

श्री शिव चन्द्र झा (बिहार) : मेरा प्वाइंट ऑफ ऑर्डर है।

आज की लिस्ट ऑफ बिजनेस में होम मिनिस्टर का स्टेटमेंट होने जा रहा है भिड़वाले ने जो थोटकी है, उसके बारे में ब्यान 5 बजे लिखा हुआ है। यह मैं मान लेता हूं कि यह यहां अभी नहीं हो सकता क्योंकि लोकसभा में बहस हो रही है और मंत्री महोदय वहां होंगे। लेकिन दूसरी सप्लीमेंटरी लिस्ट जो सर्कुलेट की गई है उसमें श्री नरसिंह राव, विदेश मंत्री कामन-वेल्थ देशों का जो सम्मेलन हुआ उस पर स्टेटमेंट देंगे। आप समझ सकते हैं कि वह विषय गंभीर है और वह 5 बजे के बाद काफी लंबा चलेगा और उसके बाद ये स्टेटमेंट देंगे जो कि अपने आप में बहुत इम्पॉर्टेंट है। इस विषय के साथ इस तरह से न्याय नहीं होगा अगर आप उसको इसके बाद रखेंगे। मेरा कहना यही है कि इसको कल कालिंग अटेंशन के बाद आप रख लें और बाद में इस पर क्लेरिफिकेशन पूछे जा सकते हैं। क्योंकि 7-8 बजे तक वह चलेगा इसलिये इसके लिये समय नहीं होगा। एक बात और जो मैं जानना चाहता हूं कि कामन वेल्थ हेड्स की मीटिंग जो यहां पर हुई थी उसके बारे में स्टेटमेंट देकर क्या जो यह मांग सदन की है कि इंटरनेशनल सिचुयेशन पर बहस कराई जाय...

श्री उपसभापति : वहस तो हो ही रही है। आप क्यों बीच में संदेह पैदा करते हैं?

श्री शिव चन्द्र झा : इंटरनेशनल सिचुयेशन...

श्री उपसभापति : वहस हो रहा है और संभवतः 7 तारीख को होगा। वह अपना जगह पर है।... (व्यवधान)... किसने कह दिया कि यह अपना जगह पर

नहीं है। आप बीच में ऐसी चीज उठा देते हैं जिसका कोई आधार नहीं है। आप बैठ जाइये। आप अगर चाहते हैं तो आप आज भी बहस करिये और 7 तारीख को भी करिये। पंजाब की सिचुयेशन पर बयान होगा। ऐसा हम सोच रहे हैं कि उस पर कल कालिंग अटेंशन हो और कल क्लेरिफिकेशन हो जायेंगे। पंजाब की सिचुयेशन पर क्लेरिफिकेशन आप पूछ सकते हैं। आज फारेन अफेयर्स पर स्टेटमेंट होगा उस पर आप क्लेरिफिकेशन पूछ लीजियेगा।

### CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

#### Recent incidents of harassment of and assault on Journalists

SHRI JAGDISH PRASAD MATHUR (Uttar Pradesh): Sir, I call the attention of the Minister of Home Affairs to the recent incidents of harassment of and assault on journalists and the action taken by the Government in the matter.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI NIHAR RANJAN LASKAR): Mr. Deputy Chairman, Sir, Government views with concern any incident of harassment of an assault on journalists and shares the feeling of the Hon'ble Members about such incidents. However the subject 'Public Order' is in the State List of the VII Schedule of the Constitution; so is the subject 'Police'. Maintenance of Public Order which includes prevention of crime through the machinery of the police agencies is constitutionally the responsibility of the State Governments and falls within their jurisdiction. Maintenance of Law and Order is also thus the responsibility of the State Governments with the exception of Union Territories in respect of which the Government of India is responsible. However, wherever any incident of harassment of or assault on Journalists comes to the notice of the Central Government the matter is taken up with the State Governments and they are asked to take immediate appropriate action in the matter

The Constitution of India provides under sub-clause (a) of Article 19(1) that all citizens shall have the right of freedom of speech and expression. Clause (2) of Article 19 provides for restrictions on this right. It provides as under:—

Nothing in sub Clause (a) of Clause (1) shall affect the operation of any existing law, or prevent the State from making any law in so far as such law impose reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interest of the sovereignty and integrity of India, the security of State, friendly relations with the foreign State, public order decency or morality, or in relation to contempt of Court, defamation or incitement to an offence.

The above right is available to all citizens of the country.

Recently Government of India asked the State Governments and Union Territory Administrations to furnish information regarding incidents of attack on journalists. Most of the State Governments & Union Territory Administrations have furnished nil information whereas Bihar, J & K have reported one case each, Maharashtra 7 cases, U.P. 2 cases and Delhi 2 cases respectively during 1983. In all these cases the concerned State Governments/Union Territory Administrations have taken action against those responsible for assault etc.

Government have firm faith in the freedom of the Press and recognise its important role in a free democratic society. Government of India trust that the State Governments are equally aware of their responsibility towards the Press. In fact the information furnished by the State Governments, so far, indicates that wherever necessary they have issued instructions to concerned authorities to ensure adequate protection to journalists/Pressmen.

**श्री जगदीश प्रसाद माथुर:** उपसभापति महोदय, जो भय था वही हुआ है। सरकार टेक्नीकल आधार पर अपनी जिम्मेदारी से बचना चाहेगी यह अपेक्षा थी और मंत्री महोदय ने यही किया है।

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यद्यपि कुछ मीठी-मीठी बातें कह दी हैं कि वह समाचार-पत्रों की स्वतंत्रता पर विश्वास रखती है लेकिन व्यवहार से कहीं भी ऐसा नहीं लगता है। यह भी उन्होंने कहा है कि कुछ प्रदेशों ने कुछ मामले उठाए हैं और मैं समझता हूँ कि शायद वह मामले ऐसे हैं जो कि बहुत गम्भीर हैं। इसलिए श्रीमान्, मैं सरकार का ध्यान आकृष्ट करना चाहता हूँ कि आज लोकतंत्र में समाचार-पत्रों की स्वतंत्रता का बहुत बड़ा महत्व है और शायद मंत्री महोदय भी इसको स्वीकार करेंगे। आज नहीं जब से भी लोकतंत्र के सिद्धान्त का विचार दुनिया में आया है उस समय से जानकारी प्राप्त करना और जानकारी प्राप्त करने के आधार पर और सरकार को चलाना यह उनका कार्य है। मैं नहीं समझता कि इस प्रकार की आवश्यकता होगी कि मैं मंत्री महोदय का ध्यान आकृष्ट करूँ उन सिद्धान्तों की ओर जो सिद्धांत दुनिया के अंदर चालू हैं और जिनके आधार पर हमें अपने देश के पत्रकारों की रक्षा करनी पड़ेगी। जेफरसेन की बात मैं नहीं कहना चाहता जेफरसेन ने कहा था कि यदि मुझ से पूछा जाए कि सरकार के बिना पत्रकार चाहोगे या पत्रकार के बिना सरकार चाहोगे तो उसने कहा मैं ऐसा चाहूँगा कि पत्रकार हों चाहे सरकार न हो। इतना ही नहीं हमारे देश के बड़े बड़े नेताओं ने जिनमें राजा राम मोहन राय जैसे व्यक्ति शामिल हैं उन्होंने भी इस बात को स्वीकार किया है कि सरकार की कितनी जिम्मेदारी है। इस संबंध में मैं यहां पर राजा राम मोहन राय की एक कोटेशन देना चाहता हूँ क्योंकि इतना कह कर जिम्मेदारी को समाप्त नहीं किया जा सकता है।

“Every good ruler who new the imperfection of human nature and the liability to error in managing the affairs of the vast empire would be more con-

[श्री जगदीश प्रसाद माथुर]

scious to employ all means of bringing to his notice such matters as might require his attention and interference. Such an important object could only be effectively achieved by means of the unrestricted liberty of publication of news."

आज से बहुत साल पहले लगभग 50-60 वर्ष पहले राजा राममोहन राय ने यह बात कही थी। मैं इन सिद्धान्तों का इसलिए जिक्र करना चाहता हूँ क्योंकि उन्होंने जिम्मेदारी टाल दी है यह कहा है कि प्रदेशों की जिम्मेदारी है लेकिन क्या हम यह जिम्मेदारी केन्द्र में नहीं ला सकते ? आपने संविधान का उदाहरण दिया बिलकुल ठीक है आर्टिकल 19 के अन्दर आपने कहा है कि हम को स्वतंत्रता का अधिकार है बिलकुल ठीक है यद्यपि खुले रूप से यह नहीं कहा गया है। जिस प्रकार से अन्य देशों के अंदर संविधान के अंदर यह घोषणा की गयी है, हमारे संविधान में नहीं है लेकिन फिर भी सुप्रीम कोर्ट के जजमेंट ने जो उन्होंने नये दिये हैं उनमें इस बात को स्वीकार किया है कि आर्टिकल 19 के अन्तर्गत जी अधिकार है उस में पत्रकारों की स्वतंत्रता का अधिकार है। लेकिन उसी के साथ आपने नीचे भी कह दिया कि रीजनेबल रिस्ट्रिक्शन्स लगाई जाती हैं। वहीं मैं ध्यान दिलाना चाहता हूँ कि रीजनेबल रिस्ट्रिक्शन्स के नाम पर आपने कितने रिस्ट्रिक्शन्स लगाये हैं और उनका दुरुपयोग सरकार की ओर से सरकारी मशीनरी की ओर किया गया है। जब मैं यह कह रहा हूँ तो जिम्मेदारी के साथ कह रहा हूँ कि इसका दुरुपयोग किया गया है और मैं केवल कांग्रेस सरकार के लिए नहीं कहना चाहता हूँ। जितनी भी सरकारें हैं वे किसी न किसी अवसर पर इस प्रकार का दुरुपयोग करती हैं क्यों ? क्योंकि ह्यूमन नेचर है। आज लोकतंत्र

में दुर्भाग्य यह है कि एक तरफ जिसको फोर्थइस्टेट कहा जाता है, कहा जाता है कि समाचार पत्र या जो मीडिया है यह राज्य का एक अंग है, यह स्वीकार किया जाता है लेकिन जो भी गद्दी पर बैठता है वह अपने अधिकारों की चिंता करता है, पत्रकारों की स्वतंत्रता की चिंता नहीं करती है। यह एक जगह नहीं, दो जगह नहीं हर जगह इसके उदाहरण हैं। जब मैं यह बात कह रहा हूँ तो मैं किसी एक दल या एक सरकार के लिए नहीं कह रहा हूँ, मैं सबके लिए कह रहा हूँ। इसलिए संबंधानिक आवश्यकता है कि इसके अंदर संशोधन किया जाना चाहिए इसलिए मैं श्रीमन, आपसे अनुरोध करना चाहता हूँ कि यह सरकार फंडामेंटल राइट के अंदर इसको स्वीकार करे जैसा कि अमेरिका के फर्स्ट अमेंडमेंट के अंदर किया गया है। वहां कहा गया है कि कोई भी ऐसा नियम जो पत्रकारिता को सीमित करेगा पास नहीं किया जायेगा। लेकिन विडम्बना है कि यू०एस० एस० आर० के अंदर, कांस्टीट्यूशन को देखे कम्प्युनिस्ट कंट्री है लेकिन उसके कांस्टीट्यूशन के आर्टिकल 15 के अंदर यह स्वतंत्रता दी गयी है। लेकिन आप जानते हैं कि साम्यवादी देशों के अंदर स्वतंत्रता नाम की होती है, जब कि स्वतंत्रता, कांस्टीट्यूशन की आर्टिकल 15 के अंदर है। लेकिन हम जानते हैं कि ऐसा नहीं होता है। लेकिन हमारे संविधान में, यदि हमने फंडामेंटल राइट के अंदर परिवर्तन किया तो क्योंकि हमारा वास्तव में लोकतंत्रीय देश है उसकी स्वतंत्रता वास्तव में पूर्णरूप से फलीभूत हो सकेगी। यदि यह नहीं हो, सकता, यदि नहीं हुआ तो आप जानते हैं कि सरकार की कितनी मशीनरी हो, कितने बड़े उनके इंटेलीजेंस के डिपार्टमेंट हों सारी जानकारी आपको मिल नहीं सकती है। जैसा मैंने राजा

राम मोहन राय के वक्तव्य से उद्धृत किया है अगर सरकार कुछ चाहती है कि हमें जानकारी चाहिए — क्योंकि जानकारी अगर नहीं है तो आप कोई भी ठीक निर्णय नहीं ले सकते हैं, जिन्नी जानकारी आपको हो उतनी जानकारी देश की जनता को भी हो तभी ता बात पूरी होगी लोकतंत्र में, आदान-प्रदान, विचारों का होगा और आप निर्णय ले सकेंगे। इसलिए श्रीमन्, मेरा सुझाव यह है कि फंडामेंटल राइट के चंदर जाना चाहिए। यह जिम्मेदारी राज्य सरकारों की नहीं है जिम्मेदारी आपकी होगी। आप इस प्रकार का कोई विधेयक लाएं। मैं एक दो बातें कहना चाहता हूं जैसे तो बहुत लम्बे उदाहरण हैं। छत्ता का उदाहरण उड़ीसा के अंदर हमारे सामने है। किस प्रकार से उसके पति को परेशान किया गया, मारा गया, उस महिला की इज्जत लूटी गयी, उसका मर्डर किया। क्या हुआ हम नहीं जानते हैं? अभी उत्तर प्रदेश की बात लीजिए उत्तर प्रदेश में भी अभी बांदा के अंदर श्री गुप्ता की हत्या की गयी, अभी टांडा के अंदर यह हुआ है। इसी प्रकार से दूसरे प्रदेशों के उदाहरण देना चाहता हूं। साम्यवादी सरकार है बंगाल के अंदर वहां क्या हुआ? वहां पर भी निरंजन हालधर जो आनन्द पत्रिका के प्रतिनिधि हैं उनको पीटा गया और कम्युनिस्ट सरकार के पुलिस वालों ने पीटा, कम्युनिस्ट सरकार वालों ने जो कि स्वतंत्रता की बात करते हैं। तब छोड़ा गया जब उसने कहा कि मेरा पुलिस कमिश्नर से संबंध है। सब इस हमाम में नंग हैं। कर्नाटक के अंदर अभी गुलबर्गा के अंदर केस हुआ सारी आपोजीशन पार्टी ने मांग की मुख्य मंत्री से कि खोज होनी चाहिए लेकिन मुख्य मंत्री ने खोज नहीं की। एम० जी० आर० के, तमिलनाडु

के अंदर चले जाइये वहां अभी श्रीलंका के प्रश्न पर विरोधी दलों के साथ वार्ता की जैसे ही विरोधी दल के नेताओं के साथ बाहर निकल रहे थे एम० जी० आर० का फोटो लिया गया। पुलिस वालों ने उसको पकड़ लिया और उसको मार पीटकर उसका रोल छीन लिया, छीनने के बाद घर ले गये और जब उसको काट दिया फिर उसको कहा कि एम० जी० आर० के फोटो के बिना तुम छाप सकते हो। एम० जी० आर० का भी यही हाल है, जम्मू केस में जाइये यही हाल है, दिल्ली केस में जाइये यही हाल है। अर्थात् मेरा कहना यह है कि जब तक कि इस स्वतंत्रता के लिए अच्छी तरह से संबंधानिक प्रावधान नहीं होगा, कोई भी सरकार और मैं कहता हूं कि शायद दुर्भाग्य से कोई भी दल हो सकता है आ जाये तो वह भी इसका दुरुपयोग किये बिना नहीं रहेगा। इसलिए फंडामेंटल राइट के अंदर इसको स्वीकार किया जाना एक प्रकार से अनिवार्य है। लेकिन आज एक नये सिद्धांत का उदय हो रहा है। पहले कहा जाता था न्यूज इज सेक्रेड। समाचार जैसे का जैसा है, वैसे दो—लेकिन जैसे-जैसे लोकतंत्र बढ़ रहा है, लोकतंत्र की जड़ें गहरी हुई हैं, एक दूसरा सिद्धांत सामने आया है। वह है राईट टू नो—यानी जानकारी—राइट टू नो अधिकार मेरा है, कि मैं जानू, क्यों? क्योंकि यदि मुझे मालूम नहीं होगा, मैं अपना निर्णय नहीं कर सकता। तो फ्रीडम है, समाचार जानने का मेरा अधिकार है।

तो मैं सरकार से पूछना चाहता हूं कि यह जो अधिकार —राइट टू नो है, जानकारी का सिद्धांत उदय हो रहा है, क्या सरकार इसके विषय में कभी कुछ विचार करेगी?

[ श्री जगदीश प्रसाद माथुर ]

जो सेकेंड प्रेस कमीशन बैठा है, उसने भी रिकमेंडेशन दिया है इस विषय में फ्रीडम आफ प्रेस के बारे में उन्होंने कहा है कि फ्रीडम आफ प्रेस का बिल लाना चाहिए क्योंकि आर्टिकल 19 के अंदर जो अपने रीजनेबल रेस्ट्रिक्शंस की बात कही है, रीजनेबल रेस्ट्रिक्शंस लगाने के बाद भी उन चीजों का उदाहरण दिया जा सकता है जो बिहार का बिल—अब जगन्नाथ मिश्रा चले गये—गलती उन्होंने की लेकिन गलती उन्होंने नहीं की, गलती आपके कहने से हुई। वह तो बिल्कुल उन्होंने वैसे ही ट्रीट किया था, श्रीमन्, जैसे गांव में आपको याद होगा कि जब चोर सेंध लगा कर अंदर घुसते थे, तो यह देखने के लिए कि जगाहट तो नहीं हुई, एक डंडे पर हंडिया रखी और अंदर घुसा दी, अगर डंडा पड़ा, तो भाग गये और नहीं पड़ा, तो अंदर घुस गये। तो वैसे ही चोर की जानकारी के लिए हंडिया आगे करके जगन्नाथ मिश्र ने चार बार डलवाई थी कि क्या जनता जागती है या नहीं?

जनता जागी, मैं पत्रकार बंधुओं को बधाई दूंगा कि उन्होंने संघष किया और जगन्नाथ मिश्र को उस बिल को वापिस लेना पड़ा; अच्छा किया। लेकिन आज तमिलनाडु की सरकार, उड़ीसा की सरकार कह देने के बाद भी इस बिल को रिपील नहीं कर रही है।

मैं इस सदन के माध्यम से एम० जी० आर० से और उड़ीसा के मुख्य मंत्री को अपील करना चाहता हूं कि वह इस प्रकार के जो दो बिल हैं, उनको रिपील करे, वापिस ले और इसीलिए आवश्यक है कि फण्डामेंटल राइट्स के अंदर इसको लिया जाये। लेकिन हमारा जो आज संविधान है जैसी कि जानकारी है, उसमें

आपने कुछ संशोधन किये हैं। प्रेस कमीशन के साथ आपने प्रेस कौंसिल का प्रावधान किया है, लेकिन क्या प्रेस कौंसिल में जो अधिकार हैं, वह पूरे हैं? वह पूरे नहीं हैं।

मेरा निवेदन यह है कि शायद होम मंत्री को इसकी जानकारी नहीं है—हो सकता है कि होम मिनिस्टर को जानकारी न हो, क्योंकि यह मामला आई० एण्ड बी० मिनिस्ट्री से वानसंड विषय है, लेकिन इतना कहूंगा . . . (व्यवधान)

SHRI NIHAR RANJAN LASKAR: If you know then why are you putting it to me?

MR. DEPUTY CHAIRMAN: These are observations.

SHRI JAGDISH PRASAD MATHUR: I know it. I am coming to what has been done.

MR. DEPUTY CHAIRMAN: These are observations to be noted.

श्री जगदीश प्रसाद माथुर: मैं आपसे निवेदन कर दूँ कि जो-जो मैं सुझाव दे रहा हूँ उनको आप प्रश्न के रूप में रख लें। यह नहीं कि मैं हरेक सवाल को कहूँ कि आप क्या करेंगे। मेरे पूछने का यह मतलब है कि क्या आप इसको सोचेंगे कि . . . (घंटी) आज प्रेस कौंसिल के पास उतने अधिकार नहीं हैं, जितने कि होने चाहियें, वह देंगे?

मैं आपके माध्यम से जो सूचना एवं प्रसारण मंत्री हैं, उनको कहना चाहूंगा कि क्या आप प्रेस कौंसिल को और अधिकार देने के लिए तैयार हैं।

इसके साथ ही मेरा दूसरा प्रश्न जुड़ा हुआ है कि प्रेस कौंसिल कुछ चीजों को सुओ-मोटो नहीं ले सकती। मैं य

नहीं कहता हूँ कि जितने पत्रकार हैं, सब दूध के धुले हैं। नहीं हैं, गलतियाँ होती हैं, लेकिन यह कहना कि सरकार उनको ला एण्ड आर्डर कह करके डील करेगी, गलती होगी—क्योंकि सरकार की जो मशीनरी है, वह इसका दुरुपयोग करेगी। इसका एक उदाहरण मैं देना चाहता हूँ।

पिछले दिनों, शायद दो महीने पहले की बात है कि ऋषिकेश से नैनीताल कुछ पत्रकार जा रहे थे, शायद तीन, तो उनको रास्ते में पकड़ लिया और उनकी पिटाई की। उसके बाद उन्होंने मैजिस्ट्रेट को शिकायत की फोन पर; तो मैजिस्ट्रेट कहता है—

you should have been fixed as it was done in Banda.

जैसे बांदा के पत्रकारों को गोली मार दी गई, वैसे बात अभिव्यक्त किया जाना, यह कहना है वहाँ के मैजिस्ट्रेट का। इसीलिए जहाँ-जहाँ ऐसे उदाहरण आते हैं अगर किसी पत्रकार ने गलती की है, तो उसका अधिकार वहाँ के मैजिस्ट्रेट को नहीं होना चाहिए वहाँ उनको फिक्स करने का अधिकार नहीं होना चाहिए, लेकिन उसका अधिकार प्रेस कौंसिल को दिया जाए सुप्रा-मोटो किसी चीज को लेकर यह मुकदमा चलाए, जिस-जिस को दण्डित करना हो, करे और उसके बाद कोर्ट में ले जाना हो, तो ले . . . (व्यवधान)

श्री उपसभापति : अब समाप्त करिए बारह मिनट हो गए हैं।

श्री जगदीश प्रसाद माथुर : बारह मिनट—नहीं, मुझे तो चालीस मिनट चाहिए।

श्री उपसभापति : अगर और लोग नहीं बोलें तो।

श्री जगदीश प्रसाद माथुर : लेकिन जो महत्वपूर्ण चीज है—आज जो आफिशियल्ज सीक्रेट्स एक्ट है, वह 1923 का पुराना है और उसके नाम पर कई रेस्ट्रिक्शंस लगा लेते हैं।

तो आप गृह मंत्री के नाते—  
will you change that Act? ऐसे बहुत से प्रोवीज़ंस उसमें हैं जो कि सीक्रेट हैं। . . . (व्यवधान)

आज अगर हम यह मानते हैं कि राइट टू नो का अधिकार है तो पत्रकार को कहां तक जाने का अधिकार होना चाहिए कि कहां क्या हो रहा है। इसी तरह एबीडेंस एक्ट है।

श्री उपसभापति : बहुत से लोग बोलने वाले हैं, दूसरों के लिए भी कुछ छोड़ दीजिए।

श्री जगदीश प्रसाद माथुर : मैं दो तीन मुद्दों पर कह कर छोड़ दूंगा।

एबीडेंस एक्ट तो आपके अन्तर्गत है। आज पत्रकार को यह अधिकार नहीं है कि वह सोर्स आफ इन्फार्मेशन बताए। अगर कोर्ट चाहता है तो उसको बताना पड़ेगा। कोर्ट अपनी जानकारी के लिए चाहे तो ले ले, कोर्ट के सामने आ

[श्री जगदीश प्रसाद माथुर]

जाए लेकिन पब्लिक के आगे नहीं आना चाहिए । (अवधान) एक अन्तिम बात मैं कहूंगा । प्रेस एण्ड रजिस्ट्रेशन एक्ट भी बहुत पुराना है । इसके अन्तर्गत मजिस्ट्रेट क्या करता है ? अगर कोई न्यूज छप गयी, गलत हो गयी तो वह उठाकर उस को कैसिल कर देते हैं । उसके बाद एपेलेट बोर्ड हैं लेकिन उस के सामने केसेज आते नहीं हैं । इसमें आपको संशोधन करना पड़ेगा । दूसरे दो-एक उदाहरण देकर समाप्त कर रहा हूँ । जो मालिक हैं वह भी कम परेशान नहीं करते हैं । वर्गीज का केस हमारे सामने है, शोरी का केस हमारे सामने है । एक केस हमारे सामने और आया । पिछले साल बगदाद में, कान्फ्रेंस में हमारा एक डेली-गेशन गया था । वहाँ पर बहस होने वाली थी आसाम के ऊपर । हमारे हिन्दुस्तान के डेलीगेशन ने उस को मना किया और वह नहीं छपा । उस समय वहाँ जो अल-अमद के एडिटर थे अंसारी उन्होंने यहाँ अखबार में खबर दी कि यह बहस नहीं हुई अच्छा हुआ नहीं छपी, लेकिन वह गरीब आज तक उस को सस्पेंड किया हुआ है क्योंकि गलत बात हुई है । उसके खिलाफ आप क्या करेंगे । गृह मंत्री भरोदय यह आप का काम है कि इन सब चीजों को किस प्रकार से ठीक करें ।

दूसरे हिन्दुस्तान समाचार को आपने हेरास कर रखा है । आप ने उसको टेक-ओवर कर लिया । आपने रजिस्ट्रार के हाथ दे दिया । रजिस्ट्रार के हाथ देने के पश्चात् आप का कर्तव्य था कि वहाँ के लोगों को तनख्वाहें दें । आप तनख्वाहें दे रहे हैं ? आप ने वहाँ लाकर कौन बिठा दिये । कांग्रेस पार्टी के एक सज्जन तिवारी जो हैं जो यू एस एस आर एम्बेसी में काम करते थे दूसरे मलहोत्रा जो हैं जिन्हें आप ने दो हजार तनख्वाह

दी जो ए आई सी सी में कलर्क थे । यह एक्सप्लोइटेशन नहीं है तो क्या है । नेशनल हेराल्ड के अन्दर जा कर देख लीजिए, वहाँ हड़ताल हो रही है । आप का पत्र है, आप के लोग चलाते हैं । यह ज्यादातियां हो रही हैं । इन ज्यादातियों को रोकने की जिम्मेदारी आप के ऊपर है, प्रदेश की सरकारों पर नहीं डाल सकते । हिन्दुस्तान समाचार, नेशनल हेराल्ड, अल-अमद दिल्ली के पत्र हैं । मेरा कहना यह है श्रीमन्, कि इस जिम्मेदारी को आप पूरा करिये । यह केवल ला एंड आर्डर का सवाल नहीं है । यह देश की एकता का सवाल है, लोकतंत्र का सवाल है । नये सिद्धान्तों के आ जाने के पश्चात् उन के बारे में जो भौने सुझाव दिये हैं उन पर आप विचार करेंगे या नहीं, इस का उत्तर आप दें ।

MR. DEPUTY CHAIRMAN: The Minister will reply later. Shri Gopalsamy.

SHRI KALYAN ROY (West Bengal): It should not be the precedent that the Minister replies at the end of the Calling Attention.

MR. DEPUTY CHAIRMAN: He cannot give specific replies.

SHRI V. GOPALSAMY (Tamil Nadu): Is that the procedure or a new procedure for today?

SHRI KALYAN ROY: A new procedure for today only.

SHRI V. GOPALSAMY: Sir, the hon. Minister has stated that the law and order machinery lies with the State Governments. I would not ask the Central Government to trample upon the legitimate rights of the State Governments. But, Sir, every attack and assault on news-men and journalists is an assault on the soul of democracy. So it is the duty of every freedom loving citizen to raise his voice of concern so that people should know that Parliament is very much wor-

ried and feels concerned because these violent attacks on newsmen are increasing day by day. I would not repeat what Mr. Mathur has stated here, but some of the incidents I would like to bring to the notice of the Home Minister. (*Interruptions*) I do not want to politicalise the issue. In Bihar, which is the cradle of this crime, on 19th March 1983, Vijay Shankar Mitra, General Secretary of the Jana Sakti was killed. Then, in Punjab, on 4th April, 1983, a staff correspondent or a photographer of the 'Indian Express' was beaten by the Punjab Police at Rajpura. And again, in Srinagar, P. N. Jalali, PTI bureau chief, was assaulted. Now Madhya Pradesh. I quote from "The Hindustan Times" of the 19th of July, 1983.

"The gruesome killing of Suresh Chandra Gupta, Editor of "Madhya Yug", a Banda daily, reveals a shocking picture of the law and order apparatus in some parts of the country."

Sir, in his dying declaration before the Banda Magistrate, Gupta stated:

"... the Deputy Superintendent of Police and the station house officer of Baberu police station had organised the attack on him."

And about Bihar I quote from "The Hindustan Times" of the 27th of September, 1982:

"The latest instance was the murderous attack on Hindu and Basumati correspondent Devi Dasgupta in Ranchi on September 22. A group of 15 men, armed with deadly weapons, entered his house from the front and the back in an obviously planned operation, closed all the doors, and fell upon the inmates including Dasgupta's wife and two daughters. The gang was led by two brothers, Buland and Mumtaz Ansari, both known to be Congress-I workers. There was no apparent cause for the sudden attack except for the fact that Dasgupta is the convener of the joint action committee of the 'Ranchi Patrakar Sangarsh Samiti'" which has vociferous campaigned against the Bihar Press Bill."

Sir, in Tamil Nadu, some journalists from Delhi wanted to elicit information about death of some Naxalites in the so-called encounters, when some Naxalites were liquidated in fake encounters. When they went to Tamil Nadu they were attacked. The whole attack was planned by the police, the local police there. Then they came here and made some statements about Tamil Nadu police.

So, throughout the country, attacks on newsmen and journalists are going on.

Not only that, Sir, even after the lessons of Bihar, the Tamil Nadu Government has not repealed the obnoxious Press Act.

SHRI R. MOHANARANGAM (Tamil Nadu): That Bill was there during the period of the DMK Government.

SHRI V. GOPALSAMY: I am not criticising any party, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Mr. Mohanarangam, you can explain when your turn comes. Do not disturb. (*Interruptions*)

Please do not record.

SHRI V. GOPALSAMY:\*

SHRI R. MOHANARANGAM:\*

MR. DEPUTY CHAIRMAN: Please hear me. Take your seat. When I am standing, do not record anything.

What type of persons are you? Please sit down first. At least have some courtesy in this House. The DMK Member has been given the chance to speak first. Then Mr. Mohanarangam's name is coming. If you go on speaking, I will stop both of you from speaking in this House. There is no other way of controlling you. You cannot hear; You do not have the patience to hear criticism and then reply later on. What type of men are you? Show some courtesy. All right, you speak first. He will reply later.

\*Not recorded.



DR. (SHRIMATI) SATHIAVANI  
MUTHU (Tamil Nadu):\*

MR. DEPUTY CHAIRMAN: No. please take your seat. No, no. I do not allow. Please take your seat. Will you hear me? You are not ready to obey the orders. You will have your chance. Your name is there. So please have patience. Note down all his criticism and if you have arguments, meet it. But don't quarrel like this. Like street boys, don't quarrel in this house, please. So many times we have seen this. It is regrettable conduct on your part. You are the ruling party there. You have to show patience to listen to criticism. (*Interruptions*) All right, you go on. You are a young man and you come and create disturbance in this House. Note down his points, but don't stand in between. Otherwise I will not call you. Let him make all types of criticism. The other party should have the patience to listen.

SHRI V. GOPALSAMY: The newspaper office was attacked. When some photographers took some snaps of the Chief Minister, they were pounced upon by the police, by plainclothesmen and their cameras were snatched away. That has also appeared in the press. That is the attitude of the regime, that is the attitude of the Chief Minister. That is why the Press Act has not been repealed. It is most obnoxious and draconian punishments have been provided. Is it not a fact that journalists who went from Bombay and Delhi were attacked in Tamil Nadu when they wanted to know what was going on in the name of fake encounters with Naxalites? Is it not a fact that they were attacked? Is it not a fact that some photographers were attacked by the security-men of the Chief Minister? So I would like to ask the hon. Home Minister: what are you going to do? May I suggest to the hon. Home Minister that they should provide a compulsory insurance scheme, a risk insurance cover, and that all the newspapers and all the news agency establishments should ensure that there is provision for a risk insurance

cover for the reporters, for the journalists who engage in field activities, particularly in the context of increasing violence and attacks on the newsmen?

Sir, on the one hand, the recommendations of the Palekar Award have not been implemented in many parts of the country. Even if they have been implemented, the conditions of the newsmen are really woeful. In the context of the continuous rise in the cost of living index, the wages recommended by the Palekar Award have been eroded. On the other hand, Sir, what about the other welfare measures like housing facilities, pension facilities, medical facilities and so on? They don't enjoy anything. When they retire from their newspaper offices or agencies, they suffer a lot for lack of medical facilities, pension and so many other things. So, on the one hand, they are suffering like this. On the other hand, when they come out with open criticism, they are attacked and assaulted and they have no security. So I would salute those matters who laid down their lives in the crusade against injustice, maladministration and all sorts evils in the society. Therefore, is it not the right moment for the Government to come forward to amend the Official Secrets Act so that legitimate journalistic activity in procuring and publishing news is excluded from the purview of the Act? And is it not the right time to make provision for a risk insurance cover for the reporters and journalists?

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Mr. Deputy Chairman, Sir, on the 13th July, 1931, that, is more than 52 years ago, Sheikh Mohammed Abdullah, our leader, came out on the national scene. There were two demands that he made: freedom of the press and freedom of speech. So we have been following these with great care. We believe that freedom of the press and freedom of expression are the two fundamental things for democracy. If these things are absent, then nothing remains over there. After partition, after we gained independence, the role of the journalists need not be over-emphasised. They are the ears and eyes of the public. They have to see what is here

\*Not recorded.

pening and report what is happening. People should know what is happening around. Therefore, I say where they have the right, they must be given free access to all the news and they must not be harassed. It is a fact that harassment is taking place in certain quarters. Of course, it is also their duty that they must be objective in their news coverage. This is a very important pillar of democracy. In this connection, the most important part of this Calling Attention, to my mind, apart from the incidents of harassment that have been mentioned by my friends here, is the resentment prevailing among the journalists and non-journalists due to non-revision of their wages. This is a very important question. They have to go about. They have to get news. If an incident takes place in one place, they have to go and collect information about it and at the same time if another incident takes place 15 miles away, they have to rush there too to report about that. How can they do that unless they are adequately paid? Unless the Government ensures to them adequate wages, how are they going to discharge their duties dutifully? What happens otherwise? When they have no money, they have to get it from somewhere. There are people who can give them money. But then those who pay money to them take advantage of their position and tempt them with money to give coverage to their news. It happened during the last several months in Jammu and Kashmir and have said experience about it. I, therefore, want the honourable Minister to ensure that the journalists who are the eyes and ears of a democracy, are adequately paid and that revision of their wages is done on a regular basis so that they are not handicapped for want of their minimum needs. Otherwise, this situation gives rise to the malaise of bribery and corruption which we have experienced and which should be nipped in the bud. This is all that I wanted to submit.

SHRI J. P. GOYAL (Uttar Pradesh): I want to point out that in Article 19 of the Constitution sub-clause (1) (a) reads:

"All citizens shall have the right to freedom of speech and expression."

Now, there is nothing in this Article that this right to freedom of speech and expression is only against the State and not against the Union Government. In fact, this right which is a fundamental right, has to be protected by the State when this right is infringed either by the State Government or anybody else of course, it is against the Government and private persons but private persons are not dealt with in fundamental rights—the right is guaranteed by the State in Article 19(1) (a), and the only restriction which can be placed is, as the honourable Minister pointed out, as under sub-clause (2), "only reasonable and integrity of India, the security of the right in the interests of the sovereignty and integrity of India and security of the State and friendly relations with foreign States, public order, decency or morality, etc.", except these, there is unfettered right to freedom of speech and expression and it is under this the freedom of the press comes though the press is not mentioned by name. The Supreme Court, which was established on 26-1-1950 when the Constitution came into force, delivered its judgment, the first judgment, on this point, on Article 19(1)(a), in Romesh Thappar's case, within a few months of its establishment and I would like to quote the words of Justice Patanjali Sastri where in the learned Judge says:

"Freedom of speech and expression lie at the foundation of all democratic organisation for without free political discussion no public education, so essential for the proper functioning of the process of a popular government, is possible."...

Now, Sir, this is the position with regard to freedom of speech. Now, in the Maneka Gandhi case, which was reported in S.C. 1978, the Supreme Court went into article 19(1)(a) relating to freedom of speech and expression and it was mentioned that this freedom of speech and expression is guaranteed not only within the territory of India, but, if a citizen goes to another country, he continues to have this freedom or even if a Pressman goes to another country, he continues to have this freedom even

[Shri J. P. Goyal]

outside this country he being a citizen of this country.

Now, Sir, the honourable Members have said about the attacks on Pressman. The Calling-Attention Motion is on assault and harassment, etc. My learned colleagues have cited examples from different States like Banda in U.P. where the murder of a Pressman took place and they have cited other cases also. I am not going into them now. But the fact remains, as our friend, Shri Mathur has pointed out, that when there is an attack on Pressmen or journalists, it becomes the duty not only of the State Government, but also of the Union Government, to see whether the freedom of speech of the Press has been violated or not. But simply saying that it is not the duty of the Central Government, it is the duty of the State Government, it is the duty of the State Government to deal with the law and order situation, etc. does not help. Then what for is the Central Government here? Here also, in one case, the Home Minister says, "No, no. It is the duty of the State Government.". What for are we here? What is the Central Government for? What for are you sitting here? Therefore, I would say that it is the dual responsibility of the State Governments and the Central Government. Therefore, Sir, the honourable Minister has to clarify this and he has to note that this impression should not go outside in the country that this is the sole responsibility of the State Governments and not of the Central Government. This impression should not be there. This is the point which I want just to hammer here that the Union Government should also guard freedom of speech and expression. Thank you Sir.

SHRI SURENDRA MOHAN (Uttar Pradesh): Sir, I find that the facts the honourable Minister has given in his statement, on the basis of the information which he has received from the various States, are very much inadequate. The number of cases of assault on and harassment of the journalists have been increasing and increasing, in fact, everyday and there is a particular reason for that. Unfortunately, Sir, there has been an increase in the incidence of crimes in the country

and the journalists, because of certain public responsibility which he has, starts to investigate and in this investigative journalism there are lots of risks. Just as the incidence of crime is increasing, public consciousness is also increasing and this, I think is the function of democracy that public consciousness, social consciousness should also increase and they are increasing. The result, Sir, is that where investigative journalism takes place, then, certain vested interests, who are in fear of being exposed, start colluding with the police and with the local bureaucracy. That is why most of these incidents, although they take place, are covered up and not reported and they cannot be reported in the Press because the journalist himself is involved and they are not reported also because the bureaucracy is involved.

The second problem is that there have been a large number of protest movements in the country and these protest movements have been active in the rural areas, in the tribal areas, in order to expose the acts of exploitation against the weaker sections, and the vested interests again, in order to beat down these protest movements, start violating every tenet of democracy and norm of decency and morality. When the journalists come to report on these incidents, on such cases, they are also made victims of assaults. This is a phenomenon, natural phenomenon, of our economic development and our democracy.

Now, Sir, I feel that this is a question which has to be understood in its depth. When my friends from Tamil Nadu were engaging themselves in a dual, even at that time I wanted to say that this was a thing which was not pertaining to one political party alone.

Nor does it pertain to a particular State. My hon. friend, Shri Jagdish Prasad Mathur, gave the names of various States in which ... (Interruptions) I would request my friends from the DMK and ADMK to realise this. Shri Jagdish Prasad Mathur also referred to the Janata Government in Karnataka. We did not raise any protest because we know this

is, unfortunately, a universal phenomenon that the vested interests, anti-social elements and criminals all come together, collide together, and they attack. The journalists, so that journalists cannot expose or they cannot report their heinous deeds to the public at large.

Now, this is a question which calls for some more basic remedies. I would suggest that there should be some committee, some Commission or some mechanism which should be able to independently make a report of all the atrocities that are taking place.

Sir, in the case of Scheduled Castes and Scheduled Tribes, or the minorities, we have the Scheduled Castes and Scheduled Tribes commission and the Minorities Commission. And this Commission independently goes about the country and finds out whether there are cases of discrimination, assaults, etc. I think, Sir, that in the case of journalists also some commission should be appointed. Although I am not wanting them to be treated as a weaker section or comparing their lot with the weaker sections, but since they perform a very important duty, on account of this performance of public duty it is the responsibility of the Central Government, the responsibility of all of us, of those who are resolved to defend the Constitution, and it is the responsibility of the Central Government to see that some commission is appointed. Whether we call it Human Rights Commission, Fundamental Rights Commission or whatever it is, but there should be some commission which should make a report on all the atrocities and harassments relating to the journalists, make investigation and make proper recommendations to the Central Government. Without this, I am afraid, journalists will not be able to find any support or any safeguard.

Shri Jadish Prasad Mathur also mentioned the case of 'Hindustan Samachar'. In the case of 'Hindustan Samachar' three persons, three employees, have already died, because for a whole year they were not paid their dues. In the case of 'Hindustan Samachar' three persons in Delhi office have been charged with embezzle-

ment. And, Sir, the total amount with the 'Hindustan Samachar' is Rs. 55 only. I do not know how three persons embezzled Rs. 55. . . (Interruption). And there is the family—Hindustan Bharati. Hindustan Samachar, National Herald and there are strikes, there are notices of strikes. More than 10 offices of the Hindustan Samachar have been closed. More than 5 offices of Samachar Bharati have been closed. And they are really in such a pitiable plight that one does not know what can be done about it. But I would request the hon. Home Minister and the Minister for Information and Broadcasting to look at this question of Hindustan Samachar and Samachar Bharati in a different manner. The Press Commission had made recommendations about these two agencies. I would suggest that the recommendations of the Press Commission must be implemented as early as possible so that the distress of these people is relieved.

With these words, I thank you.

MR. DEPUTY CHAIRMAN: The debate will continue after lunch.

सदन की कार्यवाही दो बजे तक के लिये स्थगित की जाती है।

The House then adjourned for lunch at fifty-nine minutes past twelve of the clock.

The House reassembled after lunch at three minutes past two of the clock, Mr. Deputy Chairman in the Chair.

MR. DEPUTY CHAIRMAN: Shri Kalyan Roy.

SHRI KALYAN ROY: Sir, the ambit of the subject is very large. It includes denial of wages, harassment and assault on journalists. Harassment means illegal retrenchment, change of designation, closure of newspapers, etc. which strictly do not come under the Ministry of Home Affairs. It involves mainly the Ministry of Labour and the Ministry of Information and Broadcasting. We do feel that the maintenance of law and order is exclusively the responsibility of the State Government and we do not like any excuse for the Central Government to interfere in those

[Shri Kalyan Roy]

subjects. It is an admitted fact that there have been some very bad cases of assault and even murder of a communist journalists in Bihar, as has been mentioned by other Members of Parliament before lunch. The attacks are increasing.

I do not know whether the statement which has been laid on the Table of the House is exhaustive. He has mentioned only one case each in Bihar and Jammu and Kashmir, seven cases in Maharashtra, two cases in UP and two cases in Delhi.

**SHRI NIHAR RANJAN LASKAR:** 1983 cases only.

**SHRI KALYAN ROY:** I do not know whether all the State Governments have given the information. According to the hon. Minister if they have given all the information, whatever it may be, what is happening is deplorable. Everybody has said it. My question is very precise. Although it is an exclusively law and order problem, when there are meetings of the Chief Ministers of the Eastern States, of the Northern States and of the Southern States, and also meetings of the Prime Minister with the Chief Ministers where the Home Minister is also present, this subject should be raised and serious attention should be paid, and perhaps the feeling in the country is that attention is not being paid to this. Secondly, Sir, my question is whether the Minister can consider the question of setting up a special cell. My grievance is that although Mr. Laskar has said that this is what they have got, I want to know whether they have got a special cell to monitor these specific cases of assault on the newspapermen. Thirdly, Sir, the Labour Ministry has never cared what the impression of the people is in the country; if such a big national daily which was founded by Pandit Jawaharlal Nehru, the 'National Herald' is locked out day after day, wages are not paid for years, and even the provident fund is not deposited, should the labour Minister remain a mere spectator? Sir, it is most unfortunate that the Palekar Award has not been implemented even today by some of the largest group of chain newspapers. For instance, the Jain Group have not implemented the Palekar Award in relation to the 'Economic Times' in Calcutta.

I can go on giving the names. But this is very unfortunate that it is so with big newspapers owned by the big bourgeoisie, of course, whose devotion to freedom of the press is nil but who talk about the devotion to press. As a matter of fact even the newspapermen are forced to write what their employers think. Mr. Methur has mentioned about it. I can always tell Mr. Mathur that there may have been some lapses on the part of the police. I do not defend that. But is it not a fact that the Editor of the 'Organiser' lost his job because of the influence of Swraj Paul? Since the 'Organiser' had massive advertisements from Swraj Paul, the poor Editor had to go. So, we do not know how far it is true. This is a subject of enquiry. And these should also be gone into.

Sir, I would impress upon the hon. Minister to take it up seriously with the Chief Ministers whose job it is to protect the journalists, to have a special cell, and to raise the matter seriously in the Chief Ministers' Conference, and fourthly, the Labour Ministry should see that the Palekar Award is strictly enforced to prevent massive retrenchment and lock-outs and change of designations. Sir, after the Award came into operation, in a large number of big newspapers, including the 'Amrit Bazar Patrika' the mofussil correspondents designations were changed from correspondent to stringer. This has happened in many newspapers. This is an unfortunate development. And lastly, Sir, I would also plead with the Labour Minister that the demand of the Working Journalists Association for setting up another Pay Commission in view of the high rise in prices should be considered sympathetically and dealt with accordingly. Thank you, Sir.

**SHRI K. MOHANAN (Kerala):** Mr. Deputy Chairman, Sir, May I also join with the deep feelings expressed by my esteemed colleague here against the growing trend of attacks against the press community of this country? Sir, I am not seeing this issue as a law and order issue alone. This is something more than that. This is a question of creating some kind of consciousness and national conscious-

ness among the people of this country, and the democratic-minded people of this country to protect the very same fundamental values of our democratic system. Sir, the press in a democracy, we know, wields an influence which is often equal to that of the Government. It is not expected to suppress news which may be unpalatable to Government. It should not withhold adverse comments or criticisms in respect of policies and actions which are considered to be detrimental to the interests of the people.

Sir, a free and fair press is, no doubt, the most effective safety valve for a healthy democratic system. The most vital part of the press is the journalistic community itself. So, any kind of attack of harassment against the journalistic community would be dangerous to the democratic system of our country. It is not a question of harassment or attack against any individual or a group of persons. Its implications are much more larger and wider.

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Sir, we have our bitter experience of the emergency. I myself was a victim of emergency as the editor of my party's official organ in Malayalam. After the independence, it was the worst time for the Indian press and journalists. But immediately after the withdrawal of emergency, the year 1977 was the year of journalists. The journalists had never had it so good for almost a quarter of a century. But after the defeat of the Janata Government and Mrs. Gandhi's elevation as Prime Minister in 1980, things have again slowly deteriorated; that is my impression. In this context, I would like to quote our President, Giani Zail Singh. In 1980, in the capacity of the then Home Minister, he said: "The press in a democracy was the eyes and ears of a nation and if the freedom of the press was stultified, it will mar the future of the country." But I am sorry to note that the spirit of this statement has never been maintained.

Sir, I do not want to narrate the recent incidents one by one. I am only trying to make some general observations and give my own assessment. Many of these

incidents have been narrated by my esteemed colleagues. So, I am not going into them. I am only trying to make some general observations from my own point of view. Sir, the democratic-minded people of this country are always in favour of a free and fair press. And their support to the honest and dedicated journalists is always encouraging. But, who is allergic and impatient to the criticism made by the press? I should say that it is none other than the Government headed by Mrs. Gandhi and the ruling party of this country. Nowadays, our Prime Minister is quite allergic and impatient to the criticism against the Government which often appear in the press. It has become a fashion with the Prime Minister to attack and criticise the press and the journalistic community using every opportunity. Even on the floor of this House she made so many adverse remarks against the press. This itself is the main reason for the growing trend of attack and harassment against the press and the journalistic community in the country (*Time Bell rings*). So, Sir, if this is the attitude of the Prime Minister of this country that journalists are the agents for spreading lies, we can imagine what would be the attitude of the bureaucracy and police and the political followers of the ruling party towards the journalists.

So, Sir, my request is that this trend of attacking the journalists must be stopped forthwith, from the higher officers and leaders of this country. Otherwise it will be an encouraging measure for the bureaucrats, the police, vested interests and the anti-social elements. (*Time bell rings*).

Then, Sir, I am not saying that the Indian press is free from all kinds of weaknesses and that it is perfect. There are in my experience and in my party's experience so many news items which appear in the press which have no basis and these are aimed against my party and the Governments ruled by parties in West Bengal and Tripura. But we have the courage to fight it out and we have the patience to hear the criticism and we can explain our clean position with facts and figures.

[Shri K. Mohanan]

But in many cases, the ruling party is not so patient; or sometimes, they are antagonistic to the press community and they are creating an atmosphere of antagonism against the press community. That is the main reason which encourages the anti-social elements and other vested interests to carry on attacks on the journalists. Sir, as a journalist by profession, I seek your protection...

MR. DEPUTY CHAIRMAN: I am protecting your please conclude now.

SHRI K. MOHANAN: I seek protection from you.

Another issue which I would like to point out is the relationship between legislature and the press. We have our bitter experience of the anti-press legislations of Bihar and Tamil Nadu. Some Governments are even now in a mood to curb the freedom of the press by passing legislations against the journalists and the press. Anyhow, the Bihar Chief Minister, before his unceremonious exit, withdrew the Bill. But in Tamil Nadu, the Act is still there. I do not know whether it has been passed by the DMK Government or the AIADMK Government. I am not going into that controversy. But the fact is, the act is still there and the present Chief Minister is very adamant on this issue. This should be changed... (Interruptions).

SHRI ALADI ARUNA Alias V. ARUNACHALAM (Tamil Nadu): I am not raising any controversy, but ... (Interruptions).

MR. DEPUTY CHARMAN: His name is there: just after Mr. Mohanan, he will reply.

SHRI K. MOHANAN: Sir, I want to draw the attention of the House to a very peculiar incident in Kerala. The Kerala Assembly Speaker rejected reporting facility to the correspondent of a particular daily. I am not challenging the authority of any Presiding Officer, a Speaker or any Presiding Officer: I am not challenging the authority. But if this action was on the basis of any complaint against that particular correspondent, it was all

right. But there was no such incident. The Press pass to the correspondent has been denied without any charge, without any justification, using the sacred discretionary power of the Presiding Officer. A Division Bench of the Kerala High Court unequivocally stated that the action is against all accepted norms, conventions and even against natural justice. Even then, the Presiding Officer is much adamant with his false prestige. It is the right of a journalist to cover...

MR. DEPUTY CHAIRMAN: I don't think you should refer to the proceedings of a legislature.

SHRI K. MOHANAN: It is the right of the journalists to cover the proceedings of the legislature. Denying that right is not only harassment but it is also against the principle of right to work. That is a Constitutional right. Therefore, I would like to mention this case here. In this context, I would like to know whether the Government would take initiative to evolve some healthy conventions regarding the relationship between the press and legislature.

My third point is, of course, the harassment of journalists by the management. We know the Palekar Award is a milestone in the history of the working journalists in this country. But even now, in many of the institutions, including some major establishments of newspapers, this Award has not been implemented, and these establishments including some leading newspapers in the country are trying to evade the implementation of the Award. Even some foreign news agencies working in India are also doing the same thing. Now, I place before you the facts about the serious situation in the newspaper industry in the capital itself and what happened in 'National Herald.' In the 'National Herald' Group, as many as 59 workers have been suspended. It is shocking to note that all the union activists have been suspended and threats both veiled and not so veiled are being issued to some of them. The workers are facing victimisation for demanding minimum bonus applicable to news paper establishments—the minimum stipulated by the law in India. Is this unreasonable demand?

This 'National Herald' is being run by the ruling party of the country, and the journalists are being harassed for demanding the minimum stipulated bonus. Is it correct? Who is encouraging harassment against the journalists in the country? These are the facts. This is not merely a law and order problem. This is a question of creating an atmosphere of enmity against the journalists from the higher officers in this country. This should be checked forthwith. This is my demand.

**SHRI R. MOHANARANGAM:** Mr. Deputy Chairman, Sir, first of all, I am not going to ask you to protect my interests by stating that I am a journalist because I am not a journalist. But I am going to ask you to protect my interests as a Member of Parliament because as a Member of Parliament, I am entitled to protection of my interests from you.

So many things have been said very elaborately about the rights and the duties of the journalists. As a person who used to write stories, who used to write articles and as a person who used to read almost all the books, so many books, in English as well as in my own language. I know about the difficulties of the journalists.

First of all, let me answer one question which has been raised by my hon. friend here. My hon. friend, Mr. Mohanan, has said that he is not in a position to understand exactly the adamant attitude of our Chief Minister, the Chief Minister of Tamil Nadu. I do not know why he has used this word, 'adamant attitude'. But as a Member of Parliament, he has the privilege to say so many things here. I think, using this privilege, he has said this. But anyway, I would like to point out that this Bill was not introduced on the floor of the Legislative Assembly by the present ruling party, namely, the All India Anna DMK. This was introduced long ago, not even by my friends who belong to different political parties. This has been there for the past so many years. But for the information of my hon. friend, what I would like to point out is that not even once the All India Anna DMK Party, which is the ruling party in Tamil Nadu State, has made

use of the provisions of this Bill, I would also like to point out for the information of my hon. friend, because he has said that he is not in a position to understand the adamant attitude of our Chief Minister, that our Chief Minister is going to withdraw this Bill very shortly.

Then, Sir, I can say so many things about the duties and rights of the journalists. Some persons say that they are the eyes and ears of the society. Yes. Then are the eyes and ears of the society. They are the eyes and ears of the public. Not only that. They are expected to write without fear or favour. Unless and until they have sufficient knowledge, they cannot write so many articles and they cannot put forward facts and figures. They have to read so many things. They should possess adequate knowledge to carry on their magazines and newspapers. But these persons who have adequate knowledge, do not possess or do not get adequate income. This is the main reason for all the complications. As I told you just now, meagre income is responsible for all these things.

As I said, they have to write without fear or favour. I would like to quote certain things here, if you permit me. If I am encroaching upon the time of the House, I hope, I will be excused. Thinking that I will be excused, what I would like to say that they are the real members of the Fourth Estate. They have to state the real things, they have to point out as to how things are going on in the society. They should always keep the betterment of the people and the economic development of the country in mind when they write. They are the persons who are responsible for projecting the programmes of the ruling party. They are the persons who are responsible for bringing to the notice of the public the views of the Opposition parties. They are expected to do so many things not only for the betterment of the ruling party, not only for the betterment of the Opposition side, but for the betterment of the people and the economic development of the country as a whole.

Then, Sir, mention has been made about



[Shri R. Mohanaragam]

the incident at Meerut. I am not going to quote any thing here on this because my friends have pointed out about it. At Meerut, on 20th September an editor was assaulted. Why was he assaulted? The editor of 'Pratap' was 'attacked at Meerut because he has written about some true incidents, about a certain group. Is it not the duty of the journalists? Is it not the duty of the editors to report things as they have happened, as to how things are going on in a particular area? Because they have written, because they have written without any fear or favour, because they have reported true things, they have been attacked. The journalists cannot write correct things if they do not go and investigate the matter. Some persons went for investigation in a recent case of violence and arson in Tanda at Hyderabad. Because they went to investigate, they were attacked by three youths and police people have not come forward to make an enquiry. The case is still going on.

The third case is at Chittor in my neighbouring State where a gentleman working in a leading magazine was assaulted. He had written something about corruption prevalent in the gram panchayat and he was attacked by an MLA and four others. Then, the Chief of the Srinagar Bureau was arrested and assaulted. These are some of the things that have happened in the recent past with regard to the journalists.

So, that is the position and what exactly has the State or the Centre done to rectify their problems? Who is responsible for this state of affairs? We expect so many things from them. We ask them to write correctly, we ask them to write true things, to publish facts as accurately as possible, but in return what has the Government done to rectify their grievances? What are we giving them? Are these people given more income? Have their wages been revised over the past 15 years? From all the pages of history you cannot find a single page where their wages show some increase. They are searching for accommodation, for their houses. Where the magazines have the largest circulation there their position is

all right, but what about the persons working with a magazine which has a circulation of 1000 or so? They are not in a position to run their magazine, they are not in a position to give good salary to their staff, they are not in a position to maintain their day-to-day affairs, they are not in a position to pay their office or establishment charges.

Now, Sir, I have said so many things about other States but I will definitely be failing in my duty if I fail to say something about my own State. In my State also, although I belong to the ruling party, an editor of a leading magazine was attacked. His name is T.R. Ramaswamy, well known as 'TRR'. He is the editor of 'News Today' and senior member of 'Makal Pural' group, which is familiarly known as 'Voice of the People'. He was attacked and his property worth lakhs of rupees was completely damaged. This incident took place not one or two years back not in the administration of our present party— to be frank with you— it so happened just about seven or eight years back, under some other administration, the name of which I do not want to take, you can guess it for yourself.

**SHRI SHRIDHAR WASUDEO DHABE** (Maharashtra): Mr. Deputy Chirman, Sir, I am thankful to you for giving me permission to speak on this Calling Attention. The subject of the Calling Attention is 'harassment of and assault on journalists', but the statement has given the cases of assault only and not of harassment. Sir, the 'harassment' aspect is very important. Harassment can be caused in different ways, like non-payment of salary, non-payment of provident fund dues, transfer from one place to another at the instance of the management or due to the pressure of the State Government. They do not have the security of job at the lower level. They do not get promotion. Seniority is not maintained. The Labour Ministry has failed to frame any rules with regard to seniority of journalists. Though there are rules about seniority etc. but those rules are not adhered to and retired people are appointed. So, it is very important to see that they are not harassed so far as their ser-

vice conditions are concerned. The Government must set up service rules for them. Secondly, anomalies in the Palekar Award should be removed. There are no service increments given to the news agencies staff, though these are given to other newspaper employees. There is also no provision about slabs for the news agencies staff. Some slabs are much higher for the newspaper staff. But there are no slabs of that type for the agency staff. Therefore, my second suggestion would be, when the Labour Minister is also here, to appoint a Tripartite Committee to go into the cases of harassment and also find out the anomalies of the Palekar Award which could be removed by this Tripartite Committee. It is high time the Tripartite Committee reviews the entire working of the Palekar Award implementation and what is happening in other industries.

So far as the harassment of staff of news agencies is concerned, six offices of Samachar Bharati are closed. Sir, I am just finishing. The Secretary of the Indian Federation of Working Journalists from Nagpur, Mr. Prakash Dube, is out of job without notice and the office is closed. The same is the position about Hindustan Samachar. Fifty per cent staff are not getting salaries for the last three to six months. Salaries are not paid, the provident fund contributions are not paid. Government is responsible for this because they are not amalgamating them together. The burden has gone up and time has come when the Government must apply its mind to see that the regional news agencies are properly made economically viable and, if necessary, should be given more grants. Financial stringency is the main question with the news agencies and I think Government has the responsibility for giving news agencies staff at least proper pay scales of emoluments.

Sir, I would like to know one thing more from the hon. Minister. Is it not a fact that Government is also harassing the editors of newspapers? The Home Minister comes from Assam and I would like to know from him whether a reporter of "Dainik Assam", Mr. Das, was not arrested on 11-11-83 because he was doing free reporting.

**SHRI NIHAR RANJAN LASKAR:**  
You are absolutely wrong there.

**SHRI SHRIDHAR WASUDEO DHABE:** You can say I am absolutely wrong, but I am telling you that the reporter of "Dainik Assam", Mr. Das, was arrested on 11.11.83. Not only that, yesterday one lady correspondent, Sushma Basumatari, was arrested. Then the editor of "Dainik Janam Bhoomi" Mr. P. C. Barua was arrested for an offence which was committed one year back. Therefore, harassment by the Government is also going on of the newspaper editors and must be stopped.

Lastly, I would like to know from the Home Minister whether he has issued any guidelines. Last time he said in his statement that wherever necessary, they are issuing instructions. I would like to know the Home Minister whether he has issued any guidelines so that harassment of the newspaper editors is stopped and proper atmosphere is created so that no violence takes place. I know in Maharashtra, one Mr. Kardikar was killed because he was reporting anti-social activities about two months ago.

Also I would like to know from the Minister whether they have got a Welfare Fund for the journalists. Just as they have created a Welfare Fund for the workers, I would like to suggest to the Home Minister that a Central Fund should be constituted for the journalists' welfare so that when they are killed or an accident takes place, their families may be given some relief at the Central level. Thank you, Sir.

**SHRI NIHAR RANJAN LASKAR:**  
Sir, I am really grateful to all the hon. Members—eleven so far—who have taken part in this discussion to agitate this matter. As you rightly said in the initial stages, Sir, this is a question of general nature and I find from the trend of discussions that most of the hon. Members—although they have spoken of some incidents of assault and all that—have mostly confined themselves to other matters which are not strictly the concern of my Ministry—for example, about wage

[Shri Nihar Ranjan Laskar]

structure and also about the Palekar Award to be implemented etc. My colleague, the Labour Minister, is also sitting here and I think he would like to intervene on this. I have already said at the initial stage, in my statement, that the Government is firmly committed to the freedom of the press consistent with the high standards of journalism. It is the declared policy of the Government, therefore, not to interfere with the freedom of the press as it recognises the important role the press has to play in a free country like ours.

Sir, some hon. Members have mentioned about the Press Council of India also and I think I should say a little bit about it. It is an independent statutory body which has been set up under the Press Council Act, 1978 (37 of 1978) with the objects of preserving the freedom of the press and of maintaining and improving standards of newspapers and news agencies in India. Sir, in furtherance of these objects the Council, *inter alia*, performs the following functions—I think I should give it for the benefit of the House—namely to help newspapers and news agencies to maintain their independence and, secondly, to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance. The Press Council accordingly, has been empowered to inquire into complaints both against alleged interference with freedom of the press—as some hon. Members have alleged here—by the Government and other agencies and also in the matter of publication of writings which offend against the standards of journalistic ethics and public taste. This is done by the Council either *suo motu* or on the basis of complaints placed before it. Complaints against interference with the freedom of the press are inquired into by the Council under section 13—it is already given in the Act—whereas complaints regarding objectionable writings, etc., in the newspapers are decided under section 14 of the Act which empowers the Council to warn, admonish or censure any erring newspaper, news agency, etc. But I am not going into details of the number of cases

which the Council has been seized of since 1979.

**SHRI JAGDISH PRASAD MATHUR:**

I want to know whether the Council is also empowered to take some action against policemen who interfere. I think it is not. Therefore I said, provide some teeth to the Council.

**SHRI NIHAR RANJAN LASKAR:**

In the case of journalists, in the course of their professional duties if they are harassed, they have an agency to go to, and that is what I am talking about. If there is some law and order situation, I will come to it.

**SHRI JAGDISH PRASAD MATHUR:**

The Press Council is not authorised to take any action.

**SHRI NIHAR RANJAN LASKAR:**

It would, therefore, be seen that there already exists an independent institutional arrangement to look into cases of harassment of journalists. This should be considered to be an adequate machinery and there should not, therefore, be any need to set up a separate committee or commission to look after all this; it is not necessary at all. Already an institution is existing there to look into such grievances.

Sir, Government is also of the view that the existing laws of the land are adequate to protect the lives of all citizens including journalists. There would not, therefore, arise any need to frame separate laws, as suggested by one or two hon. Members here, for the protection of journalists. Sir, it also need not be emphasised that Government, in all cases, views with concern any incident of harassment or assault of journalists and shares the feelings of the hon. Members that if there is any such incident we must go into it and immediately try to haul up the culprits who have committed any assault on these people.

Sir, in the course of this debate I think my friend who initiated it, Mr. Mathur, also said something about the official Secrets Act. The second Press Commission has made certain recommendations regarding amendment of the Official Secrets Act.

They have already made certain recommendations. This is under scrutiny at the level of the Sub-Committee of the Cabinet. No final decision has been taken yet on this. I think they will decide something on this. Then one or two matters have been raised about non-revision of wages. My friend, the Labour Minister is here. I think he would like to make some remarks on that.

About the particular incidents of assaults on journalists and pressmen, I have already said that so far as the reports about 1983 go, there are not many cases. We had asked the State Governments and the Union Territory Administrations to furnish us information regarding the incidents of assaults on journalists. Information has not been received from two States. He had put it as if all the States had not given us the information, Andhra Pradesh and Tamil Nadu. Rest of the Union territories and State Governments have given us the information.

**SHRI V. GOPALSAMY:** They have not given the information.

**SHRI NIHAR RANJAN LASKAR:** Yes, these two States. Among the other States, only Bihar, Jammu and Kashmir, Maharashtra, U. P. and Delhi have informed us that there have been some incidents.

**MR. DEPUTY CHAIRMAN:** That you have narrated.

**SHRI NIHAR RANJAN LASKAR:** So far as the other areas are concerned, I have got figures with me to show that in 1980, 1981 and 1982 most of the States have shown 'Nil' against cases of assault on the pressmen, barring one or two cases, which are negligent. So it is not that such a big or horrifying thing is taking place which we could not take care of under our normal laws. So no State it is increasing. About the Banda case, because one or two friends have cited it, I would like to give details of the case.

**SHRI JAGDISH PRASAD MATHUR:**

In relation to the Banda case, may I point out that they have appointed committees at provincial level for Government officials and pressmen? Would the Minister like to assure us that other States will also do likewise?

**SHRI NIHAR RANJAN LASKAR:** You have rightly said about that. Some action has been taken to hold the culprits.

A case was reported in Banda District under section 302 and 120 IPC under Police Station Baberu.

**MR. DEPUTY CHAIRMAN:** You need not give details.

**SHRI NIHAR RANJAN LASKAR:** A little details are necessary. As soon as we got the information, we tried to contact the State Government and we found that the State Government had taken action. And what action they have taken, I must inform the House. In this case, Shri Suresh Chandra Gupta, local journalist, was beaten up by three local residents and he later died in Ursula Hospital, Kanpur. According to the post-mortem report, he sustained 15 injuries. The death was due to shock and injuries. His brother Shri Dal Chand Gupta, lodged FIR against three local residents of Baberu, Shri Arun Kumar Shukla, Station Officer, Baberu, and three unknown Constables. Police arrested immediately the three Constables. Two accused were arrested on 14-7-83 and one surrendered in Court. Shri Arun Kumar Shukla, Station Officer, was placed under suspension, and the staff of Police Station, Baberu was transferred to Police Lines. Shri Chandra Prakash Dwivedi, Circle Officer, Baberu, and Sub-Divisional Magistrate, Baberu, Shri B. K. Tripathi, have also been transferred out of the District. Shri Arun Kumar Shukla has surrendered in the court of the Magistrate, Karvi Banda on 16-8-83 and he has been sent to jail. The Chief Minister, Director-General of Police and other senior officers visited the place of incident and consoled the bereaved family.

[Shri Nihar Ranjan Laskar]

What I mean to say is that as soon as these sort of incidents come to our knowledge or the knowledge of a State Government, action is taken immediately.

They have said about cases of Bihar. Then they mentioned about J&K also. Some hon. friends have referred to that.

AN HON. MEMBER: Assam?

SHRI NIHAR RANJAN LASKAR: Assam also. I will come to that. About J&K, no incident wherein journalists were attacked by anti-social elements in connivance with Police, resulting in physical injuries and death, has been reported. However, on 24-6-83, Shri Ved Bhasin, Editor, "Kashmir Times" was attacked and injured by some BJP workers in his office Chamber at Jammu. He was hospitalised and subsequently discharged from the SMGS Hospital, Jammu. Sir, the police promptly reached the spot and controlled the situation. Six BJP workers were arrested, and a case was registered under many sections. No connivance of police has been reported. There are certain cases. All these reports are with me. I would not go into the details. They will be dealt with by the Minister concerned, the Labour Minister. He is here, and he will deal with it.

SHRI SHRIDHAR WASUDEO DHABE: What about Assam editor's arrest?

SHRI NIHAR RANJAN LASKAR: One point I would like to say. Most of the Members know the local papers which are in circulation in the States. On what part they are playing. I need not comment on this. The people who read these papers know it. It is up to the Press Council to control them.

THE MINISTER OF LABOUR AND REHABILITATION (SHRI VEERENDRA PATIL): Sir, I confine myself only to the points that have been made relating to the implementation of the Palekar Award.

First I will take up the suggestions made by my friend, Mr. Dhabe. He has suggested that model service rules should be framed. Sir, we have already formulated model standing orders, and we have circulated those model standing orders to all the State Governments for taking necessary action.

SHRI SHRIDHAR WASUDEO DHABE: Are they general?

SHRI VEERENDRA PATIL: They are model standing orders. It is for the State Governments. We are sending them to the State Governments. We have formulated the model standing orders, and we have already sent these model standing orders to the State Governments. It is for them to take further action in the matter.

Sir, he suggested that since there were anomalies in the award, those anomalies had to be removed and that a tripartite committee should be constituted. Sir, I am happy to inform the hon. Member and also the House that the Government has already taken a decision to appoint a tripartite committee to review the working or the implementation of the Palekar Award. I hope, Sir, that this committee will be constituted as early as possible. And we have written already to the associations, different associations, who are concerned with the Press and also the implementation of the Palekar Award to know the representatives whom they like to nominate. So, as soon as I get that information, I will see that this tripartite committee is constituted and the committee meeting is convened as early as possible. Once this tripartite committee is constituted, then, I think most of the problems that the working journalists and non-working journalists are facing can be discussed, and that will provide a good forum for the journalists to discuss about the implementation of the Palekar Award.

Sir, hon. Member, Mr. Roy, was suggesting that another pay commission should be appointed. Sir, the hon. Members know that although in the year 1980 the Government took a decision accepting the

award of the Palekar Report and orders were also issued in the month of December, 1980, we find that this Palekar Award has not been fully implemented so far. When that is the position, I do not think, Sir, there is a good case for the Government to think of appointing another pay commission. And the Government thinking is that the time is not ripe for appointing another pay commission, and at the appropriate time, I can assure the House, that the Government will certainly consider appointing a pay commission once the Palekar Award is fully implemented. Sir, many hon. Members felt that the Palekar Award is not fully implemented. It is true that the Palekar Award is not fully implemented, I can give the figures. Out of a total of 1,194 newspaper/news agency establishments, only 536 establishments have implemented the Palekar Award in full; 22 establishments have implemented the Palekar Award in part; 232 establishments have not implemented it. Six establishments are already paying higher wages than recommended in the Palekar Award and 34 cases are in court. The number of establishments which are out of purview of the orders is 287, and the closed establishments are 75. So, this is the break-up of 1,194.

Sir, the hon. Member, Mr. Kalyan Roy wanted to know why the Bennett Coleman establishment, which is publishing the *Times of India* and so many other news magazines, has not implemented the Palekar Award. It is true that Bennett Coleman has not implemented it. As I said just now, there are 34 establishments which have not implemented the Palekar Award and these 34 establishments have gone to the court. They have approached the court and got a stay order also. So Bennett Coleman is one of these 34 establishments...

SHRI SHRIDHAR WASUDEO  
DHABE: "*Times of India*."

SHRI VEERENDRA PATIL: That is what I said. Bennett Coleman, who are publishing the *Times of India* and other magazines, have not implemented it. They have gone to the court and they have got a stay order. But the stay order is

partial. The court has directed them that pending final disposal of the case, they must give 50 per cent of the increased pay or whatever it is, recommended by the Palekar Award. So they are paying 50 per cent as per the direction of the court. That is why, when the matter is pending before the court, when there is a stay order from the court, we are not in a position to take any action against Bennett Coleman or all those 34 establishments who have gone to the court and got stay orders.

Sir, I must make one thing clear. Although the Government of India has accepted the Award and has issued orders in the month of December, 1980 accepting the Award, the hon. Members must know that so far as implementation of the Award is concerned, so far as the enforcement of the Award is concerned, the appropriate Government is the State Government. The Government of India have no powers. So we have been repeatedly writing to the State Governments to take necessary action to implement the Award. We have written letters. I have written personal letters to all the State Governments. And we have been asking the State Governments to furnish information as to how many establishments, how many newspapers have implemented the Award, how many newspapers are yet to implement the Award and what is the action that has been taken against those newspapers who have not implemented the Award. But I am sorry to say that a good number of States have not furnished that information. If we do not get sufficient information and timely information from the State Governments, then it becomes very difficult for us to compile information and supply to the House. That is our difficulty. We hope that the State Governments would be more active and take necessary action to see that this Award is implemented as early as possible. So, as I have said, Sir, we have been writing repeatedly to the State Governments to implement the Award. In the Labour Ministers' conference also we are discussing about the implementation of the progress of implementation of the Award. And also at our level, in the Central Government we have got a committee under my

[Shri Veerendra Patil]

chairmanship with two of my colleagues as the other members, the Minister of State in the Finance Ministry and the Deputy Minister for Information and Broadcasting. Recently we have heard the employers, their grievances. We have heard the employees' representatives and we have heard the employers' representatives. Similarly, I have written personal letters to all the State Governments and I have requested the State Governments to consider the proposal of having a tripartite committee at the State level also. I have received replies from some State Governments saying that it is not necessary in their States because most of the establishments have already implemented the Award. And from other States I have to receive the information. So far as implementation of the Palekar Award is concerned, whatever action was necessary from our side we have already taken the action. We have been vigorously pursuing it. As regards some workers not getting the wages, some have been suspended etc., I have already said, implementation or enforcement is the responsibility of the State Government. If there are any grievances, they can bring them to the notice of the State Government or they can raise a dispute and they can request the Government to refer the dispute either for arbitration or for adjudication. So far as Government of India is concerned, we are keen that this award is implemented in full as early as possible. In that direction whatever action was necessary, we have already taken, and we will continue to take action in future also.

**SHRI JAGDISH PRASAD MATHUR:** Hindustan Samachar was taken over more than two years ago and yet they are not being paid anything.

**SHRI VEERENDRA PATIL:** The honourable Member wanted to know about the Hindustan Samachar. I have got the information and I shall give that information. In the case of Hindustan Samachar the latest information as we have received up to July, 1983 is that the staff at the headquarters have been paid wages fully up to June, 1982 and 90 per cent of their salaries have been paid up to May,

1983 in the form of advances. Employees of some branches have been paid their salaries up to October 1982 and salaries of other branches have been paid up to April, 1983. (Interruptions). So far as Hindustan Samachar is concerned, as most of the honourable Members are aware, their financial position is not good; therefore they are not in a position to pay the salaries regularly. That is why we find from the statement that I have read just now that the staff is not getting the salaries regularly. With regard to Samachar Bharti also, according to the information supplied by Delhi Administration, the agency is implementing the award but it has still to pay the arrears for the prior period. In all these cases this is the position so far as implementation of the award and payment of wages is concerned...

**SHRI SHRIDHAR WASUDEO DHABE:** Samachar Bharti is also not paying the salaries.

**SHRI VEERENDRA PATIL:** I have said about that. According to the information supplied by Delhi Administration the agency is implementing the award but it has to yet pay the arrears for the past period. About wages, so far as Samachar Bharti is concerned, at the moment I do not have that information and I assure the honourable Members that I will collect the information and pass on that information.

**SHRI JAGDISH PRASAD MATHUR:** For the last more than two years it is under the control of the Government; so it is the responsibility of the Government.

**SHRI V. GOPALSAMY:** Will the honourable Minister consider my suggestion for an insurance scheme?

**SHRI JAGDISH PRASAD MATHUR:** In the case of Hindustan Samachar it is the responsibility of the Government....

**MR. DEPUTY CHAIRMAN.** He has already replied to that; he has given the information.

**SHRI V. GOPALSAMY:** The Minister has not replied to my suggestion. Would he kindly consider my suggestion for an insurance scheme?

**SHRI JAGDISH PRASAD MATHUR:** Hindustan Samachar was taken over two years ago. It is directly under the Registrar. What is the Government doing? Have the staff been paid? It is under Government control now.

**SHRI VEERENDRA PATIL:** I have already said so far as Hindustan Samachar is concerned; at the headquarters up to June, 1982 all the wages have been paid ninety per cent of their salaries have been paid up to May, 1983. I do not have the latest information. This is the information that I have been able to collect in the month of July, 1983. If they want the latest information, I am prepared to collect that and supply to the Members.

**SHRI K. MOHANAN:** What about the National Herald, Employees? Their employees are demanding remittance of their PF, and for that sin they have been victimised.

**MR. DEPUTY CHAIRMAN:** I think that will do. We will now take up the Special Mentions.

Mr. Shahabuddin.

3 p.m.

## REFERENCE TO THE PLIGHT OF BEEDI WORKERS

**SHRI SYED SHAHABUDDIN (Bihar):** With your permission, I would like to draw attention of the Government and of the country to the status and conditions of 3.5 million beedi workers in our country.

The beedi industry is in the unorganised sector, but it is a vital element in the economy of certain regions of the country. In fact in some parts of the country, in some districts and in some pockets like Nalanda in Bihar, Bundelkhand in Madhya Pradesh, etc. it is the only industry. In Bundelkhand, for example, it employs

13 crores beedis and these are similar figure about other regions in Bihar Sharif.

These beedi workers work round the year and their entire families are engaged in this job. They get nothing more than a pittance and when a survey was made they were found to be in chronic state of indebtedness, almost working in conditions of bondage. Because of inhalation of tobacco dust, they suffer from respiratory diseases and are particularly prone to Tuberculosis and to, what is being called, hunch backedness. These are occupational hazards.

Economically they are extremely vulnerable because, although the Government does fix minimum wages from time to time, these wages are not paid in actual practice. The beedi workers are underpaid under various excuses. For example, some of the bedis rolled out by them would be rejected as sub-standard and then due to purchase by the contractors or intermediaries at reduced prices, sometimes there is deduction from wages because of some loss of unuseable or unserviceable tendu leaves in which beedis are rolled.

There is, no doubt, a system of inspection. In Bundelkhand area the State Government have ten posts of inspectors out of whom, as late as six months ago, six posts were vacant and only four were in position. This will be the position perhaps in the rest of the country also. Of course, as you know the inspection system does not always work to the advantage of the workers because these labour inspectors are under-paid and over-worked and act in collusion with the manufacturers or with those who have been called the beedi Kings.

The interesting part is that everybody knows that there are beedi kings who can compare, in their turnover and profit pattern, with the biggest of industry. and yet only ten per cent of the beedi manufacturing establishments are registered. All the rest are supposed to be small-scale units which do not come under the law of registration. It is in this manner that even excise tax is evaded by these beedi manufacturers.

[The Vice-Chairman (Shri Rehmat Ali) in the Chair] 1,30,000 workers who roll out