Statutory Resolution re, TV Network (Regulation) Ordinance.

THE DEPUTY CHAIRMAN: we will tell him. Don't worry. We will 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.

- STATUTORY RESOLUTION SEEKING DISAPPROVAL OF CABLE TELEVISION NETWORKS (REGULATION) ORDINANCE, 1994 PROMUL-GATED ON THE 29th SEPT., 1994.
- II. THE CABLE TELEVISION NETWORKS (REGULATION) BILL, 1993.

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

श्री जगदीश प्रमाद माथर (उत्तर प्रदेश): महोदया, मेरा निवेदन यह है कि जो डिस-स्रप्र्वल का मोशन मूव करता है वह इस टाइम में नहीं ग्राता। वह ग्रलग समय है। मैं संक्षेप मैं कहंगा ।

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

श्री जगदोश प्रसाद माथुर : 23 मिनट में पार्टी के समय में से उनका समय

शामिल न किया जाये। वह ग्रलग है। मंत्री जी जो समय लेंगे वह पार्टी के समय में **शामिल नही होता । वह ग्रलग है । मेरा** समय मत लीजिए ।

उपसभापति : ग्राप जब बोलना शुरु करंगे, उस टाइम से ग्रापका 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।

सबस पहले मैं इस बात पर खेद प्रकट करना चाहता हं कि मत्नी महोदय ने म्राडिनेंस जारी करने के लिए ज सफाई दी है वह सर्वदा अनकन्विसिंग है, उससे कोई वृात पूरी नहीं होती ।

उन्होंने कहा है कि चंकि वहत से ग्राप्रेटर्ज को दबाया जा रहा था, कोहिर्स 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 ग्राई०ए० 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 जी बी बी व उन लोगों ने भी किया है। एक बिलकुल शायद मंत्री महोदय के सामने केस भी ऋाया होगा पश्चिम बिहार में उन्होंने बाकायदा जी ०टी ०वी ० का कंट्रोल रुम स्थापित किया। ग्राप कहें तो नाम भी ले दूं। कोई हरी गोयनका हैं उनके माध्यम से दबाव डाल कर पैसे केलेन देन की बात की है। ऐसे जाने कितने उदाहरण हैं। इसलिए यह कहना कि वास्तव में इसलिए किया गया था कि बड़े लोग दबाव डाल करन खरीद सर्के, इसका उल्टा हो रहा है । यह कम्पनीज विदेशी कम्पनीज जैसी ही हैं। इसलिए इस बात को रोकना चाहिये। दूसरी व्यवहारिक कठिनाई क्या है । ग्रापने उस दिन कहा कि इसके एल्ज़ बने हैं श्रौर इंस्ट्रक्शंस गय हैं। मेरे पास जानकारी है कि यहां पर दिल्ली में कम से कम किसी भी डाकखाने में रिजिस्ट्रेशन नहीं कर रहा है। उनके पास फार्म्स उपलब्ध नहीं हैं। डाकखाने में जाते हैं तो उनको मना कर देते हैं और यह कहते हैं कि हमारे पास इंस्ट्रव्यांस नहीं है। स्थिति यह है। इसलिए ग्रापका यह दावा कि ग्रापने विशेष उद्देश्य के लिए ग्राडिनम जारी किया, वह बिलकुल स्थापित नहीं होता। इसलिए ग्राप शीझातिशीझ इस विषय में कार्यवाही करने की कपा करें।

दूसरा जो मुझे सत में आंब्जेक्शनेबल लगता है, ब्रापने कहा है कि निदेशी प्रभाव दो रोका जाए। इसमें उल्टा हो रहा है। जो बिल के सेक्शंस हैं, मैं उनकी तरफ ब्रापका ध्यान ब्राक्षित करना चाहता है। सेक्शन एक मे—

'person' 'person' means what?

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

ठीक है। तम्बर दो---

"(ii) an association of individuals or body of individuals, whether incorporated or not,....."

"(iii) 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 ग्राप क्या समझते हे कि पाकिस्तान में कोई बैठा है ग्रौर उसके एजेंटस यहां है वह कम्पनी को नहीं चला सकते ? इसके साथ ही ग्रापने दरवाजा खोल दिया है। अब ग्राइये सेक्शन 17 में, ग्राप जो सजा देने वाले हैं ग्राफेंस में, उसमे ग्राप यह कहते हैं—

"Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence."

जो विदेशी कम्पनी के शैयर्स हैं, उसका स्रादमी कही बाहर वैटा है, उसकी इंस्ट्रक्शंस मौखिक है, स्राप उसको कुछ नहीं कह सकते हैं। गलत हैं। इसपे स्राग—

"(a) 'company' means any 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 आईश्एस श्राईश्का जोर है। इसके अन्दर यह भी हो सकता है कि यहां पर कम्पनी बनाई आएगी जो चाहे बह प्रोपेगंडा करती रहे। इसोलिए आपने मिसलेनियस में लेक्सन 20 में कहा है—

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

अगर आप चाह किसी कन्पनी को नार्मली रोक महीं सकते हैं । आपने कहीं यह प्रोविजन किया है जिनकी आप चाहें वह कम्पनी वहां पर रिजन्ड न हो । Can you do it?

कही कोई प्रोत्यान नहीं है। सब से बड़ा जो खनरा है, यह यह है कि जिस उद्देश्य के लिए ग्रापने यह किया है, इस उद्देश्य को यह बिल पूरा नहीं कर सकता है। इसमें बहुत म खतरे हैं। जहां छोटे छोटे ग्राप्रटर्ज को समाप्त कर दिया जाएगा, वहां विदेशी प्रभाव भी बढ़ता चला जाएगा। यद्यपि ग्रापने किया नहीं है जिसको कहते हैं नीचे किसी को ग्राधिकार देना, फोंचाइज करना, फेंचाइज तो हो जाएगा। ग्राप्य दबाव डाला गया कि ग्राप केबल टी०वी० से 100 हपया लेते है, ग्राप हमको 15- रुपये दोजिये बाकी पैसा आप रख सकते हैं। ग्रीर हमारे नाम से इस्तेमाल करिए।

[12 DEC 1994]

तो सबसे बड़ी चीज तो मैं यह ग्राश्वासन चाहंगा कि किन्हीं बड़ी-बड़ी कम्पनियों की. विदेशी हों या स्वदेशी, सारे हिंदुस्तान पर छाने का ग्रवसर नहीं देना चाहिए वरना जैसा मैंने कहा कि मान लीजिए "जी" टी०वी० है या और टो०वी० हैं, उन्होंने सारा खरीद लिया तो एक तो मोनो रोली होती है, नम्बर दो,पोलिटिकली वे सारो राजनीति को प्रभावित करसकेंगे। कत अगर एक कम्पनी है जो हिंदुस्तान में---बमबई में, दिल्लो में--सब तरफ ग्रपना नेटवर्क वढा लेतो है ग्रौर कोई भी पार्टी उसे खरीद ले. ही कैन परवेस इट. तो वह पाटो ग्रापकी राजनीति को,ग्रापकी श्राधिक ब्रावस्था को डावाडोन करने की स्विति में होगो। इपके विश्व में स्नापने श्रमी तक जिसको कहते हैं कोई इकावट या उनके लिए कोई व्यवस्था नहीं की है। म चाहगा कि इसके विषय में स्राप बाकायदा कुछ चिला करें। इस विपन में और कहंगा। बड़ा खुला सवाल है। ग्राज साइंस बहुत बढ़ गयी है । अप जानते हैं कि थोडे दिनों मे ऐसी स्थिति म्रा जाएगी जबिक टी०वी०, रेडियो, टलोफोन, ये सब एक लाइन पर ग्राजाएंगे--फाइबर जिसको कहते हैं, नया वनने के बाद । स्रापने कह तो दिया है कि किसी प्रकार से जो रेडियो है या दूसरे ग्रापके साधन है उसने वह इंटरफेयर नहीं करेगा । इसका उल्टा साचिए। क्या आपने किसी प्रकार की व्यवस्था की है कि वडे टेली हमनिकेशंस --म्राप विदेशी टेलीकम्युनिकेशन कम्यनियों को बला रहे हैं -- उसको टेक श्रोवर न करें। ग्रापने क्या व्यवस्था को है ? बड़े-त्रडे समाचार पत्र है--टाइम्स ग्राफ इंडिया, हिंदुस्तान टाइम्स, इंडियन एक्सप्रैस, कोई भी हों, कल वे कहेंगे हम हो यह ग्रनिकार है, हम न्युज पेपर चलाते है, हम जो म्रापरेटर्स हैं इनको ले लेंगे । जन तक म्राप इन पर बंधन नहीं लगा सकते है तब तक कोई भी आजजो छोटे ग्रापरेटर्स हैं वे समाप्त 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 काने की स्थिति में ह्या जाएगी । इसलिए

में चाहंगा कि इस चीज को सरकार को क्लियर करना चाहिए। ग्रापने एक ग्रौर टी वी वे लिए तो कर लिया है जिसी पेड-चैनल कहते हैं । ग्रापके पास व्यवस्था है। मेने सुना है। मंत्री जी बना सकते हैं कि स्केम्ब्रलर जिसको कहते हैं वह व्यवस्था की है। स्राप का समझते है कि स्राज जो टेली आपरेटस है, ही कैन डू इट? उसके पास ग्राज इनता पैसा नहीं है। सामान्यतः छोटे जंटोल रूम जो बनाने में दस से वारह लाल रुपये को ग्रावश्यकता होती है। एक ग्रन्छ। मिडिल क्लास का श्रादमी कर सकता है। मेरा निवेदन यह है---शायद दिल्ली में, मैं श्योर नहीं हं, हम्राहो या केन्द्र में हम्राहो, इसको में स्माल स्केत इंडस्ट्री माना गया था. शीर नहीं माना गया है तो ये जो केवल ग्रापरेटर्स हैं इनको स्माल स्केल इंडस्ट्रो में मानें जिससे कि बड़े-बड़े पैसे वाले प्रभावी लोग और सरकार एक मोनोपोली स्थापित न कर सकें। यह मेरा स्नावने तिवेदत है।

दूसरी बात, साफ्टबेयर पर ग्राता हं। ग्राज चैनस्स शायद 40-50 होंगे । म्रापका ही कहीं व_यतव्य है। शा द तक करने वाले है। लेकिन जैसे विज्ञान बढ रहा है तो और देशों में डेढ़-डेढ, दो-दो, तीन-तीन हजार चैनल्स... (व्यवधान) हां, हां, मैडम इतने है। ग्रगर चैनल्म बढ गए तो स्राप उनका एडजस्टमेंट कैसे करेंगे । क्या ग्रापने व्यवस्था की है ?

उपसभापति : सौ-दो सौ तो स्ना है. दो तीन हजार का तो नहीं सुना है।

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

उपसभापति ग्राप जीरो ज्यादा बढ़ा रहे हैं।

(Regulation) Bill

Cable TV Networks

श्री जगदीलश प्रसाद माथुर. एक कम्पनी नहीं, डिफरेंट कम्पनीज मिला करके । दूसरा, जो नयी व्यवस्थाएं बढ़ा रहे हैं, क्या उसके लिए ग्रापने कोई व्यवस्था की है। मैं उदाहरण देता हूं। चैनल तीन अपका है। बड़ी परेशानी हुई है ग्रापको। ग्राज नक उसका मेटलमेंट नहीं हुग्रा है...

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

THE DEPUTY CHAIRMAN: In English?

SHRI MISAR. GANESAN: Yes

श्री जगदीश प्रसाद माथुर : यह मेरा समय न काटिए ।

उपसभापति : नहीं, 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 स्राप चिंता करें। दूसरा, आज फिल्म हैं। फिल्में स्राती हैं। कुछ फिल्म प्रोड्यूजर्स का 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 स्राप कैंसेटस जो बनाते हैं, उनको परमिशन है तो ग्राप उनको परमिशन देंगे या नहीं देंगे या कहेंगे ग्रापस में समझौता करने की स्थिति ग्राएगी या नहीं ग्राएगी, उसके लिए फिर ग्रापको कोई न कोई व्यवस्था करनी भ्रावश्यक होगी। खैर एक तो म्रापने

ग्रच्छा किया है कि दूरदर्शन की आपने पहले मांग की थी कि दो वह उनके श्रीग्राम दिखाएं, श्रापने एक कर दिया । यह तो ठीक है, लेकिन एक दात मैं पूछना चाहंगा कि क्या इसमें न्युज शामिल हैं ? क्या नेशनल न्यूज इसमें शामिल हैं या नहीं ? यदि एक ही है तो केवल नेशनल न्यज दिखा दें, बाकी खत्म । लिहाजा ग्रापको दो बातें चाहिएं । एक, जब चैनलज बढ़ने वाले हैं तो भ्राप साफ्टवेयर भी इतना तैयार कर सकते हैं ग्राज टैलीविजन पर साफ्टवेयर की इतनी कमी है । पुरानी-पुरानी रद्दी सड़ी पिक्चर्ज दिखा देते हैं। अब चैनलज बढ़ जायेंगे ग्रगले दो, चार, दस साल में तो ग्राम नया करेंगे ? इसके लिए भी स्रापको कुछ कुछ करना चाहिए । तीसरी अ।पकी जिम्मेदारी है, जिसको ट्रांसनेशनल न्यूज कहते है, एक विदेशी से कोई स्राया है किसी नेटवर्क ने दिखाया तो उसको भ्राप दिखा दीजिए । स्रापने जिम्मेदारी इसमें डाली है कि जो ग्रापरेटर हैं उसकी जिम्मेदारी होगी । हाउ इज ही रेसपांसिबल ग्रगर ग्राप कोई ऐसी व्यवस्था कर सकते हैं स्क्रेंबिलग की जैसे कहते हैं ग्रापकरिए ग्रौर में कहुंगा हिन्दुस्तान की सरकार इसमें सक्षम है । मैं पूरी तरह से ग्रीर 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 पुट इट ग्रॉफ। जब चाहे उसको निकाल देंगे कैन यु डुइट? अगर ग्राप कर सकते हैं तो वहत ग्रच्छा होगा।

दूसरा मेरा एक सुझाव है, आप जो केवल ग्रापरेटर्स है उनके एरियाज बांट दीजिए, जिससे िक कोई भी बड़ी कंपनी ग्राकर छा न सके। ग्रापने बांटा कि इस एरिया में इतने लोक करेंगे, 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 दिल्ली, बम्बई, कलकत्ता जैसे बड़े शहरों की, लेकिन छोटे जो गांव हैं, मान लीजिए एक छोटा कस्वा या डिस्ट्रिक्ट है, बदायूं का मान लीजिए ग्रीर ग्राप चाहते

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है पहा केवल टी०वी० लगा दिया तो कोई, भी सादमी वहां के गांवों में जा सकते हैं कर सकते हैं। तो मेरा कहना यह है कि आपने खुला छोड़ दिया है कि जो चाहे लगा के बड़ी-बड़ी कंपनियां आ जाएं। आप कृष्ठ न कुष्ठ बड़े शहर वम्बई, कलकत्ता की छोड़ कर भी इसकी व्यवस्था और चिता करे।

दापने एक और बात कही है। एलवटीइजमेट का कोड, कौन सा कोड. एस दिन मेने अर्ज की थी कि कोड कौन साहै । ग्रापने कहा कि जो प्रानाकोड, पिछली सदी का । क्या ग्रापने इस बिल में कही कहा है कि फलां-फलां कोड लाग य हैव नाट सैड एनीथिंग । होगा 🖠 ऐसे ही जो स्टैंडर्ड ग्रापने कहा कि इस्विप्मेंट होना चाहिए, ठीक बात है । **ब्रा**पने म्टैडर्ड कह दी है कि इतने-इतने साल भर के पीरियड के ग्रंदर इसको पूरा कर लिया जाएगा । साल भर तो खत्म होने बाला है, म्रापने क्यों नहीं किया है? यु हंब नाट उन इट। फिर ग्रापने जो इंबिवपमेट्स है, पूछना चाहगा बाहर से जो जाता है उसमे फी की इयुटी है। न्नाप क्या करना चाहते है, उसको क्लैरीफाई तो करिए। अब इसमें नहीं कहा है। तो कहंगा कि आप बोलते समय कहिए कि इसकी स्थिति क्या बनाना चाहते हैं। ग्रापने कहा रुलज वने उस दिन रुल ः तमाहा हो गया । रुलज यहां बनेगे या डाकखाने वाले बना रहे है। डाकखाने में बना रहे है या सैन्ट्रल गवनंमेट बना रही है, दह एक तमाशे की स्थिति है स्रौर मैं पूछनः चाहंगा कि ग्रांडिनेंस या ग्राज इस ं के बीच में, कौन से रूल में काम हो रहा है ? ग्रारयू विकिंग इन ए वैक्यूम ? क्या कर रहे है ? फिर दूसरा रुलज ग्रापने कहा है कि इस बिल में कि वह सदन के ्सायने रखे जायेंगे । उस दिन भी हम ं लोगों ने कहा था कि सदन के सामने पूरी चीज पानी चाहिए। रूलज्ञभी ग्राएं, ग्रापका जो कोड है वह भी आए । मैं चाहंगा कि इस पर स्राप क्लेरिफिकेशन दे।

श्रंत में एक बात कह कर 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। ग्रगर किसी का ग्रापने इक्दिपमेंट कैप्चर किया *हे,* श्रौर कौन करेगा, एक छोटा ग्राफिसर, ग्रापने ऊपर के एक सीनियर मोस्ट ग्राफिसर को कुछ कह दिया है जो कि सर्टिफाइ या ग्रथोराइज होगा स्टेट गवर्नमेंट उसका डिसोजन है कि वह समझता है कि उचित या अनुचित है, बंद कर देगा, श्रौर श्रापने उसको कह दिया कि 90 दिन में नोटिस तीन महीने में, वह तो एक दिन देखकर तथ कर देता है, "नो इट इज रांग।" यह भ्रापने प्रोहिबिट कर दिया और भ्राप कहते है कि 90 दिन में होगा यानी 90 दिन तो उस बचारे का कारोबार बंद हो गया। उसका कारोबार बंद न हो ग्रौर वह उसे चलाता मै इसलिए कहता why can't you do it in 15 days? अगर वह केवल ग्राधा घंटा, पौभ घंटा या दस मिनिट कार्यक्रम को देखकर तय कर सकता है कि यह ग्रन्चिन है, भट्टा है, खराब है, गंदा है तो अब उमको प्रव करने में तीन महीने लगेगे ग्रौर तीन महीने तक वह म्रादमी लटका रहेगा । मेरा स्नापसे निवेदन है कि ये जो केबल त्र्यापरेटर्स हैं---इन्हें रमाल स्केल इंडस्ट्रीज के रूप में स्वीकार किया जाए। दूसरे म्राज उनका काम-धंधाबंद न हो ग्रौर यह बड़े-बड़े पैसे वालों स्रौर कंपनियों के हाथ में न जाए, विदेशी ग्राक्रमण से इसका बचाव हो, इसका ग्राप ध्यान रखें । इतना ही कहकर मैं इन वातों पर आपसे स्पष्टीकरण चाहुंगा । जहां तक बिल की म्रात्मा का सर्वाल है, मैं उससे सहमत हं, लेकिन जो उसमें खामियां हैं, उन्हें दूर करने कः ग्राप प्रयत्न करें । धन्यवाद।

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

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

THE DEPUTY CHAIRMAN: If the House does not have objection, I think he can speak and go. But please confine yourself to the stipulated time. भ्राप भ्रपने समय के अंदर बोलिएगा।

श्री रामजेठ मलानी : मैं समय वॉरो क्षर लूगा ।

उपसभापति : यहां बॉरोधिंग 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 net-

work 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 andicate at all

The second purpose, which is perhaps the legitimate purpose to some extent, is this. You have said that you want to protect the 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 you have no power, you have no such provision. How do you propose to control big operators from taking wer? I do not know. There is no power, once again. Once again you go back 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 Government should realise. and I want hon. Members of the House to appreciate, that this is a seemingly innocuous measure. But. in substance, it raises great issues 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 aesthetic issues and issues, on 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, these

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ecome the foundation of constituonal democracy. Unless you have a ompletely informed electorate, there in be no democracy. The second inciple which is inolved which is qually a very, very important prinple is that ultimately the right of ee speech and the right to form our own conclusion is a part of aman dignity, is a part of human tellectual and spiritual autonomy ecause these are the issues which e inolved. Sir. the third important sue which the Bill seems to forget tally is that the democracy ised upon the philosophy of the eat philosopher, Uoltaire when said, "I don't accept a word of hat you say. But I shall give my e to defend your right to say. ow, in other words, nobody has e right to prescribe good test. Nody has the right to prescribe the iture of views which are acceptable the society. I may not accept e views on good taste and the sovulgarity and obscenity of ther your Government or the ireaucrats who help you. Therefor e Bill does not take notice of these eat Constitutional principles at l. In fact, truth has a very uncanny bit of leaking out. You have id that you want some kind of nsorship. Censorship is repugunt to our Constitution. Those ho have committed offences, those ho are doing something which prohibited by law, for them laws we already been made. Laws to ntrol free speech have already en made. They are all laws which ipose reasonable restriction in the ght of free speech. The law of bel, the law of defamation, the law contempt of court, the law relatg to not spreading communal and ligious violence are there. ese laws have already been brought to existence under article 19(2) the Constitution. They have ready restricted the right of free eech and the right to receive a eech 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 the law to restrict the free speech beyond 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 you 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 untruth, that untruth will be faced with truth in the free market of ideas and the truth will with error and ultimately the has to succeed on its own indepeendent merit in a free competition of The Government has no right to sav what the truth is. The Government has no right to say what is good for the people. 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 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. I 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 will not tolerate and this Bill seems to be based on that philosophy.

Sir, unfortunately, I have very little time to devote and I want to point out to you what this Bill does. Under clause 5 everybody is to conform to the code. 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. I 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. I 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

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saying to people, "Don.t do this," they must know what exactly you are asking them 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 half-truth '. And the law says that whoever shall speak what the Government thinks is half-truth, 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 well as the advertisement code. Bring it in conformity with the Constitution; make it specific; and use more precise and better language. The English are gone, but still we use the English language. It is horrible luguage in your rules. I have no time to point out each one 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 taken the first step in the direction of destruction of the liberty of free speech and our Constitutional values. I oppose it because your two legitmate purposes are not carried into the Act and your remaining purposes are totally obnoxiosu to the Constitution. Thank you.

THE VICE-CHAIRMAN: (Shr. Suresh Pachouri): Shri John F. Fernandes. Absent, Shri Vayalar 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

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 Ordinance, the Objectives of 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 intention is to prevent such a kind of cultural javasion. In this country, today, the new generation is being influenced by the electronic media where many types of satellites are transmitting different cultura activities to this land because the sky is free now. So, our new generation is being influenced to 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 Ladian traditions. We have our own traditions. Instead of circulating our own traditions to the outside world, we are proceeding

المناهدات المناسبة in a different way which is not good for the society. That is one part of You rightly said that to prevent cultural invasion the debate is whether we should allow the foreign 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 the foreign media, which has its own publication to print, is itself a problem. Here, the Indian print media Project our national interests and our views to the world and the foreign media project their views to this nation for the consumption of the Indian nation. This is the basic difference. Here, the media does the service. It is part of our nation: it is part of the society, it is part of the politics and it is part of the estab lishment. The print media represent the national interests. Today, some people are debating this and the debare itself is unwanted and should not be allowed in this country. If the foreign media are allowed to print in this country, it would mean that we are allowing our nation and the people to know what foreign people want to convey to the Indian people. It is not in the interest or our nation. It is not in the interest of the Indian society. But it is to their interest. They want to sell their idea to this country. So, any attempt to allow the foreign media to print in this country will go against our national So, I wonder what will interests. happen tomorrow if somebody from Pakistan or somebody from our neighbourhood wants to have print media which can print for them from India. Anybody can have it. I do not want to name anybody. Our national interests are there. system is an open system. Ours is a democracy. It is one of the biggest democracies in the world. We have the freedom of press. The Constitution of India guarantees the free-

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dom of press. The Indian Constitution is one of the best Constitutions in the world and one of the democrainstitutions 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, here 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 foreign citizens cannot claim the freedom of expression meant for the indian citizens and you cannot allow the foreign media to print and claim that freedom. I believe, it will be a bad time even to discuss this issue and allow the foreign media to come to this country. I would oppose this I know, Mr. iren J. Shah, is very happy because the rules are being circulated. 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 wants to fix certain Government criteria for control to prevent certain kind of propagation. If you allow the State Government officers to do it, I mink it is not a proper assessment of the situation and I wish that the power 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 own 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 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. The 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 rupces. But there must be some relationship between the two. That is why I moved the amendments for a minimum fine of five thousand rupees and for reducing the punishment, making it first 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 imprison-That is why I 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 smal by the monopoly houses groups which are spending crores of rupees in collaboration with foreign groups;

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whether it is RPG Group or Hinduja Group. And by spending thousands of crores of rupees, there is also an attempt by such 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.

श्रोमती परना ाहेरवरी (पश्चिमी बंगाल) : धन्यत्राद माननीय उपसभाध्यक्ष महोदय । एक अपूर्त, अवयार्थ, अवस्तिविक श्रीर श्रनुपयोगो विधेयन हो अन्यस्या के जरिए लागू किया जाना अपने आप में एक होसी की बात है और उप त्याध्यक्ष महोदय, यह हंसी मूर्त हुई है, हमारे इस केतल नेटवर्र रेग्यलेशन ग्रज्यादेश के जरिए।

उत्तमाध्यक्ष पहोदय, ग्राज जब हम श्रपने विश्व को देखें तो हम पाते हैं कि एक श्रोर तो साम्प्राज्यवाद ग्रपने ग्राध्-निकटतम ग्रस्त्र-शस्त्रों से हमारे सामाजिक श्रौर सास्कृतिक जोवन को क्षत-विक्षत कर रहा है और एक ऐसे समय में यदि हमें कोई दक्ती की तलवार भांजता हुन्ना दिखाई दे दो ऐसी स्थिति पर या तो तिर्फ हंसी या चलती है या सिर्फ रलाई ही ग्रासकती है।

उपसभाध्यक्ष महोदय, ऐसे रथ-बांक्ररों के उद्देश्यों पर तो हम संदेह नहीं कर सकते लेकिन ऐसे रग-बांकुरों को हतर बा जीत पहले ो ही त्रिश्चित होती है और उपसभाध्यक्ष महोदय, हमारे मंत्री महोदय जो ऋध्यादेश लेगर प्राए है, उस अप्यादेश की हार और जीत पहले से ही, में यह कहना चाहंगी कि सुनिश्चित हो चुकी है। खुद हमारे मंत्री महोदय कितने वड़े भ्रम में हैं । इस अध्यादेश की अभिवर्धिता पर उन्होंने जो अपना बयान दिया, उस बयान में उन्होंने कहा कि विदेशो उपग्रहों से प्राप्त होने वाले सिग्नलों के जरिए भारतीय सभ्यता और संस्कृति पर घातक प्रहार हो

रहे ये। भारतीय सभ्यता ग्रीर संस्कृतिको विदेशी संस्कृति के उप-घातक प्रहारों से बचाने 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 देख**ते** हैं। उपसभाध्यक्ष सहोद्द**, ग्रब्यादेश की** धारा 5 ग्रौर 6 में स्पब्ट तौर यह कहा गया है कि िरेशो उपग्रहों से प्राप्त होने वाले फार्यक्रमां पा अञ्जादेश की पाचवीं स्रोर छडो सोड संग्रो धारा, विकल्प संबंधी धारा नहीं होगः। यानी कि जिस खतरे हो। रोकते के दिए **हम उ**पाय कर रहे थे, उसी खतरे की खुनी छुट दे दी। गयी 🗄 .. इरादा था, .लड़ते । एक कुलक हुन**ार डाल दिये** हैं। तो यह है, इस अंगाईश का उद्देश्य। उप-प्रमाध्यक महोद , उद्योगए में पूरेसदन के साथ प्राप्ता की उत्ता हम बात सी श्रोरदिलाना चाहुत हा जा हम यह बात करते है कि विदेशों उपग्रहों से हिन्द्राान की संस्कृति को बचाना है, भारतीय संस्कृति को बचाना है, तो हमारे इस ग्राज के माहौल को देखें, खासकर पिछले तीन-साढ़े तीन वर्षों से देश में ग्रंध-उदारतावाद की जो म्रांधी वहाई जा रही है, उप-सभाध्यक्ष महोदय, यह ग्रध-उदारनावाद किमलिए ? यह अंत्र-उदारतावाद किसीकट्टर साम्प्रदायिक विचारों के विरुद्ध नहीं है, यह उदारनावाद पश्चिम ग्रौर साम्राज्यवादी विचारों के प्रचार-प्रसार के िलए है। तो इस उदारताबाद की फ्रांबी में हमारे सूचना श्रौर प्रवारण मंती श्रपनी छोटी सी हैसियत में यह अध्यादेश लेकर न्नाए हैं कि वह सारी ग्रयन्संस्ति देश मुहाबला **क**र लेगे ह इसीलिए उप सनाध्यक्ष महोदय, मेने यह कहा कि वह जो छोटो सी हैसियत में यह अध्यादेश लाए हैं, मुझे ऐसा लगता है कि यह सिकं दफ्ती की तलवार भांजने जैसी या डॉन क्विकजोटिक एक्सरसाइज **ऋ**तिरिक्त मुझे कुछ नहीं लगता । उप सभाध्यक्ष महोदय, यह सही है कि ह्यार देश में इलैंग्ट्रोनिक माध्यमों का विस्फोट या उनका संधान हमारे देश के लिए समी

[RAJYA SABHA]

[श्रीमती सरला माहेश्वरी]

चीज है श्रीर यह भी सच है कि हमारे देश के नीति-निर्धारकों ने शुरु से ही इन इलैक्ट्रोनिक साध्यमों के प्रति वैकल्पिक दुष्टिकोण को रखा था ग्रौर इसके लिए कई कमेटियां बनायी गयीं ग्रौर उन कमेटियों ने ग्रपनी रिपोर्ट दी कि किस तरह भारत के लिए, भारत की ग्रपनी वस्तुगत स्थितियों में इन माध्यमों का हम सही ढंग से इस्तेमाल कर सकते हैं। इन तमाम परिस्थितियों की परिणति के रूप में हिन्दुस्तान का वैकल्पिक दुष्टिकोण इन इलैक्ट्रोनिक माध्यमों के संबंध में प्रसार भारती के संबंध मे श्राया था। तो में मंत्री महोदय से यह कहना चाहती हं कि इलैक्टोनिक माध्यमों के प्रति हमारा जो वैकल्पिक दुष्टिकोण होना चाहिए था, वही **वैक**ल्पिक दष्टिकोण हमार केबल नेटवर्क रेगलेशन की जब हैं, केवल नेटवर्क को **हम** बात करते नियंत्रित करने के लिये भी हमारे सामने वही परिप्रेक्ष्य होना चाहिये, था, वही दुष्टिकोण होना चाहिये था कि किस तरह अपने राष्ट्रीय मान मल्यों को दिष्ट में रखते हुये, राष्ट्रीय मान मूल्यों को **नजर** में रख हुये हमारा यह केबल नेटवक काम कर सके । वैसा वैकल्पिक दुष्टि-हमारे सामने होना चाहिये था चेकिन उप सभाध्यक्ष महोदय, मझे बहुत हमारे मंत्री महोदय कि जो नख-दंतहीन ग्रध्यादेण लेकर ग्राये हैं, वह अध्यादेश अपने पूरे के पूरे उद्देश्यों में नाकाम रहेगा । उप सभाध्यक्ष महोदय, मंत्री महोदय ने ग्रध्यादेश में कहा है कि इसके 90 दिनों के ग्रन्दर ही केवल **श्रापरेटर्स** को खद को पंजीकृत करवाना होगा ग्रौर 31 दिसम्बर को 90 दिन खत्म हो जायेंगे पर ग्रब एक हालत यह है कि इन केवल नेटवर्क को रेगलेट कौन करेगा, इनका रजिस्टेशन कौ**न** करेगा, किसी को मालुम नहीं है । केवल रहे हैं कि इधर-उधर दौड़ **द्दमा**रा रजिस्ट्रेशन कर लो लेकिन उन्हें कहा जाता हे कि हमारे पास कोई आदेश नहीं है, हम कैंसे रजिस्ट्रेशन कर सकते हैं। तो काम करने का हमारा तरीका यह है । हमारे मंत्री महोदग कहते हैं कि केबल भापरेटर को एक सेंसर ग्रधिकारी भूमिका ग्रदा करती होगी । वह केवल चलाकर बैठ म्रधिका री जायेगा ग्रौर केंबल से प्रसारित होने वाले सारे कार्यक्रम को देखे । कि क्या हो रहा है, क्या नहीं हो रहा है। श्राश्चर्य बात है कि एक तरफ तो ह**म** उदारतावाद की बात कर रह हैं और दूसरी तरफ पुलिस राज के जरिये हम सांस्कृति प्रदूषण का मकावला करना । मैं यह कहना चाहती हूं संस्कृति के क्षेत्र में, कला के **क्षेत्र** वास्तव में ग्राप जनता को ग्रगर स्वस्थ संस्कृति देना चाहते हैं तो मंत्री महोदय ने क्यों ऐसा जरूरी समझा कि विदेशों के प्रसारित होने वाले कार्यक्रमों नियंत्रण लागु नहीं होगा? कोई नजर में विदेशी चीज उनको ग्रच्छी है । शायद हमारे उदारीकरण की यह मांग है, यह तकाजा है कि जो विदेशी चीज है वह ग्रन्छी है। ग्राफ्चर्य होता है कि ग्राज हमारा दूरदर्शन ग्रपने चैनल से एमटीवी प्रसारित कर रहा जिसको सारी द्वांनया 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 । ग्राज हमें बहुत श्रफसोस के साथ कहना पड़ता है कि ग्राज हमारा सूचना एवं प्रसारण मंत्रालय वाणिज्य मंत्रालय की तरह काम कर रहा है। **ग्राज हमारा सूचना एवं प्रसारण मंत्रालय** मात उद्देश्य मनाफा कमाना हो है । इसके चलते आज हम यह देख रहे हैं कि हमारे दूरदर्शन का एक एक अण किसी मंजन बेचने वाले, किसी पाउडर बेचने वाले, किसी साबन बेचने वाले को बेच रखा है। ऐसे दूरदर्शनल से हम ग्राशा कर रहे हैं कि वह केडल को िपंजित करेगा, देश में संस्कृति को देगा। मझे ऐसा है कि हमारे मंत्री महोदय जो लगता हैं उसमें ग्रध्यादेश लेकर ग्राये

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बताने की कोशिश कर रहे हैं कि हय केवल नेटवर्क को रेग्लेट करते की पशा में काम करेंगे। मैं इस बात को निश्चि रूप से मानतों हं कि केंबल ग्रापरेटर को नियंत्रित किया जाना जरूरी है। जिस तरह से केबल आपरेटर्स की बाढ म्राई है उसे नियंत्रित देश में किया जाना जरूरी है। हमारा अनभव रहा है कि इन केबल ग्रापरेटर्स ने बहुत हो नकारात्मक भूमिका निभाई, खासकर सांप्रदायिकता के भेव में। उन्होंने वढावा दिया साप्रदायिक तत्वों को । सांप्रदायिकता ग्राग को फैलाने में केबल ग्रापरेटर्स रहें । यह जरूरी है कि केबल **ग्रापरेटर्स हमारे देश पें हमारे राष्ट्र** के मल्यों के तहत काम करें श्रौर इसके लिये उन्हें नियंत्रित किया जाना जरूरी है । इसीलिये मैंने वैकल्पिक संशोधन पेश किया है । (अ**नय की घंटीं**) ग्रगर भरा टाइम खत्म हो गया है तो मैं श्रपना संशोधन बाद में पेश करूंगी। जब बाद में 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 (Regulation) Bill, 1993. Network 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 insormation and entertainemen in this

coutry. The Cable Network which is being viewed by millions of people of this country has been invaded by The cvlture. foreigners who have come 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 Western media in our country. It is highly impossible. You have allowed them to continue for years together; not only that, you did not have any regulations set for the foreign media in our country at the initial stage itself. I would like to give a small 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 effectivefy 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 on 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 when Mr. Jethmalani said that because of freedom of expression, freedom of علاده و and freedom of movement, the Guizrament did not have any right or a 1.nority to control the media. I don't agree

with him. He may be a Constitutional expert. But I would like to say that the Central Government and 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 country. Simply arguing on the basis of the provisions of our Constitution ignoring 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 retransmitted? 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 improved. Still we are not happy.

SHRI G. **SWAMINATHAN** (Tamil Nadu): Because of competi--tio:

SHRI V. NARAYANASAMY: May be or may not be. Still I am not satisfied with the programmes that are being telecast by the Dooedarshan. The programmes are not

up to make. They are not dipicting. The culture of the people of this country. After watching 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 culture and Western from the say that the quality of the Doorarshan has been improved. And on this there is a lot of controversy. There is another controversy about which I would like to say. The hon. Minister said that they would like to telecast intellectual programmes on DD-3. Everycay you see a news item saying that this programme is being introduced from 15th August, 26th November, 1st January, etc. I don't know what these intellectual programmes are. I would like to know from the hon. Minister about this.

Another thing I want to submit is that I am really fed up with the regional programmes that are being telecast. Excepting cinemas, there ist nothing in this. Some dramas are: telecast in the regional programmes, i whether it is West Bengal, Tamili Nadu or Karnataka. You know, the people are really fed up with these regional programmes. The housewives don't go away from the television. They see all the programmes on \(\frac{1}{2}\) DD-3 and their household work is: suffering. So, Mr. Minister, in the name 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- 's

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 involerable. 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 their chillion and incompled because of the Western or the Tut being the simulion, why are you briging the the William culture here? You are bringlag bar, or lace here which our children would see. You want to bring a regulation and punish people who are smullish. Cabaltie big fish.

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

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

SHREV. NARAYANASAMY: To regulate dish antennait:

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

AN HON, MEMBER: Fig. 107 100 charging Rs. 250/-in Delhi.

SHRI V. NARAYANASAMY: Not only in Delhi, in Tamii Nadu they charge 40% tax. The cable operators there went on strike and ultimately they cane to vare 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 spit, a main is five or or ten rupees, they will not... (Interruptions)...

SHRIG. SWAMINATHAN: No We have to regulate the TV. Otherwise how do you regulate it (I regressions) Regulati (I regressions); it is regulated that the control of the Central Garage is ... (Interruptions)...

SHRI V. NARAYANASAMY: I am telling you that for regulation, you have to impen at it in the right spirit and that you have to do in the Therefore, Governmen. Mr. Minister, let us not librate from 1 the issue of cai: invasion that is come; into this country. Let our D .. durshan be connected product on, as far as possione, try to see the we do not divide the people of showing films in the name of ranging-Mathurji is also watening me— three name of caste and cresh. unified picture of our secutry is depicted to the people. 1 and embringing the legislation, I accept that only a hinder burross will be solved. You things in this was. Mr. Amister, are you hearing mo? Mr. Minister, you have to do a lot of taings in this dold. The foreign media should not be allowed to the over our Indian, culture. Lasa, 12' coantry's security is also important. Inea, you have to counter Pakintan's anti-India propaganda in an effective manner. These are the things that

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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.

SHRIS. 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, they 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 Post-

Masters are the registration authority. The State law asked the cable themselves to register operators in the nearby police 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 the registration authority is in question. But it has But, against the State upheld it. 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 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 sandwitched 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 you have put a ban on recruitment. They are fighting against that.. (Interruptions).

Let them fight some other authoriry. Before coming to the Bill, I wanted to state that basically I differ from the Bill. Now, coming to the Bill, in clause 5, you have emphasised and stipulated for programme code and an advertisement code. People from remote villages who are unemployed have to resort to this tor obs. Do you think that these people wil! te aware of these programme codes and advertisement codes. Till the day before yesterday, I was

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not aware of the programme code and advertisement code. .. (Interruptions). .I could not get in the Secretariat. Yesterday though the Parliament papers we were able to get it. parliamentarians are When the 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 ularing to the codes on the T.V. 13318. Nowa-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 network and the Metro channel for the last two months" It goes on like this. There is no denial coming from 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 every 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-UMBI: I agree with your Sir. Thank you for that. I want to a low wnether there are two codes' one for the cable operators and an other for the Doordarshan. Sir, it the same provision under classes 5 and 6 vou are exempting its 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)...

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SHRI VIREN I SHAH: Sir, the liquor advertisement is coming on Doordarshan after every three minutes. Hon. Minister, in your absence it was mentioned that tobacco and liquor advertisements are coming every four minutes when there is cricket commentary. The hon. Member 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-motherly 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 pealor manes. The proxranme is soport, the program no is unimaginative, it is oberty and even if it is fair, people from east to south are not propined to cope with the DD. Another thing

[RAJYA SABHA]

[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 Kashmir to Kanyakumari India is one, going to 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 the 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 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?

ЫF VICE CHAIRMAN: Luesh Pachouri): Please conciude.

HON'BLE MEMBER: AN What about English?

SHRI S. VIDUTHALAI VIR-UMBI: English has integrated this country. You should not forget that. Subhash Chandra Bose talked to the people of Bombay in English and not in Hindi. I want to submit one more thing. Once a letter came to Rajaji in Hindi and that too from Gandhiji. Rajaji on the reverse of the same letter wrote the reply in Tamil. Manatma Gandhi felt it and he actually tendered his legret for that. I would like this to ko on the official record.

भा कताश भारायण हारेग : (मञ्द प्रदेश), इसालमे आप टायल में बोलिये। भगर हिन्दा के पत्न का उत्तर राजाजी द रहे है तो प्राप अग्रेजी तमिल म में क्यो बाल रहे हैं ! तमिल में बोलिये,

यहां इंटरप्रिटेशन की व्यवस्था है। स्राप ग्रंग्रेजी 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. RAMACHAND-RAN (Tamil Nadu): But we want to see : ble T V. We do not want to go..(Interruptions)...

श्री रामदास अग्रवात (राजस्थान) : यह 'के नि जी, उपसंभाध्यक्ष रहा है पर हिद्दान्त्रंग्रेजी मामला ন্দ্ৰ স ? म्राप हिन्दो-त्रंग्रेजी रहा है को छोडकर ग्रंपनी बात को बिये

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

SHRI S. VIDUTHALAI VIR: UMBI: I am concluding, Sic. Before you want to implement this, consult. the State Governments. Leave the matter to the State Governments: Don't try to encroach upon the rights of the State Governments. also just think about the Prasar, Bharati Bill which was 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

With these words, I thank you, Sir.

SHRI VAYALAR RAVI: That you have to say before the introduction, and not now:

a-CHAIRMAN (SHRI PACHOURI) : Shri SURESIA Kulabidha Singh.

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SHRI JAGESH DESAI (Maharashtra): For the information of Mr. Virumbi, I 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. VIDUTHALAI VIR-UMBI: In 1965, Rajaji said that he had changed his mind because the Northern Indians wanted to impose Hindi. That is why he was one of the persons who opposed Hindi in 1965.

THE VIOLE GAIRMAN (SHRI SURESH PACHOURI): We are not discussing the language issue.

SHRI S. VIDUTHALAU UMBI: From 1957, he VIRopposing Hindi.

SHRI S. K. T. RAMACHAND-RAN: Sir, we are deviating ...Interruptions)

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

SHRI W. KULABIDHU SINGH (Manipur): Mr. Vice-Chairman, Sir. Shrimati Kamla Sinha was to speak on behalf of my party, but as she is not present, I want to make certain very limited observations.

Si: the hon. Minister had stated that the objective of the Bill is to protect our culture against foreign invasion. Regarding that, of course, I support this Bill, by and large, but I want to make certain observations. Sir, the invasion of foreign media and foreign culture is already there even in our National Channel now. So, this point of talking about foreign invasion of our culture is not very meaningful. Already the invasion isthere in all national programmes. All. sorts of western obscenity and western vuigarity are visible. Day in and day out, we are witnessing these vulgar.

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scenes 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 receive it at the receiving end, if they can only understand and appreciate the thing, this foreign invasion will not alter much of our culture.

Secondly, Sir, Mr. Virumbi was telling about 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 already there. Nobody 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 requested the a uthorities for 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 in the Lower House, we cannot abandon speaking in Englis 1.

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

4.00 P.M.

SHRI W. KULABIDHU SINGH: We have been pressing for an preter. We are three Members; two in the other House and one here. We are facing a great problem. When Manipuri had been included in the Eighth Schedule of the Constitution, I do not know why we should not get an interpreter. This is the problem: Therefore, I think those who hate English should are mind if people like us speak in English.

SHRI G. SWAMINATHAN: Mr. Vice-Chairman, Sir, within the very short time available, I would like to make some points. Of course, 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 Jethmalani. 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 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 the programmer, youshould first of all, see that there are good programmes in your own Channel. As has been said by our friend, the very things about which you are concerned which are being shown in the cable television--are there in your own Metro Channel. What kind of films and other programmes 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. is why Doordarshan is finding itself in a difficult position. Unless Doordarshan improves its operation and does something about it, it will not be able 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 already by a Member from the Congress Party. You say here; 'two years' or 'one thousand rupees' and 'five

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years and five thousand rupees. This has no meaning because 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, I 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 I 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 introduce 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 channels in Doordarshan. In this connection, I would like to invite the attention of the Minister to the editorial which had appeared in the 'Hindu' and I would like to know his reaction on the matter. The editorial asked as to what was the meaning of the Minister talking about 60 channels when he had not been able to introduce even the third channel in the country. This has to be gone into. I do appreciate the sentiments anderlying the Objects of the Bill.

But I feel that there are no teeth available in the Act or in the rules to implement the same. I 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 go in for it.

One more thing that I will add is that the cable operators are 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, that locality is taken over by one cable operator. Purasawakam 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 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 necessary for Doordarshan to say that at least two channels of Doordarshan should be telecast by the operators. The cable operators are coming in only as competitors. this is not necessary and this condition must be removed. That is what I feel.

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

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SHRIK. 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 power to the registering authority in this regard.

Secondly, in the definition of the 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 should 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 for masons a, b, c, or any other reason. I think this is much too vague and gives too much opportunity of exploitation to the registering authority. 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? I know, we all know, as our good friend, Mr. Narayanasamy has pointed out, that there are cable TV networks in India putting out programmes 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 this programme? Has it taken any action If not, why not? So, unless there is a monitoring authority, monitoring agency, just prescribing a programme code is pointless.

Secondly, this law 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 foreigners 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 it. So, the application may come from an Indian. but it will be practically a benami 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 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 100 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 to be under the impression that if something originates abroad, it cannot be controlled here It can be under the law. The reality is that these foreign cable networks and foreign TV networks nave been violating international. blatantly tele communication agrooments. 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 wighbouring countries only casting under the "C band" which is a telecommunicati Star TV and other Transaction 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) : उपसभाध्यक्ष महोदय, जिन उद्देश्यों को यह बिल लाया गया है स्रोर लेकर उसमें जो प्रावधान हैं, उन प्रावधानों को देवने से पना चत्रता है कि उद्देश्यों की पूर्ति नहीं होते वाली है। यह स्पष्ट है कि विदेशो मोडिया के जरिये हंमारे देश को पास्त्रीक परम्परा रही है, जो हनारी सास्कृतिक विरासतें हैं, उन पर अतिकाग किया जा रहा है । तेकिन सारक्रातिक जातिकश्रम को रोकते के निथे इनारी जरकार को जो इच्छा शक्ति दोनो चतिहवे, घर इच्छा शक्ति हे ही नहीं और इसके पाछे करण यह है कि जिस उदार नोाते का इस्होंने पालन किया है आर्थिक क्षेत्र में, वह ग्राधिक क्षेत्र तक ही सोमित नहीं रह गया है, हमारे सांस्कृतिक, गैंअणिक, साइंस एंड टेक्नालांजी के क्षेत्र में भी इस उदारनात्राद को नोति ने ग्राज हमको यहा तक पहुंचा दिशा है कि इन विदेशों मोडिया के अतिक्रमण को रोकने में जिका है हो ा लाये हैं. उसके जो भा ना एक है, उनको यदि देवा जाने लो 😘 😚 🐪 को ना नियं-ब्रिकः . हे। दूतरी बात हे कि आप किनल टेनोतिजन नेट वर्क रेग्लेड एइट, 1993 को लाये हैं कुछ याणा वातें जरूर हैं तो इसमें लेकिन जिस दिन बिल पेग किया जा रहा था, उस दिन भी वह मांग उठायी गयी थी कि कोटी की व्यवस्था विधेयक के अन्दर होनी चाहिये। जो रूल्स फ़्रेम

हो, इसको इनना मजबूत बनाइये, इतन[ा] प्रभावशाली बनाइये ताकि वह हम पर ग्रतिक्रमण कर रहे हैं, हम उनको रोक सकें। इसके लिये कानुत में भी व्यवस्था। होनी चाहिये, यह हमारा सुझाव है । इन्हों शब्दों के साथ मैं ग्रपनी बात खत्म करता हं।

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किये जायें, वह विधेयक के ऋन्दर हों। भ्राप कहते हैं कि केबल भ्रापरेटरों का पंजीकरण पोस्ट आफिसिस में किया जायेगा तो इस तरह के जो केवल ग्राप-रेटर्स होंगे, उनकी दिजा 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 ग्रीर विशेष शिक्षा की भी व्यवस्था होनी चाहिये ताकि वह एक निश्चित दिशा में केंबल ग्रापरेटर्स के रूप में दू 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 भारोप है कि हमारा दूरदर्शन उपभोक्ता संस्कृति का शिकार हो गया है ग्रीर हमारे मिल्लों ने सही कहा कि जो भी प्रोग्राम दिखाये जाते हैं, उसके बीच में यह विज्ञापन दिखाते हैं जिसकी वजह कार्यकमों का तारतम्य टूट जाता है स्रोर उपभोक्ता संस्कृति का शिकार यह दूरदर्शन सही मायनों में शिक्षा का काम या प्रचार का काम नही कर सकता है ग्रोर विदेशी उपग्रहों के माध्यम से जो हमारे मीडिश ५२ क्टिकसण किया जा रहा है, ग्रश्लील गाने दिखाये जाते हैं, ग्रम्भील चित्रों को दिखाया जाता है, उस पर रोक लगाने के लिये इनके पास कोई ऐसी व्यवस्था नही है। हम समझते हैं कि आप भारतीय परम्परा करते हुये नयी पीढ़ो को रक्षा (विदेशी) पाश्चत्य सभ्यतः के दुर्शणों से बचाने के लिये केबल नेट ४ के का प्रोग्राम

شى جلال الدين الفياري «بېساره أب دهيكش مبود سے حن اديشيوں كو الحكرية بل لاياكياسه تواسميں بحو یرا وُرھانے۔ ان برا وَرصانوں سأننس اور ٹیکنا بوخی کے آ اس الاارواد کی نیتی نے آج ہم کو lation) Orumance,

تو ودلیشا دہینتا سے کام نہیں جلے گا۔اس گئے

ہمارا یہ آروپ ہے کہ ہمارا دور ذرشن

1993

ائپ بھوکت سنسکرتی کانٹرکار ہوگیائیں اور

بمار ہے متروں نے تیج کہا ہے کہ جو کھی پروگرام

د کھاتے جاتے ہیں اس سے بیچے میں یہ وگیاین د کھاتے ہی جس کی والد سے کاریہ کرموں کا ناتے

نوٹ جاتے ہیں ا*ورائب بھوکت*ا سنسکرتی کا

شكاربير دور درستن صحيح معنور مين شكستنا

کا کام یا برجار کا کام نہیں کر سکتا بنے اور

ودستی ای کرموں کے مارصیم سے حوسماری

میڈیا پرائیکرمن کیاجار ہاہے - اسٹلیل

کانے دکھائے جاتے ہیں اے شلیل جبروں

کودکھایا جاتا ہے۔ اس میدروک لسگلنے

کے لئے ان کے پاس کو تی ایسی وبوستھا

محصته ببن كرآب بجارته برميرا

کی رکشتا کمئے تئے ہوئے نئی بیٹرصی کو ودسٹی

یا شیا تیرسبھیتا کے دورگنوں سے بچانے

کے بیئے کیسل نرم ورک جوہرو گرام ہیں

أس كوا تتنامضبوط بنائيه - اتنابريطاؤ

شابی بنائیے تاکہ وہ دہم براتیکرمن کررہے

مىيىم *أن كوروك سكين - اس كيے نيخ* قانون مي*ن بھي*

وريسقا بو في چاہئے - يہماراسجاؤيدان بي شرون

کے ساتھ میں اپنیا ت متم کر تاہوں ۔

دد خدمتم سنر ،،

يهان تك بينجاريا بي كه بهم ورستي ميلايا کے انتیکرمن کو رو کئے میں و مھل ہیں ۔ کم جویں لائے ہیں اس کے جوان تھید میں اُس کو یری در پیماجائے تو کہیں ہی اس کو روکینے یا مینترت کرنے کی ویوستھانہیں ہے۔

دوسرمابات يرسيه كه آب كبيبل بی ۔ وی ۔ نبیٹ *ورک ر*یگوںینٹن ایکٹ م 199ء كولائے ہيں تو اس ميں كھوا تھتى باتيں

حرور میں لیکن حبس ون بل پاس کی حار ما تھ امس دن بھی میر مانگ انتظامی کئی تھی کہ کو ڈکی

وبوستهاورصيك كاندر برناجا بيئي جو رونس فریم کئے جائیں۔ وہ ودھیک کے

مرباكيت بين كركيب أيرميطرون كا بنجيكرن يوسع فيسه ببن كياجاعك كاتو اس طرح کے جوکیسل آپر میٹرس ہوں گئے تو

ائن کی دشاکیا ہوئی - ہم یہ سمجھتے ہیں کر جن كيبل برييرس كوآب إين كاممين لين

چا ستے ہیں ان کا پنجیکرن تو ہو نا چاہتے سیکن ان کے لیئے ایک وسٹیش پرشکیشن اور وسٹیس

مشكشاكي تقبي ويوستها بوني الميئة ماكه وه ایک نبتیجت د شا میں کیبل آیر میٹرس سے روپ

میں دوردرش کے کاربیم مرموں کو دکھی یا کریں اُں کی ایک نشجیت و شماہو ۔ یہ و شا

وہن لوگ کو نسرا کارپر کرم دکھائیں گئے ،

Statutory Resolution re. TV Network (Regulation) Ordinance 1994 &

श्रो मृलचन्द मीणा (र।जस्थान)ः उपसभाध्यक्ष महोदय, मंत्री जीदारा केबल टेलीविजन नेटवर्क **बिल 1993** प्रस्तुत किया गया है। मै इसका समर्थन करत। हूं । पिछले कुछ वर्षा में हिन्दुस्तान पर इसका असर हुआ है। संस्कृति के ऊपर ही यह हमजा नहीं हे बल्कि अर्थिक श्रौर राजनैतिक हमले की भूमिका भी इस से बंधती है । पिछले दिनों त्रिदेशी संस्कृति के वर्चस्व जमाने के अनेक कदम उठे हैं। अनेक तैयारियां चल रही हैं। विदेशी म्रखबारों के प्रवेश के लिए देश के म्रंदर बहुत बहस हुई है लेकिन विदेशी जो फिल्में हैं, विदेशी टी.वी. कम्पनियां हैं उनके प्रवेश के ऊपर चर्चा न होने के कारण ग्राज यह विञेयक लाने की ग्रावश्यकता पड़ी है। पिछले मई महीने में ग्रमेरिका की कम्पनी इस देश के ग्रंदर सी.ग्राई.सी. नाम से भ्राई थी। वह ग्रंपनी देश के ग्रंदर 43 शाखाये खोल चुकी है ग्रौर 2100 करोड़ रूपए सालाना का कारोबार है। यहुराष्ट्रीय विदेशी कम्पनियों का एक ही उद्देश्य रहता है कि जिस कारोबार को ग्रपने हाथ सें लेते हैं उस कारोबार को विलय, अधिग्रहण, गटबन्धन, ग्रनुबन्धन ग्रादि के जरिए वर्चस्व स्थापित करना उनका एक मान रहता है। ग्राज इस देश के ग्रंदर जो केवल टी.वी. भ्रापरेटर्स हैं, छोटे ग्रापरेटर्स हैं उनके ऊपर ग्रपना प्रभृत्व जमाने के लिए, उनको खरीदने के लिए एक ऐसी योजना कम्पनियों के द्वारा बनाई गई। इसी के लिए मंत्री महोदय द्वारा यह ग्रध्यादेश सितम्बर महीने में लाया गया और यह पार्लियामेंट से पास कर क्रिधेयक बन जायेगा । लेकिन देर में ही सही स्रापने 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 नही खाते । जो हिन्दुस्तान क रहन-सहन हिन्द्रस्तान की कल्चर से मेल नहीं खाते। अवांछनीय प्रोग्राम देखने को मिलते थे। इससे हमारी जो मूल संस्कृति थी, उसकी जो भावना थी उस पर एक प्रकार से हमला उन कार्यं ऋमों के माध्यम से हुन्ना है। यह हमें पाश्चात्य संस्कृति की

ग्रोर झका लेती है। जो हमारी नई जनरेशन है, जो छात्र वर्ग है वह स्क्ल के बाद रोज टी.वी. से विपका रहता है विदेशी नेट वर्क के साध्यन से हम ग्रशोभनीय दृश्य कहते हैं, संस्कृति में जिनको बुरा माना पाता है उनको दिखाया जाता है। इसका प्रभाव हबारे यहां के छात्रों पर, ग्राने वाली नई जनरेशन पर पड़ता है। उनको रोकना बहुत जरूरी था। इसलिए मेरा कहना है कि मली महोदय का उद्देश्य अच्छा उद्देश्य है। अब से पहले जो केवल टीवी नेटवर्क का प्रचलन था वह किमी तरह से नियंत्रित नहीं था। गंदी से गंदी फिल्मों को भी केबल टी.वी. नेटवर्क के माध्यम से दिखाई जाती थीं। श्राज से इस विधेयक बनने के बाद इस पर रोक लगेगी। क्योंकि केबल टी.वी. ग्रापरेटर्स को ग्रपना रजिस्ट्रेशन कराना पड़ेगा। रजिस्ट्रेशन की व्यवस्था इस विधेयक के भ्रंदर की गई है। साथ ही जो संस्कृति का अतिक्रधण करेगा, जो हमारी संस्कृति से मेल नहीं खाती उनको दिखाने का प्रयास करेगा, बिना स्वीकृति के केवल टी.वी. ग्रापरेट करके दिखायेगा खिलाफ दंड की व्यवस्था भी इसके **।** की गई है। इस बिल में यह भी व्यवस्था है कि ग्रवांछनीय कायंक्रम नहीं दिखा**ये** जायेंगे। इसको कार्यक्रम कोड धारा-5 के श्रंदर बताया गया है। कार्यक्रमों के नियमों को ऋंम-बद्ध बनाकर प्रस्तुत किया जाएगा, जिससे लोगों को वास्तविक रूप से टी.वी. से जो ज्ञान प्राप्त होना है वह हो सके। दुसरा, विज्ञापनों को ग्राज केबल टी.वी. वाले जिस ढंग से प्रस्तुत कर रहे हैं, जिनको इसमें दिखाया जा रहा है, हमारी इच्छा न होते हुए भी जो विज्ञापन पैसा कमाने की इच्छा से इस तरह से दिखाये जा रहे हैं, उसका हमारे ऊपर गलत ग्रसर पड़ रहा है। इसी को ध्यान में रखते हए इसको नियमित इस विधेयक के माध्यम से किया गया है। इसमें व्यवस्था है कि जो भी विज्ञापन दिखाया जाएगा, उसे पहले दिखाया जाएंगा और स्वीकृति मिलने के पण्चात ही दिखाया जा सकेगा, उसके बाद ही उन विज्ञापनों को प्रसारित किया जासकेगा।

Cable TV Networks (Regulation) Bill 1993

महोदय, केबल ग्रापरेटरों की सुरक्षा की भाजना से यह बिल लाया गया है। इसका मुख्य उद्देश्य यह है-क्योंकि जो छोटे केबल प्रापरेटर्स है उनको बड़ी बह-राष्ट्रीय कंपनियां देश के ग्रंदर ग्रायी हैं, वह उन्हें अपने कब्जे में करने के लिए इनको उनसे खरीद लेती हैं श्रौर ग्रपने इच्छानुसार पैसा संस्कृति बनाने वाली फिल्में इस नेट-वर्क के माध्यम से दिखाना चाहती हैं। ग्राज इस देश के ग्रंदर 10-15 टी.वी. चैनल हैं। लेकिन धीरे-धीरे बढ़कर, 1995 में ये करोब 50 होने जा रहे हैं। इसलिए इस पर प्रतिर्बंध लगाना बहुत भ्रावश्यक हो गया था। इससे केबल ग्रापरेटरों को स्रक्षा के साथ-साथ इस देश की संस्कृति को सुरक्षा भो होगी। इसलिए मैं इस बिल का समर्थन करता है।

महोदय, इसके साथ ही मैं यह भी कहना चाहता हूं कि जो श्रवांछनीत कार्यक्रम अब तक इन केवल टी.वी. नेट वर्क के माध्यम से लोगों को लिए मिलते थे, उस पर इस विल माध्यम से जो प्रतिबंध का प्रावधान ग्रापने इस बिल के माध्यम से किया है, मैं यह मानता हं कि इससे अत्रांछनीय कार्यकमों से हमारे लोगों को सूरक्षा मिनेगी । ऐसे कःर्यक्रम देखने को नहीं मिलेंगे जिससे हमारो संस्कृति पर कोई हमला होता हो। साथ हो इस बिल के ग्रंदर ग्रापने यह भी व्यवस्था की है कि केवल ग्रापरेटर्स टी.वी. नेटवर्क में जो भी उपकरण लगायेंगे वे सब भारतीय मानकों के होंगे। ऐसा प्रावधान करने से जो ऐसी कंपनियों हैं जो इन पर **अपना वर्षस्य कायम करना चाहतो हैं श्रौर** भ्रापते उपकरण सन्ताई करना चाहती हैं, उनसे इनको बचाने के लिए ग्रापने यह प्रात्रधान किया है। यह करम भी स्वागत योग्य है। मैं इस बिल का समर्थन करता हं ब्रौर मंत्री जी से ब्रनुरोध करता हूं कि मंत्री जी ने जिस भावना के साथ इस बिल को प्रस्तुत किया है उसी भावना से तत्परता से इसको लागु करें, इन्हीं शब्दों के ाथ मैं अपनी बात समाप्त करता हं।

श्री दिग्विजय सिंह: (बिहार) :उप-सभाध्यक्ष जी. ग्राज से दो-तीन साल पहले जब हम लोग इस उदारीकरण का विरोध कर रहे थे, जो ग्राज की सरकार चला रही है तो हमारे बहुत से लोगों को, खास करके जो कांग्रेस के लोग हैं उनको हमसे बड़ा विरोध था। हमने कहा था कि सरकार चाहे तो "एम" टी.वी. ग्रौर स्टार टी.वी. चलाए लेकिन ग्रगर यह संस्कृति चलानी है, स्टार चलाना है तो सीता और साविवी सस्कृति इस देश में नहीं चल पाएगी । उस समय कुछ लोगों को यह मजाक लगता <mark>था।</mark> लेकिन मुझे खुशी है कि ग्राज सरकार खुद इस बात को सोचने पर मजबूर हुई श्रीर उन बातों को ध्यान में रखते हुए ग्राज इस प्रकार का एक बिल सरकार ने सदन में पेश किया है। लेकिन यह जो बिल प्रस्तुत किया गया है यह बिल ग्रपने भ्राप में बिल्कुल अधुरा है। मेरी समझ में यह बात नहीं म्राती कि सरकार के किस विभाग ने, कानुन के किस दायरे में इस बिल को बनाया है ग्रौर किन प्रयासों से उस मजिल तक सरकार पहुंचना चाहती है जो सरकार इस बिल में कहर रही है। ग्रभी ग्रवानक सारा जो कुछ मामता बिगड़ा है, दूरदर्शन से या ग्रोपन स्काई नीति से इसका एक अहम मुद्दा सरकार के सामने ग्रौर इस सदत के सामते है।पाकिस्तान हारा ऐसे प्रचार माध्यम ऋपनाए गए हैं जो इस देश में नहीं दिबाए जा सकते हैं। दुनियां को कहने से रोकने के लिए सरकार समज्ञती है कि यह तरीका उनके लिए सड़ी तरीका हो सकता है।

मानतीय मंत्री जी, मैं भी कभी-कभी पाकिस्तान टेलीविजन देख लिया करता हूं। सारी बातों को छोड़ दीजिए, एक शोग्राम पाकिस्तान टेलीविजन पर ग्राता है, उसमें ग्रापके सेंसर बोर्ड से पान किए हुए दो कार्यक्रम ग्राई विटनेस ग्रीर न्यूज ट्रेक हैं। भारत विरोधी कार्यक्रम में इन दो नाध्यमों से जो ग्रापके सेंसर बोर्ड ढारा पास किया हुग्रा है, वह प्रसारण देखने के बाद ऐसा लगता है कि पाकिस्तान ग्रपने कार्यक्रम में न सिर्फ सफल सिद्ध हो रहा

[RAJYA SABHA]

[श्री दिग्विजय सिंह]

है बल्कि दुनिया में जहां हम पाकिस्तान का विरोध करते हैं, वहां हमारे पास कोई जवाब नहीं है। भारत के सेंसर बोर्ड के द्वारा पास किया हम्राकार्यक्रम पाकिस्तान के पक्ष में जाता है, भारत के विरोध में जाता है। श्राप इस वात की गम्भीरता को समझने की कोशिश कीजिए। उदारीकरण की जो हवा बहाई जा रही है, उसका ग्रसर सिर्फ पाकिस्तान और हिन्द्स्तान का मामला नहीं है बल्कि उसका धसर दुनियां की उन बड़ी-बड़ी ताकतों के पास हैं जो पाकिस्तान ग्रीर हिन्दुस्तान को लड़ा कर दुनियां में ग्रपना वर्चस्व बनाए रखना चाहती हैं। इसलिए हमने शुरू में इस उदारीकरण का विरोध किया श्रौर यह कहा था कि इस उदारीकरण से इस देश का कोई हित होने वाला नहीं है। इसको श्राप समझने की कोशिश कीजिए। मुझे खुशी है कि ग्रापने इस दिशा में थोड़ा बहुत प्रयास किया है। लेकिन इस विल में बहुत 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 म्रौर बल का ग्रभाव मझे 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 हूं कि क्या कोई ग्रपनी मां-बहन के साथ बैठ कर इन कार्यक्रमों को देख सकता है ? मां-बहन की बात तो जाने दीजिए, अपनी पत्नी के साथ भी वह कार्यक्रम नहीं देखें जा सकते हैं। सरकार ग्राज छोटे ग्राप्रेटर्स को इस बिल के माध्यम से रोकने के लिए, केवल म्राप्रेटर्स को रोकने के लिए भी परेशान है। जो मंत्री जी यह विल लाए है, वह इस का जवाब दें। मैं ग्रापसे गुजारिश करूंगा कि ग्राप ऐसा बिल लाएं जिससे इस देश की संस्कृति, सभ्यता को बचाने

का काम करें। इसी उदारीकरण का नतीजा, फिलिपींस ग्रीर थाईलैंड में जा कर ग्राप देख सकते हैं फिलिगींस के प्रधान मंत्री को ग्राज से कुछ दिन पहले कहना पड़ा कि इस उदारीकरण नीति का ग्रसर यह हुआ कि हुगारा सारा देश वेक्यालय 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 ग्रसर हो रहा है। कहीं ऐसी नौवत 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, दुस्पयोग हो रहा है। श्राप जिस विभाग के मंत्री हैं, इस पैसे का पहला भ्रसर इसी विभाग पर होने वाला है। ग्रखबार खोले जा रहे हैं, बड़े-बड़े लोग जिनके पास दौनत है, ताकत है, इस काम में स्रा रहे हैं जहां हमारी संस्कृति ग्रौर सभ्यता को नष्ट करने का काम किया जाएगा। मैं इस बिल का जहां एक स्रोर समर्थन करता हूं, वहां दूसरी श्रीर सिर्फ एक ही बान की गुजारिश करता हं कि स्राप इस बिल के बारे में फिर से सोचिए ग्रौर जल्द से जल्द, महीने दो महीने के ग्रन्दर कोई ऐसा ताकतवर जिल लाइये जिससे यह लग सके कि भारत सरकार ग्रपने सांस्कृतिक नियमों को संसादित करना चाहती है ग्रौर सुचारू सांस्कृतिक नियम बना कर इस देश की संस्कृति श्रौर सभ्यता को बचाने का प्रयास करना चाहती है। इन गब्दों के साथ मैं ग्रापको धन्यवाद देता हूं।

SHRI ABDUSSAMAD SAMA-DANI (Kerala): Sir, I would like to make an important suggestion to the discussion going on, that 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 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 freeof expression and promotes harmony. But unfortunately in eastern countries like India, we are imitatthe 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 tele-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 she lding 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:

"ग्राह बेचारों के ग्रासाब पर ग्रौरत है सवार"।

That is the case of these so called 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.

श्री शारदा महन्तीः (उड़ीसा) उपसभाध्यक्ष महोदय, मेरे बहुत से बंध बारे में बोल चुके हैं। इस दो तीन बातें बोलूंगा। पहले तो जिस मंशा से मंत्री जी यह बिल*ा*। सही ढंग से इस्तेमाल करना उसे है। मेरा यह पहला अनुरोध है। दूसरा यं है कि जो "जी" टी.बी. है या केंबल टी.वी. है उसमें बहुत सी चीजें दिखाते । बहुत ग्रन्छे इपीसोड्स भी ग्रा रहे हैं । मगर एपीसोड के लिये केवल पांच मिनट देते हैं श्रौर दस मिनट एडवर्टा-इजमेंट देते हैं । शराब का एडवर्टाइज-मेंट इतना ज्यादा होता है कि बोल नहीं । एक मिनट के ग्रन्दर एपीसोड हैं फिर शराब का एडवर्टाइजमें टी.वी. "स्टार" टी.वी. या बी० बी०सी० ये सब जो बच्चा-बच्ची लोगों

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Cable TV Networks (Regulation) Bill 1993

FRAJYA SABHA 1

[श्री शारदा महन्ती]

के पढ़ने का टाइम होता है उस टाइम दिखाते हैं । वे लोग पढ़ाई छोड़ देते हैं **ग्रौर** री०बी० देखने लगते हैं। घर में देखिये जहां "जी" टी.बी. है. स्टार टी०वी० है या दूसरा टी.वी. है ये सब देखते हैं। टी०वी० की मंशा क्या है ? ग्राम ग्रादमी को सिखाने के लिये, समाचार देने के लिये टी.वी. है। मगर सव दिखाते हैं । बच्चा लोगों की पढ़ाई तो खराब होती है .. । उन का चरित्र भी नष्ट हो जाता है और जो नंगा नाच दिखाते हैं वह भी चरित्र नष्ट करता है । कोई क्वेश्चन भी पट करते हैं तो क्वे*ान* पूट करना भ्रव्छा है, जो म्राम ग्रादमी या सब ग्रादमियों को जानना चाहिये।

यह जो शराब का एडवर्टाइजमेंट है, साब्न का एडवर्टाइजमेंट है या अन्य ऐसे एडवर्टाइजमेंटस घाते हैं, एपीसोड खत्म हो जाता है लेकिन उसका क्या ग्रर्थ होता है वह हम लोगों को समझ नहीं त्राता है। मंत्री जी, यह जो शराब का विज्ञापन है इसको बन्द करना बहुत जरूरी है। भ्राप एपीसोड दिखाइये। एक ग्रीर बात हम भूल रहे हैं मैंड़ो चैनल में "श्रीकृष्ण" एपीसोड दिखा रहे हैं। श्राधे घटे का टाईम है, मगर 20 मिनट का एडवर्टाइजमेंट ग्रौर 10 मिनट "श्रीकृष्ण" बीच में दिखाते हैं। यह सब बन्द करना चाहिये। श्रीकृष्ण दिखाना है, महाभारत दिखाना है, रामायग दिखाना है या दूसरे जो बड़े-बड़े मनीषी हैं **उ**नकी कोई चीज दिखानी है, तो फल टाइम दिखाइये । एडवर्टाइज्मेंट मत दिखाइये । पैसों के लिये बच्चों का चरित्र नष्ट करना या ग्रपने आदिसियों का चरित्र नष्ट करना, यह टीक नहीं है। विज्ञापन से वह पैसा कमाते हैं। मंत्री जी पे मेरी रेक्वेस्ट है कि यह सब बन्द करना चाहिये ग्रौर इसकी जो मंशा है उसको पूरा करना है ग्रौर उसका हम समर्थन करते हैं।

धन्यवाद ।

SHRI S. S. SURJEWALA (Harvana): 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 been introduced and is being discussed, is not a complete piece of 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 braoadcast 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 been mentioned about the advertisements that they also likely to be controlled. But how the Government proposes to control them has not been mentioned. It is known to everybody that, with the 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 429 Statutory Resolution re TV Network (Regulation) Ordinance 1994 &

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 led to great distortions economically and socially. Mr. Vice-Chairman, Sir, even sex is being used, rather misused very flagrantly. All kinds of advertisements of intoxicants, rettes, cloth and other consumer articles 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 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, folk-music, 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 the local officers and local political bosses might try to give licences to those companies which are run by their own people and junior officers also can try people to to harass the distort The Television Cable money. Network means a lot of employ-But, opportunities. provision has been made about There is no menthe selection. tion in the Bill as to how many cable connections would be given to one town or one city and what criteria will be there to give

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

Cable TV Networks

(Regulation) Bill

1993

Thank you.

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 speak two sentences for the hon. Minister's attention_ Sir, while replying would the Minister be kind enough 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 the 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 Minister has replied to my points that I 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 vou 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.

DASGUPTA DR. BIPLAB (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

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

1993

THE MINISTER OF STATE OF THE MINISTRY OF INFOR-MATION 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 software 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 netwo!s. I am deliberately not naming any of them for obvious reasons. The net result of this 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

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exists in the Indian Telegraph Rules 1951 under Rule 44.72 which states:

"Any person, may, without licence establish, maintain and work a telegraph, not being a wireless telegraph within the limits of a single building or estate.

provided that no telegr ph line pertaining to the telegrar s shall pass over or under a publi road."

Accordingly, cables carring TV signals which have to cross a public require a licence from the Department of Teleco munications which is the telegraph rity in the country under the Indian Telegraph Act, 1935. Certi 1 rules have been framed under the 'ct and some sections of the Act 1 we been amended from time to time.

The then Minister of Information and Broadcasting appointed an Inter-Ministerial Committee in June, 1989 to study the various aspects of cable TV networks and dishantenna systems in the country and to make suitable recommendations. The Committee submitted its report in February, 1991. The matter was initially examined by the Department of Telecommunications as well as the Ministry of information and Broadcasting. Therefter, it was decided on 3-9-1992 in a Committee of Secretaries that the matter should be processed by the Ministry of Information and Broadcasting. Inter-Ministerial Committee recommended that the cable networks should be permitted to operate within a carefully regulated framework. This was again e-amined by the Ministry of Information and Broadcasting and by a Committee of Secretaries and on 20th October, 1992, it was decided to set up an Inter-Ministerial Group on again under the chairmanship of the Addirional Secretary, Department of Legal Affairs, to examine the necessity of enacting a law for the regulation of the

cable TV networks. The main intention was the regulation of networks because no Central existed at that time. Till the ordinance was made, no Central law 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 other recommendations. First is the mandatory licensing of cable TV networks for the time being. 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. In addition, advertisements on such networks 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? the head-end, trunk feeder system and the standardisation of cable equipment at the subscribers 'end should be specified by the Bureau of Indian Standards.

Cable TV-Networks

(Regulation) Bill

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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 गोतम (उत्तर प्रदेश) : वाईस-वेयरमैन साहव, श्राज हमारे एक साथी एम.पी. के बेटे की शादी है और उसमें हम सब लोग जा रहे हैं। कुछ बले गये हैं। यह विषय समाप्त होगा नहीं क्योंकि उन्हें बोलना है, इन्हें बोलना है इसलिये आप हाउस को एडआर्न कर दें और इसे कल ले लें। महोदय, पहले ही हाई घटे हो गये हैं जबकि 2 घटे इसके लिये एलाट किये गये थे। हाई बजे यह शुरू हुआ था तो माढ़े जार बजे समाप्त हो जाना चाहिये था। (स्यवधान) मगर ग्रभी दो धंटे श्रीर लगेंगे।

उपसभाध्यक्ष (श्री भुरेश अचीरी)ः मिनिस्टर को रिप्लाई करने दें फिर ह।उस 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..

SHRI K. 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 rush you. We want to hear you in great depth.

SHRI K.P. SINGH DEO: Would you be helpful in getting me to speak in the first hours comorrow? Otherwise, again one day will be wasted.

...(Interruptions)...

Sir, 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.

SHIGG, SWAMINATHAN: We can take it up tomorrow after the Zero Hour.

DR. BIPLAB DASGUPTA: Sir, It should not be rushed. It is a very important Bill. Some of us have moved some important amendments and those a nendments should not be dismissed or passed without a proper discussion. The Minister has made some points but he has a lot more points still to make. So, maybe tomorrow, after the Zero Hour... (Interruptions)

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

...(Interruptions) ...

DR. BIPLAB DASGUPTA: So, if he can take it up at that time., I think that would be proper.

SHRI K. P. SINGH DEO: Moreover, I would like to convince my good friend, Shri Viren J. Shah.

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

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

SHRI SANGH PRIYA GAUTAM; Sir, the House should be adjourned because it will take one love at the least. The Movers of the amendments also have to speak. You have taken the sense of the House. Now, you should adjourn it.

THE VICE-CHAIRMAN (SHRI SURESH PACHOURI): What is the sense of the House? (Interruptions).

The Hoase is adjourned till U a.m. tomorrow.

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