

[Smt. Renuka Chowdhury]

With these words, I think you very much for giving me this opportunity.

SHRI SHANKARRAO NARAYAN-
RAO DESHMUKH (Maharashtra): I sup-
port it.

ANNOUNCEMENT RE-ARREST OF SHRI V. GOPALSAMY MEMBER RAJYA SABHA

MR. CHAIRMAN: I have to inform the House that communication dated the 9th December, 1986 has been received from the Deputy Superintendent of Police, Tirunelveli Sub-Division, Tamil Nadu; stating that Shri V. Gopalsamy, Member of Rajya Sabha, DMK Party, was arrested in Tirunelveli Junction Police Station under sections 143, 188 of the Indian Penal Code, Section 2 of the Prevention of Insult to National Honour Act and Section 7(1)(A) of the Criminal Law Amendment Act and that he has been remanded.

Now, we shall take up the Indian Post Office (Amendment) Bill, 1986 and the Indian Post Office (Second Amendment) Bill, 1986. Both the Bill will be discussed together. Mr. Santosh Mohan Dev.

SHRI LAL K. ADVANI (Madhya Pradesh): Mr. Chairman, Sir, may I point out that even though both of these amendments are amendments in the Indian Post Office Act, the subject-matter of the two amendments is totally different. One relates to postal tariff and the other relates to the substance of the Post Office Act which is sought to be amended. It relates to interception of mail, censorship and all that.

MR. CHAIRMAN: It has been decided in the Business Advisory Committee and therefore we may proceed.

1. THE INDIAN POST OFFICE (AMENDMENT) BILL, 1986.

2. THE INDIAN POST OFFICE (SECOND AMENDMENT) BILL, 1986

THE MINISTER OF STATE IN THE
MINISTRY OF COMMUNICATIONS
(SHRI SANTOSH MOHAN DEV): Sir,
I beg to move:

"That the Bill further to amend the Indian Post Office Act, 1898, as passed by the Lok Sabha, be taken into consideration."

Sir, as the hon. Members are aware the Indian Post Office Act was enacted as long back as 1898. Ever since there has been only very minor amendments but there was no major change affecting this Act to bring it into consonance with the developments that have taken place for the last 88 years. This Act came into force under the British regime when India was a colony and therefore some of the provisions in the Act are colonial in its attitude and structure. This amendment to the Indian Post Office Act envisages to take care mainly of three aspects. (i) to bring the Act in greater conformity with the Constitution of India and its recent interpretations, (ii) to take care of the growing needs of our modern society and (iii) to plug the loopholes against the abuse of certain provisions through modern know-how and technology.

As you can see; Sir, our endeavour is to completely modify the Section 26 of the Act which provides for interception of postal articles for public good so that it is more in conformity with the Fundamental Rights enshrined in Article 19(2) of our Constitution. The old Act prescribed that under certain circumstances for public good, the postal articles could be intercepted. But there was no safeguard against the arbitrary use of this power by the state authority. Now, if the present amendment is effected, then this power can be made justiciable and thereby the Court of Law can review any such decision on the part of the authorities delegated with these socially and politically important powers.

Incidentally this Amendment Bill also seeks to fulfil an assurance given in the other House some time ago by the then Minister of Communications. Late Shri