. Laws to >ntrol free speech have already ;en made. They are all laws which lpose reasonable restriction in the »ht of free speech. The law of)el, the law of defamation, the law ' contempt of court, the law relat-g to not spreading communal and ligious violence are there. All ese laws have already been brought to existence under article 19(2)

the Constitution. They have ready restricted the right of free teech and the right to receive a ieech from others. Now, you cannot

go beyond that. The cat is out of the bag when you say that the provisions of this Bill are supposed to be in addition to the various kinds of laws, the list of which you have already given in clause 21. Now, you have no right at all under tee law to restrict the free speech beyo nd the parameters of article 19(2) of the Constitution. The whole of article 19(2) of the Constitution has already been exhausted by the existing laws and 3'ou cannot impose any further restrictions upon the right of free speech.

[Vice Chairman (Shri Suresh Pachouri) in the Chair.]

Sir, the fundamental principle of democracy is that if there is some kind of untmtb, that untruth will be faced with truth in the free market of ideas and the truth will collide with error and ultimately the truth has to succeed on its own indepeendent merit in a free competition of ideas. The Government has no right to say what the truth is. The Government has no right to say what is good for the people. You are not treating the people of this country as school children for whom you are going to act as some kind of parent and prescribe what they want to hear. What is the kind of culture they want to imbibe? You have said that foreign culture is coming in. But I might like some elements of foreign culture. I like, for example, elements of a culture in which the politicians are not corrupt. 1 like elements of a culture in which the people speak the truth all the time and not the kind of falsehood which goes on in this country. Therefore, you cannot say that your culture is superior and going to impose it on others by calling it as an Indian culture which adds insult to the injury. First of all, you impose a false culture on us, then, you tell us that you are imposing the Indian culture. Now

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this is a kind of tyranny which I wiH not tolerate and this Bill seenic to be based on that phiUr>or»h>.

Sir. unfortunately. I haw vei> little time to devote and 1 want to point out to you what this Bill does. Under clause 5 everybody i-. to conform to the code. Under clause 6, everybody is supposed to conform to the advertisement code. Now, what is the programme code? The programme code is not laid down in the Bill. Yesterday. (am sorry to say the Minister was misguided by his bureaucrats or perhaps it was his own error. He told us that this was the same old thing which was opertating and we will find it in the Library and the Library happened to be closed on Saturday At least he had the good sense to send "out a copy of the rules to us, Now these two codes are contained in the Bill, the statutory rules which have been framed. Now look at this . For breach of clause 5 and clause 6, whoever contravences these rules will be punished, for criminal offence. Under clause 16 also, whoever contravenes any provisions of this Bill shall be punished and the rules in the so-called code have this provision. Your rule says, for example you shall not do anything which is against good taste. In other words, you have now created a criminal offence punishable with one year's imprisonment, which says that whoever hereafter does not act in good taste shall be punished with imprisonment which may extend to two years. This is the kind of offences you are creating under the rules. Please look into the rules. 1 appeal to you. All your rules, except one or two, are outside the ambit of Article 19(2) of the Constitution. The first rule of creating offence is that you must create those offence in such clear language that he who runs it may read it. After all, when you are

saying to people, "Don.t do irris," they must know what exactly you are asking th^m not to do. How can you have an offence in which you say that a person shall not speak half-truth and you will decide whe)hr the person has spoken halftruth '. And the law says that whoever shah speak what the Government thinks is halftruth, shall be punished with imprisonment! I do not want to use strong language. But this is one of the most absured provisions that I have come across. Sit down and modify the programme code as wel! as the advertisement code. Bring it in conformity with the Constitution; make it specific; and use more precise and better langu age. The English are gone, but still we use the English language. It is horrible Inguage in your rules, I have no time to point out each on~ of the rules, how there are grammatical and other mistakes.

Sir, as I said, this is a seemingly innocuous measure, but is, really, a wolf in sheep's clothing. If you allow this kind of invasion of liberties to take place, you will have taker the first step in the direction of de^ truction of the liberty of free speech and our Constitutional values. I oppose it because your two legit-mate purposes are not carried into the Act and your remaining purposes are totally obnoxiosu to the Constituion. Thank you.

THE VICE-CHAIRMAN : (Shr, Suresh Pachouri) : Shri John F. Fernandes. Absent, Shri Vayala^r Ravi.

SHRI VAYALAR RAVI (Kerala) Mr. Vice-Chairman, Sir, I support this Bill because it is a major measure in the field of our electronic media (*Interruptions*). In this, the Minister has taken a step to control, regulate and prevent, to an extent, the infiltration by other forces which may

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have an encroachment on the cherished values of our cultural inheritance.

When the cable TV operations started becoming very large in the country, a profitable business, the Bill was introduced in 1993 whereby some restrictions and regulartions were sought to be made. An opportunity was given for the bigbusiness to intervene and purchase the small groups started in different cities. I happened to read a report in the "Business World" recently. Many major groups are coming into the field with foreign collaborations. They want to spend enormous amouts —the RPG group, Rs. 1,000 crores and the Hindujas, Rs. 500 crores-to control the electronic media. This is a very important factor. In the Objectives of the Ordinance, the Minister has said in the third paragraph that this measure is to prevent the large way entry of the big business and also to protect the interests of the small operators. I agree with it and I want him to stand by that.

The second objective is this. The cultural invasion into the day-to-day activities of our social life by the foreign media makes a negative impact on the society. Before making two or three other points. I want to make one point clear. The Bill itself says in one or two clauses that the main indention is to prevent such a kind of cultural invasion. In this country, today, the new generation is being influenced by the electronic media where many types of satellites are transmitting different eultura activities to this land because the sky is free now. So, our new generation is being influenced fo that extent and that influence is not as good as we expect it to be. That influence is not good for the Indian society and the Iidian traditions. We have our own traditions. Instead of circulating our own traditions to the outside world, w; arc proceeding

in a different way which is not good I for the society. That is one rwt of. You rightly said that to prevent i cultural invasion the debate is i whether w: should allow the 'or'ign, media to print on this soil or not If the intention of the Bill is to make rules and regulations to prevent any kind of cultural invasion or the invasion of our cultural inheritance, it is all right. But the attempt of theforeign media, which has its own Publication to print, is itself a prob- 'em. Here, the Indian print media Project our national interests andour views to the world and the foreign media project their views to this nation for the consumption of the Indian This is the basic difference. Here. nation. the media does theservice. It is part of our nation' it is part of the society, it is part o[^] the politics and it is part of the estab lishment. The print media, represen* the national interests. Today, somepeople are debating this and the debate itself is unwanted and should not I be allowed in this country. If the! foreign media are allowed to print j in this country, it would mean that we are allowing our nation and the people to know what foreign peoplewant to convey to the Indian people. It is not in the mVr:st or our nation.; It is not in the interest of the Indian! society. But it is to their interest. i They want to sell their idea to this country. So, .my attempt to allow the foreign media to print in this country wiH go against our national interests. So, I wonder what will happen tomorrow if somebody from Pakistan or somebody from our neighbourhood wants to have print! media wliich can print for them from j India. Anybody can have it. I do! not want to name, anybody. Our! national interest" are there. Our ' system is an opin system. Ours is a democracy. It is one of the biggesti democracies in the world. We have the freedom of press. The Constitution of India guarantees the free1994&

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dom of press. The Indian Constitution is one of the best Constitutions in the world and one of the democratic institutions that we have, is our Parliamentary system. This system exists in the Indian Constitution which guarantees the fundamental rights, that is, the freedom of expression. But hrre the basic question is, is it the ~reedom of expression of the Indian citizens or is it the question of freedom of expression of foreign citizens? The foreign media owned by foieign citizens cannot claim ii.e freedom of expression meant for the ridiar citizens and you cannot allow the foreign media to print and claim believe, it will i:-'a bad time freedom. I even to discuss this i&h ue and allow the foreign media to come to this country. I I know, Mr. iren J. would oppose this Shah, is very happy because the rules are being circulated. He demanded them and they have been circulated. But those rules must be strictly enforced. But which is the enforcing authority? Will you leave this aspect completely to the post offices or will you have a separate authority ? The Minister may consider this point. The Bill contains certain clauses which can be discussed and interpreted because the Government wants to fix certain criteria for control to prevent certain kind of propagation. If you allow the State Government officers to do ii, i iiiink it is not a proper assessment oi' the situation and i wish that me powe* to control and enforce mis law need not be delegated to the State Government. It can be done through your own agency. It can be either a registered agency or something like that. Whatever it be, it should be your institution

Then comes the punishment, for which I moved on amendment. You give them punishment. You

say, the punishment is six months imprisonment, or there is a minimum imprisonment of two years. Okay. Then what is the fine? A thousand rupees. There is no relationship between, the fine and the term of imprisonment in criminal laws. There is no relationship between a fine of a thousand rupees and an imprisonment of two years. Tlie fine is Rs. 1,000/-. How can the imprisonment be two years? I am for imprisonment of five years or ten years; I do not mind, but there should be some relationahsip between the two in your recommendation. When this House passes a law, it should not be a laughing stock before the judiciary or the lawyers. I can understand the logic of fixing it today as one thousand rupees. Cut there must be some relationship between the two. That is why I moved he amendments for a minimum fine of five thousand rupees and for reducing the punishment, making it iirst six months and then increasing it to two years. I do not mind if you want two years of imprisonment, but then definitely the fine must be increased. You have to fix a minimum of ten thousand rupees; otherwise, there is no relationship between the fine of ten thousands rupees and the imprisonment of two years. And for the second offence, you said, it can be extended to seven years or something like that and there is a fine of five thousand rupees. Therefore, Sir, I suggest that when the punishment is fixed, there must be a relationship between the fine and the imprisonment. That is why 1 moved the amendments. While I am fully supporting this enactment, my only request is, the ojectives of the Bill or the Ordinance should be fulfilled (1) to protect the interests of small cable operators and (2) to prevent the invasion of our cultural inheritance and the cornering of the sma 1 groups by the monopoly houses which are spending crores of rupees in collaboration with foreign groups;

lation)- Ordinance i 1994 & whether it is RPG Group or Hinduja Group. And by spending thousands of crores of rupees, there is also an attempt by nuch groups to control the public opinion and

rupees, there is also an attempt by nuch groups to control the public opinion and also influence the poor people in the society. Such vested interests are also showing up again in the name of liberalisation. So, I wish, the Minister will be able to implement the provisions of the Bill strictly.

Thank you, Sir.

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श्रोमती परला ाहिस्वरी (पश्चिमी वंगास) : धन्यवार माननीय उपसभाध्यक्ष महोदय । एक अनूर्त, अवयार्थ, अवस्तिविक श्रीर अनुपयोगो विधेयेन की अन्याना के जरिए लागू किया जाना अपने आप में एक हंसी की बात है और उपाध्यक्ष महोदय, यह हंसी मूर्त हुई है, हमारे इस केतल नेटवर्क रेम्युलेशन अध्यादेश दे जरिए।

उत्तरनाध्यक्ष महोदय, आज जब हम प्रपने विषय को देखें तो हम पाते हैं कि एक और तो साम्याज्यवाद प्रपने आधु-निकटतम प्रस्त-अस्तों से हमारे सामाजिक और सास्कृतिक जीवन को अत-विक्षत कर रहा है और एक ऐसे समय में यदि हमें कोई दक्ती की तलवार भाजता हुआ दिखाई दे तो ऐसी स्थिति पर या तो सिर्फ हंसी ा सकती है या सिर्फ रुलाई ही या सकती है।

उपसमाध्यक्ष नहोदय, ऐसे रण-बांकुरों के उद्देश्यों पर तो हम संदेह नहीं कर सकते लेकिन ऐसे रज-बांकुरों की हार वा जीत पहले हे ही तुनिष्टिचन होती है और उपसमाध्यक्ष नहोदय, हमारे मंत्री महोदय जो अध्यादेश लेकार आए है, उस अध्यादेश की हार और जीत पहले से ही, मैं यह कहना चाहूंगी कि सुनिश्चित हो चुकी है। खुद हमारे मंत्री महोदय कितने वड़े श्रम में हैं। इस अध्यादेश की अभिवार्यता पर उन्होंने जो अपना बयान दिया, उम बयान में उन्होंने कहा कि विदेशो उपग्रहों से प्राप्त होने वाले सिग्नलों के जरिए भारतीय सभ्यता और संस्कृति पर चातक प्रहार हो

रहे ये। भारतीय सभ्यता और संस्कृतिको विदेशी संस्कृति के उप-घातक प्रहारों से बचीने के लिए यह ग्रध्यादेश उन्हें लाना पड़ा । उपसभाध्यक्ष महोदय, हालांकि मंत्री महोदय का उद्देश्य तो नेक है, लेकिन हमारे मंत्री महोदय खद अपने ही उद्देश्य को किस तरह भूल जाते हैं, यह हमें तब पता लगता है, जब हम उनके इत अध्यादेश को देखते हैं। उपसमाध्यक्ष महोश्य, ग्रध्यादेश की धारा 5 ग्रौर 6 में स्पब्ट तौर यह कहा गया है कि िरेगो उपग्रहों से प्राप्त होने वाले कार्यक्रमां प्राध्यक्ष्यादेश की पाचवीं **श्रो**र छड़ों सोड संग्रो **धा**रा, विकल्प संबंधी धारा नहीं होकः। यानी कि जिस खतरे हो। रोकने के जिल्हम उपाय कर रहेथे, उमी खतरेको बुनो छुट देदी -गयी ै .. इरादा था, .लड्ने २ क्टर _{व उपर}्जनार डाल् दिये हैं। तो यह है, इस अन्स देश का उद्देश्य । उप-प्रमाध्यक्ष महोदः, अवतिष् में पूरेसदन के साथ प्रशास की उत्तर इस बात की भ्रोरदिलाना चाहते त्यं का **हम यह बात** करते हैं कि विदेशों उपग्रहों से हिन्द्रशान की संस्कृति को बचाना है, भारतीय संस्कृति को बचाना है, तो हमारे इस ग्राज के माहौल को देखें, खासकर पिछने तीन-साढे तीन वर्षों से देश में ग्रंध-उदारताबाद की जो ग्रांधी वहाई जा रही है, उप-सभाध्यक्ष महोदय, यह भ्रध-उदारनावाद किमलिए ? यह अंत्र-उदारतावाद किसीकट्टर साम्प्रदायिक विचारों के विरुद्ध नहीं है, यह उदारनावाद पश्चिम भ्रौर साम्नाज्यबादी विचारों के प्रचार-प्रसार के लिए है। तो इस उदारतायाद की मांशी में हमारे सूचना और प्रपारण नंती ग्रापनी छोटी सी हैसियत में यह अध्यादेश लेकर ऋाए हैं कि वह सारी ग्रय-संस्ति दा मुधावला मुख्येंगे । इसीलिए उप संशाध्यक्ष महोदय, मैंने यह कहा कि वह जो छोटो सी हैसियत में यह अध्यादेश लाए हैं, मुझे ऐसा लगता है कि यह सिर्फ दफ्ती की तलबार भांजने जैसी या डॉन क्विककोटिक एक्सरसाइज श्रातिरिक्त मुझे कुछ नहीं लगता । उप सभाध्यक्ष महोदय, यह सही है कि ह्यारे देश में इलैयटोनिक माध्यमों का विस्फोट या उनका संधान हमारे देश के लिए सभी

[श्रीयती सरला माहेश्वरी]

चीज है ग्रीर यह भी सच है कि हमारे देश के नीति-निर्धारकों ने शुरु से ही इन इलैक्ट्रोनिक माध्यमी के प्रति ग्रपने वैकल्पिक दर्ष्टिकोण को रखा था ग्रौर इसके लिए कई कमेटियां बनायी गयीं श्रौर उन कमेटियों ने अपनी रिपोर्ट दी कि किस तरह भारत के लिए, भारत की स्रपनी वस्तुगत स्थितियों में इन माध्यमों का हम सही ढंग से इस्तेमाल कर सकते हैं ग्रीर इन तमाम परिस्थितियों की परिणति के रूप में हिन्दुस्तान का वैकल्पिक दृष्टिकीण इन इलैक्ट्रोनिक माध्यमों के संबंध में प्रसार भारती के संबंध में ग्राय(था। तो में मंत्री महोदय से यह कहना चाहती हं कि इलैक्ट्रोनिक माध्यमों के प्रति हमारा जो वैकल्पिक इष्टिकोण होना चाहिए था, वही वैकल्पिक दफ्टिकोण हमार केबल रेग्लेशन की नेटवर्क जब इम बात करते हैं, केवल नेटवर्क को नियंत्रित करने के लिये भी हमारे सामने बही पर्स्त्रिक्य होना चाहिये, या, वही पृष्टिकोण होना चाहिये था कि किस तरह अपने राष्ट्रीय मान मल्यों को दृष्टि में रखते हुये, राष्ट्रीय मान मूल्यों को नजर में रख हुये हमारा यह केबल नेटवक काम कर सके । वैसा वैकल्पिक दृष्टि-कोण हमारे सामने होना चाहिये था चेकिन उप सभाध्यक्ष महोदय, मझे बहुत अफसोस है कि हमारे मंत्री महोदय जो नख-दंतहीन ग्रध्यादेण लेकर ग्राये हैं, वह ऋध्यादेश अपने पूरे के पूरे उद्देश्यों में नाकाम रहेगा । उप सभाध्यक्ष महोदय, मंत्री महोदय ने प्रव्यादेश में कहा है कि इसके 90 दिनों के अन्दर हो केवल श्रापरेटर्स को खद को पंजीकृत करवाना होगा श्रीर 31 दिसम्बर को 90 दिन खत्म हो जायेंगे पर ग्रब एक हालत यह है कि इन केवल नेटवर्क को रेगलेट कीन करेगा, इनका रजिस्ट्रेशन कीन **फरेगा,** किसी को मालूम नहीं है । केंबल धापरेटर्स इधर-उधर दौड़ रहे हैं कि इमारा रजिस्ट्रेशन कर लो लेकिन उन्हें कहा जाता है कि हमारे पास कोई अदिश नहीं है, हम कैंभे रजिस्ट्रेशन कर सकते हैं। तो काम करने का हमारा तरीका यह है । हमारे मंत्री महोदप कहते हैं कि केबल भापरेटर को एक सेंसर क्रधिकारी की भूमिका ग्रदा करती होगी। वह ग्रधिकारी केवल चलाकर बैठ जायेगा श्रीर केबल से प्रसारित होने वाले सारे कार्यकम को देखे⊐ाकि क्या हो रहा है, क्या नहीं हो रहा है। श्राश्चयें की बात है कि एक तरफ तो हम उदारतावाद की बात कर रह हैं और दूसरी तरफ पुलिस राज के जरिये हम सांस्कृति प्रदूषण का मकावला करना चाहते हैं । मैं यह कहना चाहती हूं कि संस्कृति के क्षेत्र में, कला के क्षेत्र में ग्रागर वास्तव में ग्राप जनता को स्वस्थ संस्कृति देना चाहते हैं तो मंत्री महोदय ने क्यों ऐसा जरूरी समझा कि विदेशों के प्रसारित होने वाले कार्यक्रमों पर कोई नियंत्रण लागू नहीं होगा? शायद उनकी नजर में विदेशी चीज ग्रन्छी है । शायद हमारे उदारीकरण की यह मांग है, यह तकाजा है कि जो विदेशी चीज है वह ग्रन्छी है। ग्राश्चर्य होता है कि ग्राज हमारा दूरदर्शन ग्रपने चैनल से एमटीवी प्रसारित कर रहा है जिसको सारी दुनिया द्वारा स्वस्थ निगाह से नहीं देखा जाता । वह एमटीवी हमारे दूरदर्शन से प्रसारित हो रहा है। मंत्री महोदय यह दिखावा करते हैं कि हम संस्कृति को रखने का प्रयास कर रहे हैं । प्राज्य हमें बहुत ग्रफसोस के साथ कहना पड़ता है कि आज हमारा सुचना एवं प्रसारण मंत्रालय वाणिज्य मंत्रालय की तरह काम कर रहा है। न्नाज हमारा सूचना एवं प्रसारण मंत्रालय का मात्र उद्देश्य मुनाफा कमाना हो गया है । इसके चलते आज हम यह देखारहे हैं कि हमारे दूरदर्शन का एक एक आण किसी मंजन बेचने वाले, किसी पोउडर बेचने वाले, किसी साबन बेचने बाले को बेच रखा है। ऐसे दूरदर्शनल से हम प्राशा कर रहे हैं कि वह केडल नेटबर्क को िपंजित करेगा, देश में स्वस्थ संस्कृति को देगा। मुझे ऐसा लगता है कि हमारे मंत्री महोदय जो ग्रध्यादेश लेकर ग्राये हैं उसमें हमें

बताने की कोशिश कर रहे हैं कि हम केबल नेटवर्क को रेगुलेट करने की धशा में काम करेंगे। मैं इस बात को निष्चि रूप से मानतो हूं कि केंबल श्रापरेटए को नियंत्रित किया जाना जरूरी है। जिस तरह से केबल प्रापरेटर्स की बाढ़ देश में प्राई है उसे नियंत्रित किया जाना जरूरी है। हमारा ग्रनुभव रहा है कि इन केबल ग्रापरेटर्स ने बहत हो नकारात्मक भूभिका निभाई, खासकर सांप्रदायिकता के भेन में। उन्होंने वढावा दिया साप्रदायिक तत्थों को । साप्रदायिकता द्याग को फैलाने में केबल ग्रापरेटर्स रहें । यह जरूरी है कि केबल आपरेटर्स हमारे देश में हमारे राष्ट्र के मृत्यों के तहत काम करें श्रीर इसके लिये उन्हें नियंत्रित किया जाना जरूरी है । इसीलिये मैंने वैकल्पिक संशोधन पेश किया है । (*⊲*य्मय की घंटीं) ग्रगर भरा टाइम खत्म हो गया है तो मैं अपना संज्ञोधन बाद में पेश करूंगी। जब बाद संशोधन पेश करूंगी तो उस समय फिर उस पर भ्रपने विचार रखंगी।

SHRI V. NARAYANASAMY (Pondicherry): Mr. Zice-Chairman, Sir, thank you for giving me this opportunity to participate in the discussion on the Cable Television Network (Regulation) Bill, 1993. The electronic media in this country has undergone a revolution today. The hon. Minister has clearly mentioned in the Statement of Objects and Reasons that there is cultural invasion by the foreign media into this country and therefore the cable network that is being operated within the country has to be regulated It should identify and maintain our culture. In the name of cultural invasion, it should not divide people as has been happening in the name of religion, caste, creed and so on. Sir, though it is a very simple Bill and I have stood up to support the Bill, yet I would like to make some suggestions to the hon. Minister. Electronic media is considered ro be one of the vital elements of in-formiti>\ ail ei jrtainamU il tiis

coutry. The Cable Network which is being viewed by millions of people of this country has been invaded by foreinS culture. foreigners who have corae and taken over the cable network are making huge investments on it. And their modalities and temperaments will, naturally, be in line with those of their countries. I was really surprised when the shon. Minister said that he would like to control the media in our country. It is highly Western impossible. You have allowed them to continue for years together; not only that, you did not have any regulations set for the foreign our country at the initial media in itself. I would like to give a s mall example.. Take the case of our neighbour, Pakistan. They are telecasting programmes which are totally anti-India and the people of our country are viewing them. What have you done about it? We protested against their actions ar the diplomatic level, ar the Ministerial level. But we are not abfe to counter the anti-India propaganda that is going on in Pakistan through the satellite network. Even on Doordarshan and through various other media, we are nor effectively countering it, more so when they are doing it in order to damage our country's reputation and interests. This is only a small example which have given. Earlier, when I spoke oa the discussion on the working of the Ministry of Informatiot and Broadcasting, at that time itself. I mentioned as to how the vulgarity, terror and horror which are depicted through cable television network would affect minds of the younger generations of this country. The operation of the cable network, somehow, has not been regulated by any authority be it at the State level or at the Central level. I was really surprised whsa Mr. Jethmalani saii that became ow' freedom of express ion, freedom of s^ij;k and freedom of movement, tns 3_> /grament did not have any rigat or aj.ho-rity to control the media, idoi'i iiro«*

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with him. He may be a Constitutional expert. But I would like to say that the Central Government and the State Governments have got the regula ting authority for protecting our country's culture. For defence purposes and also for keeping up the reputation of this country, the Government has got every right to regulate the electronic media in this country. Simply arguing on the basis oi" the provisions of our Constitution ignoing our country's interests, is totally unacceptable. It will only erode the patriotism withch is prevailing amongst the people which of this country.

Sir, day in and day out, we come across news items saying that Doordarshan would be introducing 49 to 50 channels. What is the purpose of bringing in so many channels? There is one peculiar thing. Clause 8 says: "Every cable operator using a dish antenna or a television receiver shall, from the commencement of this Act, retransmit at least one Doordarshan channel of his choice

through cable services. "Why do you insist on it? It is the choice of the' viewers. It is the choice of the cable operator to beam programmes which they would like to see. If they want to see all the Doordarshan programmes, let them see. Why do you bring in. this clause and compel them that it should be transmitted or retransmit: ted? I don't find any logic in this. "I' agree with the Minister and also compliment him for the quality of the." Doordarshan programmes has impro--ved. Stilhwe are not happy.

SHRl ,G. SWAMINATHAN (TamilNadu)': Because of competi--tioi

- SHRI V. NARAYANASAMY: May be or may not be. Still I • am not satisfied with the programmes that are being telecast by the Doordarshan. The programmes are r.ot

upto make. They are not dipic-ting. The culture of the people of this country. After watching the Star TV programmes, after watching the Zee TV programmes, Doordarshan is also going the same way. It is totally inacceptable. When you want to maintain your own separate identity, you do it. Let us not copy from the Star TV or Zee TV. Let us not copy the programmes of other networks and say that the Doordarshan has improved its quality. We have diverse cultures in various States in various regions, right from the Adivasi culture to the Western culture which you claim in the cosmopolitan cities. Let us- not copy frojn the Western culture and say that the quality Door-arshan has been improved. of the And on this there is a lot of controversy. There is another controversy about which I would like to say. The hon. Minister "aid that they would like to telecast intellectual programmes on DD-3. Everycay you see a news hem, saying that this programme is being introduced from 15th August, 26th November, Ist January, etc. I don't* know what these intellectual program-, mes are. I would like to know from the hon. Minister about this,

Another thing 1 want to submit is that I am really fed up with the regional programmes that are being tele-" cast. Excepting cinemas, there is nothing in this. Some dramas aretelecast in the regional programmes," whether Tamil* Nadu or it is West Bengal", Karnataka. You know, the "people are realty fed up with these" regional piogrammes. The house--wives don't go away from the tele-* vision. They see al! the programmes on I DD-3 and their household work suffering. So, Mr. Minister, in the* nam? of improving quality, don't: go in for films only. Let us depict; our culture. I have been saying this right from the beginning. Even the other day, I was telling the Minister about this. Kindly don't insist that people should see only the Doordars-'<

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han programmes by bringing this clause in the Bill. Let the people see whatever they want to see. Let the people have their own choice. But I agree with you that the cable network has to be regulated. I am not going to ask you to compromise on this because the amount of obscenity that is there in the foreign programmes is just intolerable. You please tell me what you are going to do in regard to this. I must say that this foreign media is spoiling the Indian mind. The Indians living in New York, and Washington want to send their Children to India because they want their o'r' in any any any spoiled because of the Wesser or the Trut being the simulion, why are you briging the the William culture hero? You are bringing that on the inere which our office (would see. You want to bring a cagalation and punish people who are small fish. Catch the big fish.

Another thing I would like to tell ouy is about the high rate of tax on cable networks. In various the rate of tax varies between 80% and 6)%. There is no uniform policy. What will happen? The poeple, by and large, are being taxed. The viewers are being taxe 1. With 80% tax rate, the people are burdened. Mr. Swamina and with definitely be affected because (Interruptions)

SHRI G. SWAMINATHAN: I have only one point. I would say that the Central Government is charging Rs. 50/- for the disa antenna. Now the State Government is the regulatory authority. So, they have to charge on athing to regulate it.

SHR(V. NARAYANASAM7: To regulate dish antennail::

SHRUG. SWAMINATHAN: Because the Central Government can't regulate it.

AN HON, MEMBER: Tayler charging Rs. 250/-in Delhi.

SHRI V. NARAYANASAMY: Not only in Delhi, in Tamil Natu they charge 40% tax. The cubic opera. tors there went on strike and ultimately they cane for a 'o 20% Swaminathanji, tell your State Government to reduce it.

SHRI G. SWAMINATHAN: You want cable TV to mushroom.

SHRI V. NARAYANASAMY: I don't want. But, the people who don't want to see it, e that is it is five or o ten rupees, they will not... (Inte. rruntions) ...

SHRIG. SWAMINATHAN: No We have to regulate the T.V. Otherwise how do you regulate it (I restructions) - icens-Regulati ing; it : nderstand the or transpart is regulasi. Central Governm 10. the is ...(Interruptions)...

SHRUV. NARAYANASAMY: I am telling you that for regulation. you have to imple near it in the right spirit and that you have to do in the State Governmen. Therefore, Mr. Minister, let us not librate from the issue of care 1 sion that is comean into this country. Let our Didurshan be con a old pitter on, as far as possible, try to see that we do not divide the person of showing films in the name of rangon-Mathurji is also watching mb— it he name of caste and ocesi. 111fied picture of our secuatry is depicted to the people. That emphasis should be there. And, by bringing the legislation, I accept that only a his feed ourses will be səlvəd. Yən \rightarrow 1 lot of things in this again. Mr. Amister, are you hearing me? Mr. Minister, you have to do a .o. of taings in this doid. The foreign medial should not be allowed to the over our indian, culture. Taea, far enantey's securily is also important. Insa, you have to counter Pakistan's anti-India propaganda in an effective manner. These are the things that

you have to do. So, I support this legislation. But you have to do a lot of things in the field of electronic media, especially to counter the foreign media. Therefore, I support you in this and I want you to do that.

SHRI S. VIDUTHALAI VIRUM BI (Tamil Nadu) Mr. Vice-Chairman, Sir, This Bill has been brought on the pretext of regulating the cable-TV operators. At the outset, I want to enlighten myself through the reply and clarification of the hon. Minister.

Sir, I want to know under what entry number and under what List of the Constitution, this Bill has been brought. Is there any legislative competence to bring this Bill because the Government of Maharashtra and the Government of Tamil Nadu have already brought Bills imposing levies on the cable TV operators and asking them for Security Deposits?

Sir, thi y have done so under Entry No. 33 of the Seventh Schedule of the Constitution, that is, when they are bringing it under Entry No. 33, they consider it as 'Entertainment and Amusement'. Therefore, I want to know whether you have any legislative competence to bring forward this Bill. This is an important issue because when the matter came up before the High Court, it upheld the State law. Now, if the Centre is going to pass this Bill, I know ultimately the Central law will prevail. I fear that it is not in the Concurrent List. Therefore, I wanted to be enlightened from the reply. Sir, regarding the registration, the Government says that they are the registration authority. But, we did not know who is the registration authority. Only yesterday we got some papers through which we found that the PostMasters are the registration authority. State law asked the cable operators to themselves in the nearby police register station by paying Rs. 10,000 as deposit and they must agree to pay 40 % tax that goes to the court. It is in the stay order. In the stay order the amount of Rs. 10,000 has been reduced to Rs. 5,000. And also registration authority is in question. But it has upheld it. But, against the State Government, In think, it has gone to the Supreme Court. Sir, this is the situation. You say that you must go to the Post-Master and the State Government says that you must go to the police officer. I want to know whom they have to approach, for getting themselves registered. That is the problem. Then, Sir, they have to pay Rs. 10,000, for even 40 % tax—entertainment tax is only 20%. Suppose the same law is upheld by the court again they may have to shell out 40%. That means you are firing from the front side and the State Government is firing from the rear side. In between are sand-witched the cable operators. This is the real situation. Sir, when you say that the registration authoritry is the Post-Master, I can tell you that there is already a heary workload in the post-offices. There is a heavy work'oad because vou have put a ban on recruitment. They are fighting against that. .(Interruptions).

Let them fight some other au-thoriry. Before coming to the Bill I wanted to state that basically I differ from the Bill. Now, coming to tie Bill, in clause 5, you have emphasised and stipulated for a progunne code and an advertisement code. People from remote villages who are unemployed hav© to resort to this for jobs. Do you think that these people will te aware of these prognmm© codes; and advertisement code*. Till the day before yesterday, I wa*

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not aware of the programme code and advertisement code. .. (Interruptions). .1 could not get in the Secretariat. Yesterday though the Parliament papers we were able to get it. When parliamentarians are struggling for nearly one week to get the programme code and advertisement code, do you think that people who are operating the cable network would be aware of it? It is unnecessary, I feel. I want to know whether you are vlYi.-h;* to the codes on the T.V. ;i.;jlf. N>w-a-days, you are telecasting the 'Directors' Special'. I want to know what this 'Directors' Special is. You are violating the code which you have prescribed yourself. I shall quote only one paragraph which was published in the Indian Express dated 9th November, 1994. It says, I quote

"In a major policy change the Doordarshan has been allowing indirect liquor and cigarette advertising on the national netwo'k and the Metro channel for the last two months" It goes on like t lis. There is no denial coming fro n the Government side. Actually, the implied meaning of that is that the Government has accepted this.

SHRI VIREN J. SHAH (Maharashtra): On Doordarshan the liquor advertisement comes after ©very four minutes consistently during test match commentary.

SHRI VAYALAR RAVI: We all share the sentiments of the hon. Member. It should be stopped immediately.

SHRI S. VIDUTHALAI VIR-UMB1: I agree with you. Sir. Thank you for that. I want to a now wnether there are two codes' one for the cable operators and as other for the Doordarshan. Sir, .. the same provision under clauses 5 and 6 von are exemotiry • u foreign satellites for telecast. Here we want to know why you want to exempt them. It is a step-motherly treatment and sit is discriminatory. Then, Sir, under sub-clause. .(Interruptions). ..

SHRI VIREN J. Sq\H : Sir, the liquor advertisement is coming on Doordarshan aft^r every three minutes. Hon. Whisior, in your absence it was mentioned that tobacco and liquor advertisements are coming every four minutes when there is cricket commentary. The hon. Msuber from your side also supported it that it should be stopped.

SHRI S. VIDUTHALAI VIR-UMBI: It clearly shows you are violating the code. This is nothing but a step-motheriy attitude. That is want I wont to charge against you.

Sir, in sub-clause 7 you want to make a registration. It is not possible for a layman. That is why I want to say before telecasting how he should be able to know as to what is going to be telecast. Then you are telling that you are not actually violating the code. You want to punish it is what I feel. It is impossible. It is actually illogical. I am unable to comprehend on what grounds you have put this condition.

In sub-clause 8 you say that TV retransmission that is what Shri Narayanasamy also told-you should not compel. Why do you want to compel the cable operators to retransmit the DD? I would like to tell that because of this unimaginative poor, show the people, are switching over to others. People are switching over to the others because of this poor portor naise. The oragranme is so poor, the peogram no is unimaginative, it is obeing and even if it is fair, people from east to south are not proputed to cope with the DD. Another thing

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[Shri S. Viduthala Virumbi]

is that when you are stimulating all these things You have left out one provision. You are imposing Hindi day in and day out.

What is the necessity, why is it essential ? I want to know, when from Kashmir to Kanyakumari India is one, going io allot the same time to other languages also? All the languages should be given equal status, equal treatment. I want to know whether you are giving Uic same time to Tamil, to Gujarati, to Malayalam, to Marathi? For all the languages equal time should be given. If you want to give four times more than what you are giving to other languages to Hindi it clearly shows that it is yet another domination worse than the British domination. Why there is no provision against this?

hUVICE **CHAIRMAN** : Luesh Pachouri): Please conclude.

HON'BLE MEMBER: What AN about English?

VIDUTHALAI VIR-UMBi: SHR1 S. English has integrated this country.' You should not foi get that. Netaji" Subhash Bose talked to the people oi Bombay in English and not in Hindi. J want to submit one frfore thing. Once a letter came to Rajaji in Hindi and that too from Gandhiji. Rajaji oa flic reverse of the same letter wrote the reply in Tamil. Mahatma Gandhi felt it arid he actually tendered his iegret for that. I would like this to ho ou tbe official lecord.

श्रा करतमा सारायण सार्गा : प्रदेश) : इसालये आप टायल में दोलिये। भगर हिन्दा के पत्न का उत्तर राजाजी अगर क्षिमा ने के हिं है तो आप अग्रेजी भै क्यो बाल रहे हैं ! तमिल में बोलिये,

यहां इंटरप्रिटेशन की ब्यवस्था है। स्नाप अंग्रेजी में क्यों बोल रहे हैं ?

SHRI S. VIDUTHALAI VIR-UMBI: Because of this policy... (Interruptions).. We want to see India and not Hindia.

SHRI S. K. T. RAMACHANDRAN (Tamil Nadu): Bit we want to see - Me T V. We do not want to go.. (Intsrruption")...

(राजस्थान) : श्री रामश्रह अग्रवात यह किंग्न वर्णा उपसमाध्यक्ष रहा है अः हिदा-त्रंप्रेजी रहा है ? मान दिया-त्रंग्रेजी অস को छोडकर अपनी बस्त को/बेरे ।

THE VICE-CHAIRMAN (Shri Suresh Pachcun): Please conclude .* now, have already taken 12 minutes.

SHRI S. VIDUTHALAI VIR-. UMBI: I am concluding, Sir. Before* you want to implement this, consult, the State Governments. Leave the matter to rhe State Governments* Don't try to encroach upon tlie rights of the State Government",. And. also just think about the. Prasar. Bharati Bill which wa? introduced but not yet passed..

With these words, I want you to please let me know in what List, in.. what Entry, you want to pay for this* and whether you have got the "legislative competence to bring forth this Bill.

With these words, I thank you, Sir.

SHR1 VAYALARRAVf: That you have to say before the i liroJuc-tion, and not now:

^-CHAIRMAN (SHRI 1 SUTLER i PACHOURI) Shri Kulabidhu Sim.h.

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SHRI JAGESH DESAI (Maha-rashtra): For the information of Mr. Virumbi. T want to say one thing about Rajaji. Rajaji was the Chairman of the all India Hindi Pracharak Samiti. He was the person who had toured the whole of South for Hindi prachar.

SHRI S. VTDUTHALAI VIRUMBI: In 1965, Rajaji said hat he had changed his mind because the Northern Indians wanted "o impose Hindi. That is why he was one of the persons who opposed Hindi in 1965."

THE Y^w-.- CAIRMAN (SHRI SURESH PACHOURI) : We are not discussing the language issue.

SHRI S. VADUTHALA! VIRUMBI: From 1957, he started opposing Hindi.

SHRI S. K. T. RAMACHANDRAN: S'r, - v, -3 are deviating ... *Interruptions*)

VICE-CHAIRMAN (SHRI SURESH PACHOURI): Nothing will go on record. Now Shri kulabidhu Singh.

SHRI W. KULABIDHU SINGH (Manipur:: Mr. Vice-Chairman, Sir, Shrimati Karnia Sinha was to speak on behalf of my party, but a₃ she is npt present, I want to make certain very limited observations.

 Si^{-} , the hon. Minister had stated that i.x objective of the Biil is to protect our culture against foreign, invasion. Regarding that, of course, 1 support this Biil, by and arge, bu: I want to make certain observations. Sir. the invasion of ibreiga media and foreign culture is already there even in our iSationai Channel now. So, this point of talking about foreign invasion oi our cu iiure is not very meaningful. Already the invasion is-there in all national programmes. Ali sprts of western obscenity and wester, vulgarity arevisiole. Day in and day OUL, -vi are witnessing these vulgarscenes and obscene scenes in our National Channel-2. So, this is a nice word, but practically invasion had already taken place. Moreover, I want to mention another aspect. This is the time for freedom of thought and freedom of conscience. Whatever be the invasion, if the persons who receiv? it at the receiving end, if they can only understand and appreciate the thing, this foreign invasion will not alter much of our culture.

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Secondly, Sir, Mr. Virumbi was telling ab^ut the language. Only a sentimental tussle is going on between our friends over her and our friends over there because the three language formula is alrea dy there. Noboav can prevent any citizen from speaking English. Regarding translation, Mr Sarang was making a point. Sir, the-Manipuri language was included in the Eighth Schedule the year before last We pressed for keeping an Interpreter. I have time and again requesited the a uthorities ^or the appointment of one Interpreter for the Manipuri language, but it is not permissible because of the financial limitations.' So, as there is no Interpreter for the Manipuri language in this House or irt the Lower House, we cannot abandorf speaking, in Englis I.

SHRI G. SWAMINATHAN: SkJ if there is no translation available: in one language, can a Member of? the House translate for another \Member ?

4.00 P.M.

SHRI w. KULABIDHU SINGH: Wa have been pressing for an inter-? preter. We are three Members; two-in the other House and one here. We are facing a great problem. Wher* Manipuri had been included in the Eighth Schedule of the Constitution-I do not know why we should not get an interpreter, uns is the problem.-. Therefore, 1 think those who hate Unglisa should .u. mind if people Ifee us sp-wJK in Englisn.

Thank you.

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SHRI G. SWAMINATHAN: Mr. Vice-Chairman, Sir, within the very short time available, I would like to make some points. Ofcourse, these points had already been made by some of the Members who spoke earlier, but I would throw a new light on them, if possible.

First of all, I would like to stress on one important point to which a reference had been made earlier by the hon. Member, Shri Ram Jethma-lani. He was talking about the mushrooming of cable television networks and queried as to how you were going to prevent this mushroom growth. In the Statement of Objects and Reasons of the Bill, you have outlined three objectives, i.e. curbing the mushrooming of cable television net works, stopping the cultural invasion and improving the quality of the programmes. You say that you are bringing forward this Bill to achieve these three objectives.

As has been rightly said by Mr. Ram Jethmalani, when one goes through the Bill, one does not find anything in this regard. Where are the provisions by which the hon. Minister would be able to stop this cultural invasion, for example? Where are the provisions by which you are going to achieve the three objectives outlined in the Statement of Objects and Reasons of the Bill? I have not been able to find any.

However, I have risen to support this Bill for a limited purpose. I support the Bill because you are providing for the registration of cable television operators. Even though I do not find any provision in the Bill to check the musroom growth of cable television networks or to stop the cultural invasion, about which you have been talking all along. I support this Bill because you are making registration absolutely necessary. Otherwise, if you do not have a system of registration of the cable television operators, you would not be knowing as to how many of them are there and they would be outside the purvies of this Bill. From that point of view, I support this Bill.

Then in regard to quality, if you want to maintain and improve the quality of ihe programme", youshould first of all, see that there are good programmes in your own Metro Channel. As has been said by our friend, the very things about which you are concerned wliich are being shown in the cable television-are there in your own Metro Channel. What kind of films and otherprogrammes are there in the Metro Channel? There is so much of violence. There is so much of sex. Therefore, unless Doordarshan itself acts as a model, you would not be able to control these cable television operators and you would not be in a position to stop the cultural invasion. I hope the hon. Minister would take up this matter very seriously so that Doordarshan acts as a model.

According to me, one main reason for bringing forward this Bill is the declining market share of the advertisment revenue for Doordarshan The cable television and the satellite television operators are taking a way much of the advertisement revenue because their rates are not as much as in the case of Doordarshan. That is why Doordarshan is finding itself in a difficult position. Unless Doordarshan improves its operation and does something about it, it will not be abb to improve its market share of the advertisement revenue. This seems to be one of the things which is forcing Doordarshan.

I would now like to say something about the penal provisions. Here, you are giving the powers to an of icer. This point has been made alro-ady by a Member from the Congress Party. You say here; 'tw> vein' or "one thousand rupees' and 'five

years and five thousand rupees. This has no meaning becuase when you say 'five thousand rupees', it is not status quo. One can go up to five thousand rupees. A magistrate or some judge may fine a person to the extent of Rs. 1,500/-, Rs. 2,000/-or Rs. 2,500/. Nowadays, the value of Rs. 2,500/or Rs. 3,000/- is not much. Therefore, 1 would say that you should rethink about these penal provisions. I say this because on the one side, the imprisonment is heavy and on the other, the fine is very small. There should be some equity in this. This is the point 1 would like to make in respect of this matter.

Coming to the question of a third channel, you have been talking much about it. My friend, Mr. Narayanasamy, had also referred to it. He was asking as to when you were going to introd uce the third channel. The h.n. Minister recently visited Madras. It had appeared in the Press, in the 'Hindu'. The Minister has been talking about having as many as 60 channels in Doordarshan. In this connection, I would like to invite the attention of the Minister to the editorial wliich had appeared in the 'Hindu' and I would like to know his reaction on the matter. The editorial had asked as to wnat was the meaning of the Minister talking about 60 channels when he had not been able to introduce even the third channel IA the country. This has to begone into. I do appreciate the sentiments underlying tlie Objects of the Bill.

But I feel that there are no teeth available in the Act or in the rules to implement the same. 1 feel that the order of the doordarshan credo of education, information and entertainment is not proper. The credo of the private cable networks is entertainment first, then information and the third is education. In India, more people now want entertainment because they cannot afford cinema.

Cinema tickets have be come so costly now. Entertainment is also very important for TV, and I hope Doordarshan will give good and clean entertainment to the people so that people will be very happy to <*o in for

One more thing that I will add is that the cable operators are not giving quality programmes, and also there is no competition among the cable operators. In my place there is only one cable operator who is operating. And these people have a cartel. They talk to each other and they will not allow another operator to go into that locality. The localities are divided in Madras. Suppose you are in Kilpauk, tliat locality is taken over by one cable operator. Purasa-wakam is taken over by another cable operator. So, any other man will not be allowed to go into those territories. So the house-owners do not have any other recourse except to go to that particular cable operator. So I would request the Minister to see, through these rules and the Act, that two, three competitor cable operators in each area. Otherwise, if you allow only one man, he will not be able to give quality pictures to the people. So I request that the Minister should think in terms of competition, competition in the interest of giving quality pictures to the people so that they will be able to switch over from one man to the other.

I also agree with the other hon. Member, finally, that it is not necess-, ary for Doordarshan to say that at least two channels of Doordarshan should be telecast by the cable operators. The cable operators are coming in only as competitors. So this is not necessary and th is conditio n must be removed. That is what I feel.

Generally, while appreciating the sentiments of the Minister, I feel that something more has to be do ne about the rules and the Act.

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SHRI K. R. MALKANI (Delhi): Mr. Vice-Chairman, Sir, I rise to support the Statutory Resolution moved by my good friend, Mr. Viren J. Shah. I find that this Ordinance about cable TV Network has many loose ends. These loose ends need to be tied up. I also find that it has some gaping holes, and these holes need to be plugged.

First, about the loose ends. A person may apply, but the law does not lay down how soon the decision may be taken. I think an upper time limit should be fixed here, whether the man will hear within one month, two months, three months, six months or whatever. We cannot give an indefinite, arbitrory slower to the registering authority in this regard.

Secondly, in the definition of 'r hie operator" we need to add the ords " a person who is running this activity as a "commercial activity" because some private company or some educational institution carrying on programmes shpold not be governed by this law.

Then, there should be a right to second appeal. One appeal is not enough.

Then, clause 19 says that a punishment may be imposed or a registration may be cancelled fo^r: r.sons a, b, c, or any other reason. T think this is much too vague and jivei too much opportunity of exploitation to the registering auth-city. Here it must be made clear that when registration is refused or punishment is imposed, the authority must give the grounds and record them in writing.

As I said earlier, there are some gaping holes in this law. The government has announced a programme code, an advertising code. That is fine.

But who is going to monitor these programmes? Does the Government have any monitoring authority, any agency which will take note of what is happening in the cable TV networks?

1 know, we all know, as our good friend, Mr. Narayanasamy has poin ted out, that there are cable TV net works in India putting out program mes prepared by Pakistan, propaganda programmes on Kashmir etc. What is the Government doing about it? This Ordinance, this law, has been in operation for almost three months now

Is the Government aware of Ihis programme? Has it taken any action If not, why not? So, unless their is a monitoring authority, monitoring agency, just prescribing a programme code is pointless.

Secondly, this kw lays down that the applicant will have to be an Indiau citizen. That is okay. But, this law also permits that 49 per cent of the . equity may be owned by foreigners Is there not a serious contradication between these two provisions?.. (Interruptions)

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Order, please. Yes, Mr. Malkani.

SHRI K.R. MALKANI: It can very well happen that "foreig aers controlling 49 per cent of the equity will be the real masters, and the other shareholders may have 1 per cent,

2 per cent or 5 per *cent* of ic. So, ihe application nay come from an Indian, but it will be practically a *oenami* transaction. If the Government is serious about keeping out all foreign influences in this matter, I would suggest that they come out frankly and say that it will have hundred per cent Indian equity. What to talk of 49 per cent, they should not be allowed even 4 per cent. If you are serious about protecting our national life our culture etc., then, this is a much

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I am glad that the Prime Minister yesterday said that we should be careful about too much foreign capital coming into wrong kinds of fields. This- is one field where foreign capital will be very wrong. So, if the Government is serious about keeping these undesirable influences, foreign influences out, then, the equity must be IOO per cent Indian.

There is a strange provision in this Ordinance. It does not cover programmes issued by cable TV networks if these programmes originate in some foreign countries. Government seems io be under the impression that ifsome;hing originate.* abroad, it cannot be controlled here It can be under the law. The reality is that these foreign cab'e networks and foreign TV networks nave been blatantly violating international, tele communication agrecemeai"s. Here I would like to quote my good friend, Mr. Krishan Lal Sohni, who has done a study of foreign media invasion of India. He makes it very clear. He says.

"Under international telecommunication agreements, TV signal has to be broadcast on a particular frequency band called "C band" or a very high frequency of "KU band" with the proviso that footprints of the transmission must remain within the country of its origin. It can spill over to withbouring countries only casting under the "C band" which is a telecommunicat Star TV and other Typenay, seemed telecasting to dozens of countries without so much as by your permission. This is a clear violation of international telecommunication agreements.

I hope the Government takes note of it. I am sorry to say that the

Government has shown a certain lack of vision and a certain lack of will in handling this and related matters.

Thank you very much, Sir.

श्री जलाल दोन श्रंसारी (बिहार)ः उपसमाध्यक्ष महोदय, जिन उद्देश्यों को यह िबल लायां गया है स्रोर उसमें जो प्रायमा हैं, उन प्रावधानों को देखने थे पना चनता है कि उद्देश्यों की पूर्ति नहीं होने वालो है। यह स्पष्ट है कि विदेशो मोडिश के जरिये हमारे को जाएउ कि वरम्परा रही है, जो हतारी सास्कृतिक विरासतें हैं, उन पर अतिकाम किया जा रहा है । तेकिय ्साल्क्षविक जिल्लाकश्य को रोकने के तिथे इसारी यक्कार को जो इच्छा शक्ति दोनो चाहिये. घर दच्छा शक्ति हे ही नहीं और इसके पाछे करण यह है कि जिस उदार नीति का इस्होंने पालन किया है अर्धिक क्षेत्र में, वह भाषिक क्षेत्र तक ही सोमित नहीं **रह** गया है, हमारे संस्कृतिक, गैक्षणिक, साइस एंड टेक्नालांजी के क्षेत्र में भो उदारनाबाद को नोति ने ग्राज हमको यहा तक पहुंचा दिशा है कि हम विदेशों मंग्रियां के अतिक्रपण को रनेकने में भिक्त है हो : ा लाये हैं. उसके जो भा ना १७३८ है। उनको यदि देवा जाने को 😘 🦠 🐪 को ना नियं-़है। दूतरो बात है कि अन्य केंन्य टेनोनियन नेट ंस्त्रेट एक्ट, ं 1943 को लाये हैं कुछ याणा वार्ते **जरूर** हैं लेकिन जिस दिन बिल पेस किया जा रहा था, उस दिन भी यह मांग उठायो गयी थी कि कोटी की व्यवस्था विधेयक के ग्रन्दर होनी चाहिये। जो रूल्स फ़्रेम

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किये जायें, वह विधेयक के अन्दर हों। भ्राप कहते हैं कि केबल आपरेटरों का पंजीकरण पोस्ट श्राफिसिस में किया जायेगा तो इस तरह के जो केटल ग्राप-रेटर्स होंगे, इनकी दिवा क्या होगी? हम यह समझते हैं कि जिन केबल अ।प-रेटर्स को ग्राप ग्रपने काम में लेना चाहते हैं, उनका पंजीकरण तो होना चाहिये लेकिन उनके लिये : एक विशेष प्रशिक्षण श्रीर विशेष शिक्षा की भी व्यवस्था होनी चाहिये ताकि वह एक निश्चित दिशा में केबल ग्रापरेटर्स के रूप में दु दर्शन कार्य-कमों को दिखाया करें। उनकी एक निश्चित दिशा हो । यह दिशा विहीन कौन-सा कार्यक्रम दिखायेंगे ? दिशा-विहीनता से काम नहीं चलेगा इसलिये हमरा यह प्रारोप है कि हमारा दूरदर्शन उपभोक्ता संस्कृति का शिकार हो गया है और हमारे मिलों ने सही कहा कि जो भी प्रोग्राम दिखाये जाते हैं, उसके बीच में यह विज्ञापन दिखाते हैं जिसकी वजह कार्यकमों का तारतम्य ट्ट जाता है ग्रीर उपभोक्ता संस्कृति का शिकार यह दूरदर्शन सही सायनों मे शिक्षा का काम या प्रचार का काम नही कर सकता है और विदेशी उपग्रहों के माध्यम जो हमारि मीहिश ५२ क्टिक्सण किया जा रह। है, अश्लील गाने दिखाये जाते हैं, ग्रास्थील चित्रों को दिखाया जाता है, उस पर रोक जगाने के विधे इनके पास कोई ऐसी व्यवस्था नहीं है। हम समझते हैं कि आप भारतीय परम्परा रक्षा करते हुये नयी पीड़ो को पाश्चत्य सभ्यतः के दुर्गणों (विदेशी) से बचाने के लिये केंद्रल नेट थर्क का प्रोग्राम

हो, इसको इतना मजबूत बनाइये, इतना प्रभावशाली बनाइये ताकि वह हम पर ग्रतिक्रमण कर रहे हैं, हम उनको रोक सकें। इसके लिये कानून में भी व्यवस्था। होनी चाहिये, यह हमारा सुझाव है। इन्हों शब्दों के साथ मैं प्रपनी बात खत्म करता है ।

شرى جلال الدين الفياري «بهراره

تو ودليشا دمينتا سيكام نهين چلي كا-اس كئة ہمارا یہ آروب ہے کہ ہمارا دور ذرشن یاجا تاہیے ۔ اس میدروک لسگلے یئے ان کے پاس کو ٹی ایسی ویوستھا

بهنها ویا ہے کہ ہم ورستی میڈ یا رونس فریم کئے جاتیں - وہ ورھیک کے

کرس اُن کی ایک ستیمت و شما ہو ۔ یہ و شا وبن نوك كونسما كاربي كرم وكمعائي سك،

ओ मलचन्य मीया (र⊦जस्थान)ः उपसभाध्यक्ष महोदय, मंत्री जी द्वारा केवल टेलीविजन नेटवर्क विल 1993 प्रस्तुत किया गया है। मैं इसका समर्थन करतः। हं । पिछले कुछ वर्षो में हिन्दुस्तान पर इसका ग्रसर हमा है। संस्कृति के ऊपर ही यह हमजा नहीं हे बल्कि आर्थिक और राजनैतिक हमले की भूमिका भी इस से बंधती है । पिछले दिनों यिदेशी संस्कृति के वर्नस्व जमाने के प्रनेक कदम उठे हैं। अनेक तैयारियां चल रही हैं। अिदेशी भ्रखबारों के प्रवेश के लिए देश के अंदर बहुत वहस हुई है लेकिन विदेशी जो फिल्में हैं, विदेशी टी.वी. कम्पनियां हैं उनके प्रवेश के ऊपर चर्चान होने के कारण ग्राज यह विश्वेयक लाने की ग्रावश्यकता पड़ी है। पिछले मई महीने में ग्रमेरिका की कम्पनी इस देश के अंदर सी.आई.सी. नाम से म्राई थी। वह ग्रंपनी देश के ग्रंदर 43 शाखाये खोल चुकी है ग्रौर 2100 करोड़ स्पए सम्लाना का कारोबार है। यहराष्ट्रीय विदेशी कम्पनियों का एक ही उद्देश्य रहता है कि जिस कारोबार को ग्रपने हाथ में लेते हैं उस कारोबार को विलय,श्रधिग्रहण, गटबन्धन, ग्रनबन्धन ग्रादि के जरिए वर्चस्व स्थापित करनो उनका एक मात्र उद्देश्य रहता है। ग्राज इस देश के ग्रंदर जो केवल टी.बी. भ्रापरेटर्स हैं, छोटे ग्रापरेटर्स हैं उनके ऊपर श्रपना प्रभृत्व जमाने के लिए, उनको खरीदने के लिए एक ऐसी योजना कम्पनियों के द्वारा बनाई गई। इसी के लिए मंत्री महोदय द्वारा यह अध्यादेश सितम्बर महीने में लाया गया और यह पार्लियामेंट से पास कर क्रिधेयक बन जायेगा । लेकिन देर में ही सही ग्रापने इस विधेयक को लाकर छोटे केवल ग्रापरेटर्स की सुरक्षा के लिए कदम उठाया है। विदेशी टी.वी. नेटवर्क द्वारा कुछ ऐस कार्यक्रम दिखाये गये हैं जो हमारी संस्कृति से मेल नहीं खाते । जो हिन्दुस्तान के रहत-सहन हिन्दुस्तान की कल्चर से मेल नहीं खाते। भ्रवांछनीय प्रोग्राम देखने को मिलते थे। इससे हमारी जो मुल संस्कृति थी, उसकी जो भावना थी उस पर एक प्रकार से हमला उन कार्यक्षमों के माध्यम से हुन्ना है। यह हमें पाश्चात्य संस्कृति की

म्रोर झका लेती है। जो हमारी नई जनरेशन है, जो छात्र वर्ष है वट स्कूल के बाद रोज टी.बी. से विश्वका रहता है विदेशी नेट वर्क के बाध्यन से जिन्हें हम ग्रक्षोभनीय दृश्य कहते हैं, हमारी संस्कृति में जिनको बुरा भाना पाता है उनको दिखाया जाता है। इसका प्रभाव हमारे यहां के छात्रों पर, श्राने वाली नई जनरेशन पर पड़ता है। उनको रोकना बहुत अरूरी था। इसलिए मेरा कहना है कि मली महोदय का उद्देश्य ग्रच्छा उद्देश्य है। ग्रब से पहले जो केवल टीवी नेटवर्कका प्रचलन था वह किमी तरह से नियंत्रित नहीं था। गंदी से गंदी फिल्मों को भी केवल टी.बी. नेटवर्क के माध्यम से दिखाई जाती थीं। आज से इस विधेयक वनने के बाद इस पर रोक लगेगी। क्योंकि केबल टी.वी. ग्रापरेटर्स को ग्रपना रजिस्ट्रेशन कराना पड़ेगा । रजिस्टेशन की व्यवस्था इस विधेयक के ग्रंदर की गई है। साथ ही जो हमारी संस्कृति का अतिक्रमण करेगा, जो हमारी संस्कृति से मेल नहीं खाती उनको दिखाने का प्रयास करेगा, बिना स्वीकृति के केबल टी.बी. ग्रापरेट करके दिखायेगा उसके खिलाफ दंड की व्यवस्था भी इसके **ग्रंदर** की गई है। इस दिल में यह भी व्यवस्था है 🖟 स्रवांछनीय कार्यक्रम नहीं दिखाये जायेंगे। इसको कार्यक्रम कोड धारा-5 के श्रंदर बताया गया है। कार्यक्रमों के नियमों को अंम-बद्ध बनाकर प्रस्तुत किया जाएगा, जिसमे लोगों को वास्तविक रूप से टी.वी. से जो ज्ञान प्राप्त होना है वह हो सके। दूसरा, विज्ञापनों को ग्राज केवल टी.वी. वाले जिस क्ष्म से प्रस्तुत कर रहे हैं, जिनको इसमें दिखाया जा रहा है, हमारी इच्छान होते हुए भी जो विज्ञापन पँसा कमाने की इच्छा से इस तरह से दिखाये जा रहे हैं, उसका हमारे ऊपर गलत ग्रसर पड़ रहा है। इसी को ध्यान में रखते हुए इसको नियमित इस विधेयक के माध्यम से किया गया है। इसमें व्यवस्था है कि जो भी विज्ञापन दिखाया जाएगा, उसे पहले दिखाया जाएेगा ग्रौर स्वीकृति मिलने के पण्चात ही दिखाया जा सकेगा, उसके बाद ही उन विज्ञापनों को प्रसारित किया जासकेगा ।

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महोदय, केंत्रल ग्रापरेटरों की सुरक्षा को भावना रो यह बिल लाया गया है। इसका मुख्य उद्देश्य यह है-क्योंकि जो छोटे केबल श्रापरेटर्स हैं उनको बड़ी बहु-राष्ट्रीय कंपनियां देश के अंदर अधी हैं, वह उन्हें ग्रपने कड़ने में करने के लिए इनको उनसे खरीद लेती हैं और श्रपने इच्छानुसार पैसा संस्कृति बनाने वाली फिल्में इस नेट-वर्क के माध्यम से दिखाना चाहती हैं। ग्राज इस देश के अंदर 10-15 टी.वी. चैनल हैं। लेकिन धीरे-धीरे वढ़कर, 1995 में ये करोब 50 होने जा रहे हैं। इसलिए इस पर प्रतिर्बंध लगाना बहुत श्रावश्यक हो गया था। इससे केवल आपरेटरों को सुरक्षा के साथ-साथ इस देश की संस्कृति को सुरक्षा भी होगी। इसलिए मैं इस बिल का समर्थन करता है।

महोदय, इसके साथ ही मैं यह भी कहना चाहता हं कि जो श्रवांछनीत कार्यक्रम अब तक इन केबल टी.वी. नेट वर्क के माध्यम से लोगों को देखने के लिए मिलते थे; उस पर इस विल के माध्यम से जो प्रतिबंध का प्रावधान आपने इस बिल के मध्यम से किया है, मैं यह मानता हं कि इससे अवांछनीय कार्यकर्मी से हमारे लोगों को सूरक्षा मिनेगी । ऐसे कःर्यक्रम देखने को नहीं मिलेंगे जिसते हमारी संस्कृति पर कोई हमला होता हो। साथ ही इस बिल के म्रंदर म्रापने यह भी ब्यवस्था की है कि केंद्रल ग्रापरेटर्स टी.बी. नेटवर्क में जो भी उपकरण लगायेंगे वे सब भारकोय मध्नकों के होंगे। ऐसा प्रावधान करने से जो ऐसी कंपनियों हैं जो इन पर ग्रपना वर्षस्य कायम करना चाहती हैं ग्रीर भ्राने उपकरण सन्ताई करना चाहती हैं, उनके इनको बचाने के लिए प्रापने यह प्रावधान किया है। यह कदम भी स्वागत योग्य है। मैं इस जिल का समर्थन करता हं और मंत्री जी से अनुरोध करता है कि मंत्री जी ने जिस भावता के साथ इस बिल को प्रस्तुत किया है उसी भावना से वह तत्परता से इसको लागु करें; इन्हीं शब्दों के ाथ मैं अपनी बात समाप्त करता है।

श्री दिग्विलय सिंह : (बिहार) :उप-सभाध्यक्ष जी, ग्राज से दो-तीन साल पहले जब हम लोग इस उदारीकरण का विरोध कर रहे थे, जो भ्राज की सरकार चला रही है तो हमारे बहुत से लोगों को, खास करके जो कांग्रेस के लोग हैं उनको हमसे वड़ा विरोध था। हमने कहा था कि सरकार चाहे तो "एम" टी.वी. थ्रौर स्टार टी.बी. चलाए लेकिन ग्रगर यह संस्कृति चलानी है, स्टार टी.बी. चलाना है तो सीता और साविती सस्कृति इस देश में नहीं चल पाएगी । उस समय कुछ लोगों को यह मजाक लगता था। लेकिन मुझे खुशी है कि ग्राज सरकार खुद इस बात को सोचने पर मजबूर हुई और उन बातों को ध्यान में रखते हुए ग्राज इस प्रकार का एक बिल सरकार ने सदन में पेश किया है। लेकिन यह जो विल प्रस्तुत किया गया है यह बिल भ्रयने न्नाप में बिल्कुल श्रध्रा है। मेरी समझ में यह बात नहीं माती कि सरकार के किस विभाग ने, कानुन के किस दायरे में इस बिल को बनाया है और किन प्रयासों से उस मजिल तक सरकार पहुंचना चाहती है जो सरकार इस बिल में कहारही है। ग्रभी ग्रवानक सारा जो कुछ मामला विगड़ा है, दूरदर्शन से या श्रोपन स्काई नीति से इसका एक अहम मुद्दा सरकार के सामने द्यौर इस सदय के सामते है।पाकिस्तान द्वारा ऐसे प्रचार माध्यम ग्रयनाए गए हैं जो इस देश में नहीं दिवाए जा सकते हैं। द्वियां को कहते से रोकते के लिए सरकार समज्ञती है कि यह तरीका उनके लिए सही तरीका हो सकता है।

माननीय मंत्री जी, मैं भी कभी-कभी पाकिस्तान टेलीविजन देख लिया करता हं। सारी बातों को छोड़ दीजिए, एक श्रोग्राम पाकिस्तान टेलीविजन पर आता है. उसमें भ्रापके सेंसर बोर्ड से पान किए हए दो कार्यक्रम ग्राई. विटनेस ग्रौर भ्यूज ट्रेक हैं। भारत विरोधी कार्यक्रम में इन दो नाध्यमों से जो श्रापके सेंसर बोर्ड द्वारा पास किया हुन्रा है, वह प्रसारण देखने के बाद ऐसा लगता है कि पाकिस्तान श्रपने कार्यक्रम में न सिर्फ सफल सिद्ध हो रहा

[श्री दिग्विजय सिंह]

है बल्कि दुनिया में जहां हम पाकिस्तान का विरोध करते हैं, वहां हमारे पास कोई जवाद नहीं है। भारत के सेंसर द्योर्ड के द्वारा पास किया हुआ कार्यक्रम पाकिस्तान के पक्ष में जाता है, भारत के विरोध में जाता है। ग्राप इस वात की गम्भीरता को समझने की कोशिश कीजिए। उदारीकरण की जो हवा बहाई जा रही है, उसका ग्रसर सिर्फ पाकिस्तान ग्राँर हिन्दुस्तान का मामला नहीं है बल्कि उसका ग्रसर दुनियां की उन बड़ी-बड़ो ताकतों के पास हैं जो पाकिस्तान ग्रीर हिन्दुस्तःन को लड़ा कर दुनियां में अपना वर्चस्व बनाए रखना चाहती हैं। इसलिए हमने शुरू में इस उदारीकरण का विरोध किया श्रीर यह कहा था कि इस उदारीकरण से इस देश क्य कोई हित होने वाला नहीं है। इसको आप समझने की कोशिश कीजिए। मुझे खुशी है कि स्रापने इस दिशा में थोड़ा बहुत प्रयास किया है। लेकिन इस विल में बहत कम ताकत है। क्या होगा इस बिल के माध्यम से ? कहां रोक पाएंगे. कितनी ग्रापकी सीमा है ? इस बिल में में जो ताकत होनी चाहिए थी, उस ताकत भ्रौर बल का भ्रभाव मुझे दिखाई दे रहा है। यह बात सही है कि ग्राप इसको थोड़ा रेगुलेट कर पाएंगे। थोड़े समय के लिए ग्रापको पता चल जाएगा कि कितने केवल भ्राप्रेटर्स इस देश में काम कर रहे हैं, कितने लोग क्या कर रहे हैं। लेकिन भ्राज जो प्रसारण हो रहा है इस देश में, मैं सदन में बैठे हुए माननीय सदस्यों से पूछना चाहता हूँ कि क्या कोई भ्रपनी मां-बहन के साथ बैठ कर इन कार्यक्रमों को देख सकता है ? मां-बहन की बात तो जाने दीजिए, श्रपनी पत्नी के साथ भी बह कार्यक्रम नहीं देखे जा सकते हैं। सरकार ग्राज छोटे ग्राप्रेटर्स को इस दिल के माध्यम से रोकने के लिए; केवल ब्राप्रेटर्स को रोकने के लिए भी परेशान है। जो मंत्री जी यह विल लाए हैं; वह इस का ज्वाब दें। मैं ऋापसे गुजारिश करूंगा कि भ्राप ऐसा बिल लाएं जिससे इस देश की संस्कृति, सभ्यता को बचाने

Cable TV Networks 1993

का काम करें। इसी उदारीकरण का नतीजा. फिलिपींस ग्रीर थाईलैंड में जा कर ग्राप देख सकते हैं फिलिगींस के प्रधान मंत्री को ग्राज सं कुछ दिन पहले कहना पड़ा कि इस उदारीकरण नीति का ग्रसर यह हुन्ना कि हमारा सारा देश वेश्यालय बन गया। यह मैं नहीं कह रहा हं, यह एक राष्ट्र का प्रधान मंत्री कहता है कि इस उदारीकरण की **नी**ति का उनकी संस्कृति पर यह असर हो रहा है। कहीं ऐसी नौबत यहां न ग्रा जाए। सिर्फ इतना कहा जा रहा है कि विदेशी पैसे का इतना इस्तेमाल हो रहा है कि भारत के प्रधान मंत्री यह कहने लगे कि इसका सद्पयोग नहीं हो रहा है, दूरपयोग हो रहा है। भ्राप जिस विभाग के मंत्री हैं, इस ^{पै}से का पहला भ्रसर इसी विभाग पर होने वाला है। ग्रखबार खोले जा रहे हैं, बड़े-बड़े लोग जिनके पास दौतत है, ताकत है, इस काम में स्ना रहे हैं जहां हमारी संस्कृति श्रौर सभ्यता को नष्ट करने का काम किया जाएगा। मैं इस बिल का जहां एक स्रोर समर्थन करता है, वहां दूसरी थोर सिर्फ एक ही बान की गुजारिश **करता है कि आप इस बिल के बारे में** फिर से सोचिए श्रौर जल्द से जल्द, महीने दो महीने के ग्रन्दर कोई ऐसा ताकतवर बिल लाइये जिससे यह भग सके कि भारत सरकार ग्रपने सांस्कृतिक नियमों को संसादित करना चाहती है और सुचारू सांस्कृतिक नियम बना कर इस देश की संस्कृति और सभ्यता को बचाने का प्रयास करना चाहती है। इन गब्दों के साथ मैं ग्रापको धन्यवाद देता हूं।

SHRI ABDUSSAMAD SAMA-DANI (Kerala): Sir, J would like to make an important suggestion to the discussion going on, t iat is to solve the problem of the cultural invasion brought by our television system. I would like to call it peculiar kind of cultural • slavery. Most of these TV programmes are leading our youth to a special type of cultural slavery which will be not in the interest of the country and the people. This is the basis of the problems

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which have been highlighted by the Honourable Members who spoke here. Most of them were referring to the problem of the moral degradation contributed by our TV. In fact, that is a grave reality. My humble view is that this happens because of the absence of a correct concept of art. A living nation, must have a concept of art of its own. Then only will it be able to reform our cultural fields including our Television system at the national level. Nowadays what is going on? If we have a look at it, if we are ready to make an inquiry into the police cases registered in the past, we will be able to find that the Chief villain behind most of the cases is our cinema and our TV programmes in which all the dangerous elements are being promoted and propagated, These people have no idea of art, they have no idea of morality, they have no idea of our most cherished spiritual values. Let us examine the case of the noon-shows and the midnight films that are shown on Doordarshan. They are nothing but the imitation of the western culture. It is okay that the western civilization has got its merits; there is no doubt about it. It has its spirit of inquiry. It has a central alertness. It respects freedom of expression and promotes harmony. But unfortunately in eastern countries like India, we are imitating the demerits of the western culture. I want to make one point clear, Sir, that these TV programmes shown nowadays are making our youth criminals. Mahatmaji's approach to art is not worthy in this regard. For him, art was life itself. I want to make a request to the hon. Minister: Kindly do the needful to arrange for the formulation of a correct concept of art for our television. At least form a body of experts for this purpose. Through art we must be able to see the realities of life, i.e. the aim of art must be to make life exuberant and powerful. One thing more, Sir, I want to

emphasise, that wine is promoted and woman is misused. In the T.V.'s programmes, woman's dignity is burried. She is depicted in a very bad manners. She is made on instrument for sexual anarchy. There are so many organisations in our country which are sheiding tears for the cause of women, most of them are silent in this regard. It is a hard truth that woman is humiliated in the name of art. Here, I am reminded of a verse written by the great, renowned world poet and Philosopher Allama Iqbal:

That is the case of these socalled artists.

Therefore, my humble request is that all these problems the problem of liquor the wide publicity given to it through advertisements, and the humiliation of the woman-folk should be solved immediately and these tendencies are to be controlled strictly and provisions are to be made in the Bill to check this cultural degeneration and moral decay.

भी शारदा महन्तीः (उड़ीसा) उन्सभाध्यक्ष महोदय, मेरे बहुत से बंध इस बारे में बोल चुके हैं। में दो तीन बातें बोलंगा। पहले तो जिस मंशा ले मंत्रीजी यह बिल*ा*। सही ढंग से इस्तेमाल करना है। मेरा यह पहला अन्रोध है। दूसरा ये है कि जो "जी" टी बी. है या केबल टी.बी. है उसमें बहुत सी चीजें दिखाते । बहुत अच्छे इपीसोडस भी आ रहे । मगर एपीसोड के लिये केवल पांच मिनट देते हैं भ्रौर दस मिनट एडवर्टा-इजमेंट देते हैं । शराब का एडवर्टाइज-मेंट इतना ज्यादा होता है कि बोल नहीं सकते । एक मिनट के अन्दर एपीसोड दिखाते हैं फिर शराब का एडवर्राइजमें "जी" टी.घी. "स्टार" टी.वी. या बी० बी०सी० ये सब जो बच्चा-बच्ची लोगों

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शारदा महन्ती]

के पढ़ने का टाइम होता है उस टाइम दिखाते हैं । वे लोग पढ़ाई छोड़ देते ेटी०वी० देखने लगते हैं। हर घर में देखिये जहां "जी" टी.वी. स्टार टी०वी० है या दूसरा टी.वी. है ये सब देखते हैं। टी०वी० की मंशा क्या है ? ग्राम ग्रादमी को सिखाने के लिये. सभाचार देने के लिये टी.वी. है। मगर दूसरा दिखाते हैं। बच्चा लोगों की पढ़ाई तो खराब होती है .. । उन का चरित्र भी नष्ट हो ज्ञाता है ग्रीर जो नंगा नाच दिखाते हैं वह भी चरित्र नष्ट करता है । कोई क्वेश्चन मी पुट करते हैं तो क्वे*ात* पूट करना श्रव्छा है, जो श्राम श्रादमी या सब शादिभियों को जानना चाहिये ।

यह जो शराब का एडवर्टाइजमेंट साब्त का एडवर्टाइअमेंट है या अन्य ऐसे एडवर्टाइजमेंट्स भाते हैं, एपीसोड खत्म हो जाता है लेकिन उसका क्या ग्रर्थ होता है वह हम लोगों को समझ में नहीं च्रात। है। मंद्री जी, यह जो शराब का विज्ञापन है इसको बन्द करना बहत जरूरी है। भ्राप एपीसोड दिखाइये। एक ग्रीर बात हम भूल रहे हैं मेंड्रो चैनल में "श्रीकृष्ण" एपीसोड दिखा रहे हैं। श्राधे घटे का टाईम है, मगर 20 मिनट का एडवर्टाइजमेंट ग्रीर 10 मिनट का "श्रीकृष्ण" बीच में दिखाते हैं। यह सब बन्द करना चाहिये। श्रीकृष्ण दिखाना महाभारत दिखाना है, रामायण दिखाना है या दूसरे जो बड़े-बड़े मनीषी हैं उनकी कोई चीज दिखानी है, तो फल टाइम दिखाइये । एडवर्टाइजमेंट मत दिखाइये । पैसों के लिये बच्चों का चरित्र नष्ट करना या अपने आदिसिधों का चरित्र नष्ट करना, यह टीक नहीं है। विज्ञापन वह पैसा कम।ते हैं। मंत्री जी ने रेक्बेस्ट है कि यह सब बन्द फरना चाहिये और इसकी जो मंशा है उसको पूरा करना है और उसका हम समर्थन करते हैं।

धन्यवाद ।

SHRT S. S. SURJEWAIA (Haryana): Mr. Vice-Chairman, I want to congratulate the young dynamic Minister for bringing in this legislation which is, in fact, very important. At the same time, I would like to say that the Bill, which has bean introduced and is being discussed, is not a complete legislation. Probably, it has been framed in a great hurry. I think in future a lot of gaps have to be filled up. There are a number of loopholes, for instance, the methodology for controlling the various programmes, which the cable TV operators are going to display or which they can display on their network, has not been provided in the Bill. The Minister or the Government may try to provide the same in the rules. Unless broad outlines are given in the Act itself, I don't think they will be able to control them or to make any specific provision through the rules for controlling them. Nobody can define what is to be permitted to be broadcast or displayed through the cables because the list will be very, very exhaustive. The broad outlines as to what negative is to be prevented or which cannot be displayed or allowed to be exhibited have not been given. It has only bssn mentioned about the advertisements tliat they are also likely to be controlled. But how the Government proposes to control them has not been mentioned. It is known to everybody with the that, economic liberalisation in the country, the floodgates have been opened for cultural invasion of the country through the media in general and the electronic media in particular. The economic liberalisation and other things are welcome because we cannot, as a nation, live in isolation. Various sections of the House have expressed their views about the programmes and the advertisements. The multinational companies and other commercial organisations in the country are giving

advertisements of all kinds of junk commodities and articles which are not desirable and which have led to a boom in consumerism in the country. And it has further Jed to great distortions economically and socially. Mr. Vice-Chairman, Sir, even sex is being used, rather misused verv Ail kinds of advertisements of flagrantly. intoxicants, cig-rettes, cloth and other consumer article are being displayed with impunity. Probably one of the reasons is that our electronic media has not been able to create a network in the country, has not been able to prepare programmes which can fulfil the aspirations of the people of this country. There is a complete lack of technical and cultural institutions where people can be trained where writers can be encouraged and where folk programmes, folkmusic, folk songs and folk stories can be prepared to fulfil the aspirations of the regional people. I would like to request the Minister that he should give greater emphasis on the programmes of regional culture and try to create a network in the country so that the people, instead of depending entirely on the cable television and foreign media, can depend more on the local media. Sir, there is always a tendency on the part of the administration to take advantage in the name of control or in the name of putting restrictions. There is all the likelihood that officers and local political the local bosses might try to give licences to those companies which are run by their own people and junior officers also can try to people to harass the distort money. Television .Network means a The Cable lot of employment opportunities. no provision lias been But. made about the selection. There is no mention in the Bill as to how many cable connections would be given to one town or one city and what criteria will he there to give

licences. There are many loopholes. I hope, the hon. Minister will try to fill up all the loopholes.

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Thank vou.

SHRI VIREN J. SHAH: Mr. Vice-Chairman, Sir, I am not rising to reply to the debate because the hon. Minister has yet to make his speech. I will spsak two sentences for the hon. Minister's attention-Sir, while replying would the Minister be kind enaugh to give us the real reason for this Ordinance ? I must say with great respect that the explanatory statement which he has given is totally unconvincing. They have taken one and a half years. I would like to know why the Ministry could not move it during the last several Sessions. Is it something like the Prasar Bharati Act which was passed and which became law one and a half years ago and has not been implemented so far ? Is there something wrong with the functioning of the Ministry? Sir, I will reply to the debate after tne hon. Minister's speech.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): Mr. Viren Shah, as per the rule, if you want to move your Resolution now, then you are welcome.

SHRI VIREN J. SHAH: I think, as per the rule, it is only after the hon. Minister has replied to my points that 1 should move or withdraw my Resolution.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): You are required to speak before the Minister.

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SHRI VIREN J. SHAH: Are you sure, Sir? I had spoken on a number of Statutory Resolutions. The Minister has to reply to what I have said. Otherwise, how can I deal with it? I have made my statement to begin with wherein I have brought out several points. So, unless the hon. Minister had dealt with them, how can I make my responding statement? This is what has happened in the case of previous Ordinances too. This is not the first time that I have moved a Statutory Resolution. Anyway, I shall be obliged to know what the rule says in this regard.

DR. BIPLAB DASGUPTA

(West Bengal): There is one clarification which is very important. The amendment which has been proposed in clause 5 seems to be a sort of odd. Unless we know the purpose behind moving this amendment, it will be very difficult for us to make a decision on this. How can we respond unless we know the mind of the hon. Minister on this particular aspect as well? I do not know what the formalities are. But our task will be made much simpler if the Minister would be kind enough to clarify one or two issues which were raised verbally or which have been moved in the form of amendments. Only then will it be easier for us to handle these issues and, perhaps, the hon. Member also can respond.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): The rule says: "The mover of a Resolution has the right of reply. But he has to protect his right by rising in his place and the Speaker does not undertake the responsibility of ascertaining in every case, before putting the question, whether *the* mover wishes to speak in reply. In case of Private Members' Resolution, the debate is treated as concluded after the Minister's speech if

the mover of the Resolution is not present to reply to the debate." Okay, Mr. Minister.

THE MINISTER OF STATE OF THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI K. P. SINGH DEO): Mr.

Chairman, Sir, my very good friend and a very old colleague of mine, Mr. Viren Shah, wanted me to give the real reason for issuing this Ordinance. The real reason is what I had stated. But since he is not convicted, I shall try my utmost to convince him because he is a very difficult person to convince. Sir, I will have to take a little of your time and I crave your indulgence. Sir, this Ordinance did not come all of a sudden nor has it been brought with any ulterior motive.

And, for this, I would like to go back to 1989. The advent of Cable TV Network in this country is attributed to No. 1, the high cost of the playback facility of the VCR and the VCP and No. 2, the availability at the turn of a switch of the additional operation to the viewers of the kind never available to them in as dramatic a fashion as coverage of the Gulf War by the American Network, the CNN and the advent of telecast of the programmes of any foreign TV netwols. I am deliberately not naming any of them for obvious reasons. The net result of development was a haphazard mushrooming of cable TV networks in the country. Whether we admit it or not whether we like it or not, the fact is that it is what has happened. This unregulated growth prompted a detailed analysis of the issue and the possible ways to bring some discipline in this area. At present, the only provision relating to any regulation of TV networks

exists in the Indian Tclegra 'h Rules 1951 under Rule 44.72 whirl rotates:

"Any person, may. wji't "- licence establish, maintain and work a telegraph, not being a wireless telegraph within the Ii tn il, of a single building or estate.

provided that no teleg" ph line pertaining to the telegraf s shall pass over or under a publi road "

Accordingly, cables am ing TV signals which have to crorr. a public-road require a licence \ un the Department of Telec-o¹ munica-tions which is the telegraph authority in the country under ti Indian Telegraph Act, 1985. CerU \ rules have been framed under the 'ct and some sections of the Act 1 \.\vertvee been amended from time to time.

The then Minister of Information and Broadcabiitig appoin-ed m Inier-Ministerial Committee in June, 1989 to study the various aspects of c?ble TV networks and dish autcuiu systems in the country and to make suitable recommendations. The Co nmittee submitted its report in Februai y, 199'. The niatter was initially K amined by the Department of Telecom munica-tions as well as the Ministry of mform-ation and Broadcasting. Therefter, it was decided on 3-9-1992 in; Committee of Seci etaries tliat the matter should be processed by Information the Ministry of and Broadcasting. The Inter-Ministerial Committee recommended that the cable TV networks should be permitted to operate within a carefully regulated framework. This was again e. amined by the Ministry of Informal >n and Broadcasting and by a Cu nmittee of Secretaries and on 20th October, 1992, it was decided to set up an Ir_rtex-Ministerial Group on-, again under the chairmanship of l. -.-. Addi-ricijaj Secretary, Department if Legal Affairs, to examine the nece sity of enacting A law for the regulation of the

cable TV networks. The main intention was the regulation of TV networks because no Central law existed at that time. Till the ordinance was made, no Central law existed excepting the 1885 Telegraph Act. The Committee also decided that in view of the practical difficulties involved, there should be no licensing of TVRLs (?) as well as dish antennas except in specified areas such as those near the international borders. Then, the Group also made certain recommendations. First is the mandatory licensing of cable TV networks for the time being. The second is, protecting the interests of consumers and this can be achieved by framing a separate skeletal law covering all aspects of law, i.e., hardware and software of the operations of the cable operators. The third is that the skeletal law should require the cable networks to conform to the provisions of the existing laws such, as the Cinematograph Act, the Copyright Act, etc. Jn addtion, advertisements on such net'vorks should also conform to the various codes of advertising already invogue. Monitoring of operations of cable TV networks would be done by the existing enforcement machinery without having to set up a separate infrastructure for this purpose. The fifth is that the technical performance" specifications of cable TV networks at-1 the headend, trunk feeder system and r the standardisation of cable equipment at the subscribers 'end should be specified by the Bureau of Indian Standards.

Sixthly, punishment for voilation of provisions of individual laws is to be under the respective Acts. In all other cases, the voilation of the new could be made punishable with fine or with imprisornment up to five years or both.

This was again examined.....

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5 P.M.

श्री संघ श्रिय गीतम (उत्तर प्रस्म) : वाईस-वेयरमैन साह्य, श्राज हमारे एक साथी एम.पी. के बेटे की जादी है और उसमें हम सब लोग जा रहे हैं। कुछ कले गये हैं। यह विषय समाप्त होगा नहीं क्योंकि उन्हें बोलना है, इन्हें बोलना है इसलिये श्राप हाउस को एडआर्न कर दें और इसे कल ले लें। महोदय, पहले ही हाई घटे हो गये हैं जबकि 2 मटे इसके लिये एलाट किये गये हैं। हाई बजे यह शुक्र हुआ था तो माढ़े जार बजे सगाप्त हो जाना चाहिये था। (स्यवधान) मगर प्रभी दो धंटे श्रीर लगेंगे।

उपसभाध्यक्ष (श्री भुरेश अचौरी)ः मिनिस्टर को रिष्लाई करने दें फिर हाउस का अभिमत ले लेंगे।

SHRIK. P. SINGH DEO committee of Secretaries again deliberated on the 26th of November, 1992.

SHRI VIREN J. SHAH: Sir, I think the hon. Minister should take much longer time because he has to deal with many points. To rush him also would not be fair to the Bill or to my resolution condemning this. And I will also need at least 10 or 15 minutes minimum, if not longer. That is why, if the House thinks it fit, we could adjourn the House just now...

SHRIK. P. SINGH DEO: I was going to respond to many of your points positively.

SHRI VIREN J. SHAH: That is why I said that since you will take

time, let us not rush you. We don't want to rash you. We want to hear you in g.-eat depth.

SHRI K.P. SINGH DEO: Would you be helpful in getting me to 'peak in the first hoais omonow? Otherwise, again one day will bo' wasted.

... (Interruptions). ..

Sir, ^T would like to abide by the wishes of the House in deference to the Members. But, then again sitting through the whole days means. (*Interruptions*) I have certain legislation in the Lok Sabha also.

SHI', i G. SWAMINATHAN: We can tak..- it up tomorrow after the Zero h > ur

DR BIPLABDASGUPTA: Sir, It shou i not be rushed. It is a very import; it Bill. Some of us have moved some i sportant amendments and those *i* Jiendraents should not be dismiss -d or passed without a proper discuss on. The Minister has made some *i* lints but he has a lot more points ;till to make. So, maybe tomorrow, after the Zero Hour... (Interruptions)

SHRI K. P. SINGH DEO: I would like to answer each and every point. \don't wish to run away.

...(Interruptions)..

DR. BIPLAB

: So,

if he can take it up at that time., I think that would be proper.

SHRI K.P. SINGH DEO: Moreover, I would li'x-j to convince my good friend, Shri Viren J. Shah.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): By the way how much time wiH you take for your reply?

SHR1 K. P. SINGH DEO: Sir, at least half-an-hour. I would like to answer all the points. {Interruptions) Minimum half-anhour, Sir. Many fundamental issues have been raised. (Interruptions)

SHRI SANGH PRIYA GAUTAM; Sir, the House should be adjourned

because it will taks ori; 1. -J.C at th; least. The Movers of tLeameridmeuts also have to speak. You have liken the sense of the House. Mow, yo'.i should adjourn it. THE VICE-CHAIRMAN (SHRI

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SURESH PACHOURI): What is the I sense of the House? (Interruption's).

> The H ia*; is adjourned till 11 a.m. tomorrow.

The House then adjourned at four minuteas past five of the clock till eleven of the clock o.i Tuesday, the 13th December, 1994.