

White Paper on the CPI(M). I think you follow that example and give the role of the Information & Broadcasting Ministry during the months of emergency.

SHRI LAL K. ADVANI: The first White Paper that was presented to Parliament was in 1962 on the Indo-China affair. That is the first thing. If you want to call the earlier ones also as White Papers, it is all right but they were not White Papers.

SHRI BHUPESH GUPTA: Call it black paper if you like.

SHRI LAL K. ADVANI: Sir, in all there were three laws which added up to a serious erosion of <press freedom. First is the Act about which I moved to repeal today. The second one will be the one that will be taken up for consideration immediately after this. And the third one is the one which earlier had abolished the Press Council which I have promised that we will revive in the next session. With these words, I once again thank all the friends who have participated in the debate and also the Members of the House for having extended their wholehearted support to this Government. I am also grateful for the kind words said about me by many honourable Members.

**श्री मोहम्मद उस्मान आरिफ़ :** (राजस्थान) : राजस्थान के छोटे अखबारों के बारे में आपने कुछ नहीं कहा, जिनके बारे में श्री हर्षदेव मालवीय जी ने जिक्र किया था। क्या आप उन को कम्पेनशंसन देने को तैयार हैं।

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Would you like to say something regarding closure of the Rajasthan papers?

**श्री लाल आडवाणी :** जितने भी पत्रों के ऊपर इमरजेंसी के दौरान आघात हुआ है, उनके साथ न्याय हो, ऐसी कोशिश चल

रही है। आप जितने भी स्पेसिफिकली केस देंगे, उसके बारे में आपको बता दिया जाएगा।

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question is;

"That the Bill to repeal the Prevention of Publication of Objectionable Matter Act, 1976, as passed by the Lok Sabha, be taken into consideration.

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): We shall now take up the clause-by-clause consideration of the Bill.

*Clause 2 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI LAL K. ADVANI: Sir, I move;

"That the Bill be passed."

*The question was put and the motion was adopted.*

#### THE PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) BILL, 1977

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI LAL K. ADVANI): Sir, I beg to move :

"That the Bill to protect the publication of reports of proceedings of Parliament, as passed by the Lok Sabha, be taken into consideration."

Sir, I have nothing particular to say except that this is something that follows very directly from the privilege of free speech that we enjoy in Parliament; and that privilege would have a meaning only if what we say is reported. There are certain limita-

[Shri Lai K. Advani]

tions on the press covering the pro-  
ceedings, and those limitations are  
that the reporting should be fair, sub-  
stantially fair, and that it should be  
for the public good. With this was  
associated Feroze Gandhi, the dis-  
tinguished Member of the Lok Sabha,  
who had sponsored the Bill. He is  
one of the few non-official Members  
whose Bill was adopted and it formed  
part of the Statute. Unfortunately,  
during the emergency -----

SHRI BHUPESH GUPTA (West Bengal):  
Why say 'unfortunately'? It is ironical that the  
Bill brought forward and got passed by  
Feroze Gandhi was killed by someone very  
close to him.

SHRI LAL K. ADVANI: I always leave it  
to you to make ironical remarks. I do not  
make ironical remarks. I merely state the fact.  
And the fact is that it is unfortunate that  
during the emergency the Feroze Gandhi's Act  
was repealed. As a Government committed to  
the freedom of the press, we feel it is our  
responsibility and duty to restore and revive  
the Act. The entire Bill is in its original form.  
Therefore, I commend it to the House to adopt  
unanimously.

*The question was adopted.*

شری محمد یونس سلیم : ( آندھر

پردیس ) - جذاب والس چورسون  
صاحب - میرے دوست میرے بھائی  
بھوکنا صاحب کی خواہش ہے کہ  
میں کچھ نہ کہوں۔۔۔۔

† [श्री मुहम्मद यूनुस सलीम : (आंध्र  
प्रदेश) : जनरल वाइस चैयरमैन साहब,  
मेरे दोस्त मेरे भाई बहुगुणा साहिब की  
खाहिश है कि मैं कुछ न कहूँ . . . .]

† [ ] Devanagari transliteration.

रसायन और उर्वरक तथा पेट्रोलियम मंत्री  
(श्री हेमवती नन्दन बहुगुणा) : नहीं  
कहें। दो लफ्ज मुबारकवाद के कहकर बैठ  
जाए। आप निहायत अच्छे आदमी हैं।

شری محمد یونس سلیم : جذاب

وائس چورسون صاحب - بڑی خوشی  
کی بات ہے کہ انفارمیشن ایڈ  
ہر آن کاسٹنگ منسٹر میرے دوست  
ایڈوائزی صاحب ہوں - جن کا تعلق  
صحافت سے رہ چکا ہے - اس میں  
تھوڑے دن میں یہ شریک رہا ہوں۔

مجھے بھی یہ فخر حاصل رہا  
ہے کہ ۱۹۳۳ سے لے کر ۱۹۳۹ تک  
قانون کا بیس شروع کرنے سے پہلے میں  
چند آبان کے ایک مشہور و معروف  
روزنامہ دیپام سے وابستہ رہا ہوں اس  
زمانہ میں وہ ہندوستان کا نڈیا  
نوشلسٹ پیپر تھا اور یہ وہ زمانہ  
تھا جب حدود آبان میں نوٹیلزم اور  
کانگریس کا نام لہنا گناہ سمجھا جاتا  
تھا - اس لئے میں کم سے کم اس  
اعزاز میں اپنے دوست ایڈوائزی کا شریک  
حال ہوں - بقول غالب۔۔

کو وہ ان نہیں ہے وہ ان کے نکالے ہوئے تو میں  
کچھ سے ان باتوں کو بھی انسب ہے دور کی

اختیارات کی آزادی کے متعلق کوئی

دو رائیں نہیں ہیں اور خاص طور  
سے جب پارلیمنٹ کی پروسیجرنگ کے

متعلق سوال آئے تو اخباروں کی آزادی کی اور زیادہ اہمیت دہانی ہے اس لئے کہ جمہوریت پلپ نہیں سکتی ہے جب تک اخبارات کی رپورٹنگ آزادانہ اور انصافانہ طور پر نہ ہو۔ لیکن ہمارے ملک میں بد قسمتی سے کچھ رجحان اخبار نویسوں کے ایسے رہے ہیں کہ انہوں نے جانب دارانہ رویہ زیادہ مناسب سمجھا یہ مقابلہ انصافانہ رویہ—ہمیں تجویز ہے بصیحت اخبار نویس کے۔ بصیحت قنون دان کے یہی۔ مجھے دیکھنے کا موقع ملا ہے اور بصیحت ایک پارلیمنٹ کے ممبر کے جب میں دیکھتا ہوں کہ اخبار بعض وقت ہمارے ساتھ تھک سلوک نہیں کرتے۔ جو خبریں اہمیت کی ہوتی تھیں انہیں نظر انداز کر دیتے تھے جو خبریں شہر اہمیت کی ہوتی تھیں ان کو بڑی بڑی موتی سرخوں سے چھپاتے تھے۔ مجھے اسود ہے کہ بدلے ہوئے حالات میں اخبارات کا رویہ بھی بدلا جائیگا لیکن آثار ابھی اچھے نہیں ہیں۔ ابھی کل پرسوں کی بات میں بتانا ہوں۔ انبالہ میں دوسری مارچ کی بات ہے۔ مرزا جی دیپسانی صاحب نے جو اس وقت ہمارے پرائم منسٹر ہوں—جن کا ہم احترام کرتے ہیں۔ ایک تقریر کی تھی کچھ مائیکروفون کے متعلق جو پرسوں میں نے اس ہاؤس میں پڑھ کر سنائی تھی اور جس میں

انہوں نے وعدہ کیا تھا کہ جب ان کی پارٹی ہر سرائیڈلر آئے گی تو وہ مائیکروفون کنیشن قائم کریں گے میں نے اس اخبار کو ملنا کر اس ہاؤس میں پھس کیا تھا۔ ان کی وہ تقریر پانچ گالوں کی سرخی سے بڑے موٹے موٹے الفاظ میں چھاپی گئی تھی۔ میں نے پرسوں اس اعلان میں جب اس اومیشن کی طرف اس کوٹاھی کی طرف توجہ دلائی تھی کہ جلتا ہارتی نے اور سی۔ ایف۔ سی۔ پارٹی نے مائیکروفون کے متعلق اور اردو زبان کے متعلق جو وعدے کئے تھے ان کا کوئی حوالہ پروڈیونیشنل ایڈیٹس میں نہیں ہے۔ تو نہ صرف یہ کہ ہرائم منسٹر نے یہ مناسب نہ سمجھا کہ اس کی طرف توجہ فرمائوں— دروری اتنا نہیں سمجھا۔ بلکہ اخباروں نے اس خبر کو وعدے کی خبر کو چھ گالوں میں سرخی سے چھاپا لیکن جب اس کی طرف توجہ دلائی گئی تو اس کا ذکر کرنا بھی کسی اخبار نے گوارا نہیں کیا۔ اگر پارلیمنٹ کے ممبروں کے درمیان اس طرح سے ممبر اور ممبر کے درمیان امتیاز کیا جائے گا تو جناب والا— یہ انصاف نہیں ہے۔ میں توقع کرتا ہوں کہ اخبار نویس انصاف کریں گے اور اس ملک میں مائیکروفون ویکر سیکشنس بیک ورڈ کلاسز شہدولت کاسٹ اور شہدولت ٹرائینس کے لوگ زیادہ انصاف کے مستحق ہونگے یہ

[شری متحد یونس سلیم]

مقابلہ ان لوگوں کے جو زیادہ بہتر پوزیشن میں ہیں۔ انہیں اس کا گلہ ہے کہ نہ صرف اخباروں میں بلکہ ٹی۔ وی میں اور آل انڈیا ریڈیو میں بھی یہ ہو رہا ہے کہ اگر رولنگ پارٹی کے کسی ممبر کو چھپلک آتی ہے تو اس کی خبر آل انڈیا ریڈیو سے برڈ کاسٹ کی جاتی ہے۔ اور دوسرے پارلیمنٹ کے ممبر اس ایریا کے اور اس ایریا کے جو بات کہتے ہیں جس کا تعلق اس ملک کے بلڈ اور بٹاز سے ہے جس کا تعلق اس ملک کی پالیسی سے ہے جس کا تعلق اس ملک کے لاکھوں کروڑوں انسانوں سے ہے۔ اس کے متعلق ایک لفظ اخبار میں نہیں چھپتا۔ اس بل کا جو ممبر دوست نے پیش کیا ہے خبر مقدم کرتا ہوں اور دل سے اس کی تائید کرنا ہوں۔ آئیڈیہ تاریخ لکھنے والے اس بات کا فیصلہ کریں گے کہ کس حالات میں امرجلیسی لاکو کی گئی تھی اور امرجلیسی لاکو کرنا ضروری تھا یا نہیں تھا۔ کیا حالات ملک میں پیدا کر دئے گئے تھے اور امرجلیسی نافذ کرنے کے بعد جو قانون بنائے گئے ان کی ضرورت تھی یا نہیں تھی۔ اس کا تصدیق ہم اور آپ نہیں کر سکتے کیونکہ آپ ہی جانب داری کے نئے میں سرشار ہیں اور ہم بھی اپنی بات کے حق پر آ رہے

ہوئے ہیں۔ لیکن پچاس برس کے بعد چالیس برس کے بعد جب اس ملک کی تاریخ لکھی جائے گی اور وہ واقعات سامنے آئیں گے جو اس ملک میں امرجلیسی سے پہلے گئی گئی میں دونا تھے۔ تب یہ دیکھا جائے گا کہ کیا امرجلیسی کے بغیر ملک کو برقرار رکھا جا سکتا تھا۔ کیا جمہوریت کو طرح سے ہانک دیا کہ جس وقت امر۔ جلیسی اس ملک میں نہیں تھی اس سے پہلے جب کانگریس ہوسو اقتدار نہیں اپوزیشن کی طرف سے کوئی بات کہی جاتی تھی تو بڑے بڑے موٹے حروفوں سے اس کی خبر ہی جاتی تھی اور کانگریس کے بڑے بڑے کارنامے جو سلہرے الفاظ میں لکھے جانے کے قابل ہیں ان کی خبر دو سطر میں دی جاتی تھی۔ یہ طریقہ جاری تھا لیکن مافی کو میں دھرانہ نہیں چاہتا۔ جیسے بھوگنا جی نے چاہا ہے میں زیادہ نہ کہتے ہوئے صرف یہ چاہوں گا کہ ازوائی صاحب اس بات کو دیکھیں کہ ریڈیو اور ٹی۔ وی۔ جب پارلیمنٹ کی پروسیڈنگ کو رپورٹ کریں تو وہ صرف مسٹروں کو ہی قابل توجہ نہ سمجھیں دوسرے لوگوں کو بھی درمیان میں رکھیں۔ اس ملک میں دوسرے لوگ بھی رہتے ہیں مجھ سے گلہ ہے۔

श्री लाल श्रावणी । श्री पुरानी  
शास्त्रें चल रही हैं ।

شری محمد یونس سلیم : آپ عادتوں بدل دیتے تو اچھا رہے گا۔ میں تو یہ دیکھ رہا ہوں کہ منسٹروں کے داڑھی مونڈنے کی خبر بھی آ جاتی ہیں۔

हैमवती नन्दन बहुगुणा । जिस तरह मुंड रही है वह खबर के लायक है ।

श्री सुन्दर सिंह भण्डारी (उत्तर प्रदेश) : आप मुंडाएंगे तब भी खबर आएगी ।

شری محمد یونس سلیم : جناب والا میں بہت سہریسلی عرض کر رہا ہوں کہ آج کے ٹائمز آف انڈیا کو آپ دیکھئے۔ اس دن پرائم منسٹر کی موجودگی میں مارگریٹ الوا نے کتنی بار زوردار تقریر کی لیکن آج کا ٹائمز آف انڈیا اتنے کر دیکھ لھجئے۔ ایک لفظ بھی نہیں ہے۔

श्री सुन्दर सिंह भण्डारी । वह कल के अखबारों में छप चुकी है ।

شری محمد یونس سلیم : ٹائمز آف انڈیا میں نہیں ہے ہندوستان ٹائمز میں ہے دوسرے اخباروں میں ہے کم سے کم سہری نظر میں نہیں پڑا۔ اگر ہے تو وہ آئی اسٹیٹمنٹ کر دیکھئے۔ سی۔ وی پر کوئی نووز نہیں دی گئی۔ میں نے خود ٹی۔ وی سنا۔ آل انڈیا ریڈیو پروگرام کو نہیں سنا۔ یہو پریس گپتا کی تقریر کا کوئی ذکر

نہیں تھا۔ میں سمجھتا ہوں یہ جانب دارانہ طریقہ ٹھیک نہیں۔ عام طور پر اس بل کا خیر مقدم کرتا ہوں۔ ان کو مبارکباد دیتا ہوں کہ وہ اس بل کو لے کر آئے ہوں۔

SHRI BHUPESH GUPTA: I hope there will not be a talk in "Spotlight" on "Shaving of Raj Narain".

हैमवती नन्दन बहुगुणा : दादा खत्म तो करने दीजिए ।

شری محمد یونس سلیم : جناب والا میں ختم کرتا ہوں۔ ایڈرانی صاحب اس معاملہ پر پہلے سے متوجہ ہیں وہ اور متوجہ ہونگے اور پریس کو نہ صرف آزادی بلکہ انصاف کی طرف لائیکے۔ انصاف کے معنی یہ ہیں کہ غیر جانب دارانہ طریقہ سے ریورٹنگ ہونی چاہئے۔ چاہے اس اخبار کی پالیسی کے خلاف جاتی ہو چاہے اس کے موافق جاتی ہو ان کو دونوں نقطہ نظر پیش کرنے چاہئیں تاکہ عوام کو فیصلہ کرنے کا موقع ملے کہ موافق لوگ کیا کہہ رہے ہیں اور مخالف لوگ کیا کہہ رہے ہیں اور اس میں سچائی کیا ہے اور عوام کا فائدہ کیا ہے۔ میں ان الفاظ کے ساتھ اس بل کی تائید کرتا ہوں اور میں شکریہ ادا کرتا ہوں کہ آپ نے مجھے وقت دیا۔

†[श्री मुहम्मद युनुस सलीम : जनाब वाइस चेंबरमैन साहब, बड़ी खुशी की बात है कि इनफारमेशन एण्ड ब्राडकास्टिंग मिनिस्टर मेरे दोस्त आडवानी साहब हैं—जिनका ताल्लुक सहाफत से रह चुका है—इसमें थोड़े दिन में भी शरीक रहा हूँ। मुझे भी यह फख्र हासिल रखा है कि 1934 से लेकर 1939 तक कानून का पेशा शुरू करने से पहले मैं हैदराबाद में एक महशूरो मारूफ रोज़नामा 'पयाम' से वाबस्ता रहा हूँ। उस जमाने में वह हिन्दुस्तान का इन्हाह नेशनलिस्ट पेपर था। और वह वो जमाना था कि हैदराबाद में नेशनलिज्म और कांग्रेस का नाम लेना गुनाह समझा जाता था—इसलिए मैं कम से कम इस एजाज में अपने दोस्त आडवानी का शरीक हूँ, दकौल गालिब :—

गर वां नहीं ये वां के निकाले हुए तो हैं

कावा से इन बूतों को भी निस्वत है दूर की

अख़बारात की आज़ादी से मुत्तल्लक कोई दो राय नहीं हैं और खास तौर से जब पार्लियामेंट की प्रोसिडिंग के मुत्तल्लक सवाल आए तो अख़बारों की आज़ादी की और ज्यादा अहमियत रहती है इसलिए कि जम्महूरियत पनप नहीं सकती है जब तक अख़बारात की रिपोर्टिंग आज़ादाना, इन्साफाना तौर पर न हो लेकिन हमारे मुल्क में बदकिस्मती से कुछ क़ज़ान अख़बार नवीसों के ऐसे रहें हैं कि उन्होंने जानिबद राना रवैया ज्यादा मुनासिब समझा बमुकाबला इन्साफाना रवैया ; हमें तजुर्वा है वहैसियत अख़बार नवीस के, वहैसियत कानूनदान के भी—मुझे देखने का मौका मिला है और वहैसियत एक पार्लियामेंट मेम्बर के जब मैं देखता हूँ कि अख़बार वाज वक्त हमारे साथ ठीक सलूक नहीं करते, जो ख़बरें अहमियत की होती थीं उन्हें नजर-अन्दाज़ कर देते थे, जो ख़बरें

गैरअहमियत की होती थीं उनको बड़ी बड़ी मोटी सुखियों में छापते थे। मुझे उम्मीद है कि बदले हुए हालात में अख़बारात का रवैया भी बदला जाएगा लेकिन आसार अभी अच्छे नहीं हैं—अभी कल-परसों की बात मैं बताता हूँ कि अम्बाला में दूसरी मार्च की बात है, मोरारजी देसाई साहब ने, जो इस वक्त हमारे प्राइम मिनिस्टर हैं, जिनका हम एहताराम करते हैं एक तकरीर की थी, कुछ मायनोरिटीज़ के मुत्तल्लक जो परसों मैंने इस हाउस में पढ़ कर सुनाई थी और जिसमें उन्होंने वादा किया था कि जब उनकी पार्टी बरसरे इत्तदार आएगी तो वे मायनोरिटीज़ कमिशन कायम करेंगे। मैंने उस अख़बार को मंगा कर इस हाउस में पेश किया था—उनकी वह तकरीर पांच कालमों की सुर्खी से बड़े मोटे मोटे अल्फाज में छपी गई थी। मैंने परसों इस ऐवान में जब उस कमिशन की तरफ, उस कोताही की तरफ, तबज्जो दिलाई थी कि जनता पार्टी ने और सी०एफ०डी० पार्टी ने मायनोरिटीज़ के मुत्तल्लक और उनकी जवान के मुत्तल्लक जो वायदे किये थे, उनका कोई हवाला प्रेजीडेंशियल एड्रेस में नहीं है। तो न सिर्फ यह कि प्राइम मिनिस्टर ने यह मुनासिब न समझा कि उसकी तरफ तबज्जा फरमायें—जरूरी इतना नहीं समझा—बल्कि अख़बारों ने इस ख़बर को, वायदे की ख़बर को, छः कालमों में सुर्खी से छपा लेकिन जब इसकी तरफ तबज्जा दिलाई गई तो इस का जिक्र करना भी किसी अख़बार ने गवारा नहीं किया—अगर पार्लियामेंट के मेम्बरों के दरम्यान, इस तरह से मेम्बर और मेम्बर के दरम्यान इम्तयाज़ किया जायेगा तो जनाव वाला यह इन्साफ नहीं है—मैं बक्का करता हूँ कि अख़बारनवीस इन्साफ करेंगे और इस मुल्क में मायनोरिटीज़, बीकर सेक्शन, बैकवर्ड क्लासिज़, शह्यूल-

† [ ] Devanagari transliteration.

कास्ट, और सड्यूल्ड ट्राइव्स के लोग ज्यादा इन्साफ के मुस्तहक होंगे बमुकाबला उन लोगों के जो ज्यादा बेहतर पोजीशन में हैं—उन्हें इसका गिला है कि न सिर्फ अखबारों में बल्कि टी० वी० में और आल इण्डिया रेडियो में यह हो रहा है कि अगर रूलिंग पार्टी के किसी मेम्बर को छींक आती है तो उसकी खबर आल इण्डिया रेडियो से वाड-कास्ट की जाती है और दूसरे पार्लियामेंट मेम्बर उस ऐवान और इस ऐवान के जो बात कहते हैं जिसका ताल्लुक इस मुल्क के बनाव और बिखाड़ से हो, जिसका ताल्लुक इस मुल्क की पालिसियों से है, जिसका ताल्लुक इस मुल्क के लाखों-करोड़ों इंसानों से है उसके मुत्तलिक एक लपज में नहीं छपता । मैं इस बिल का जो मेरे दोस्त ने पेश किया है और खैर मुकद्दम करता हूँ और दिल इसकी तार्ईद करता हूँ । आईन्दा तारीख लिखने वाले इस बात का फंसला करेंगे कि कितन हालात में एमरजेंसी लागू की गई थी और एमरजेंसी लागू करना जरूरी था या नहीं था । क्या हालात मुल्क में पैदा कर दिये गये थे और एमरजेंसी नाफूज करने के बाद जो कानून बनाये गये उनकी जरूरत थी या नहीं थी । इसका तसफीया हम और आप नहीं कर सकते क्योंकि आप भी जानिवदारी के नशा में सरशार हैं और हम भी अपनी बात के पेश पर अड़े हुए हैं, लेकिन पचास बरस के बाद, चालीस बरस के बाद, जब इस मुल्क की तारीख लिखी जायेगी और वो वाक्यात सामने आयेंगे जो इस मुल्क में एमरजेंसी से पहले गली गली में रूनुमा थे । तब ये देखा जायेगा कि क्या एमरजेंसी के बगैर मुल्क को बचाया जा सकता था, क्या जम्हूरित को बरकरार रखा जा सकता था । मुझे अच्छी तरह से याद है कि किस वकत एमरजेंसी इस मुल्क में

नहीं थी, उससे पहले जब कांग्रेस बर सरअवत-दार थी—अपोजीशन की तरफ से कोई बात कही जाती थी तो बड़े बड़े मोटे हफ्तों से इसकी खबर दी जाती थी और कांग्रेस के बड़े बड़े कारनामे जो मुनहरे अल्फाज में लिखे जाने के काबिल हैं उनकी खबर दो सतर में दी जाती थी । यह तरीका जारी था लेकिन माजी को मैं दोहराना नहीं चाहता । जैसे बहुगुणा जी ने चाहा है मैं ज्यादा न कहने हुए सिर्फ यह चाहूंगा कि अडवाणी साहब इस बात को देखें कि रेडियो और टी० वी० जब पार्लियामेंट की प्रोसीडिंग को रिपोर्ट करें तो वे सिर्फ मिनिस्टरों को ही काबिल तबज्जा न समझें, दूसरे लोगों को भी ध्यान में रखें—इस मुल्क में दूसरे लोग भी रहते हैं—मुझे यह गिला है ।

श्री लाल आडवाणी : अभी पुरानी आदतें चली रही हैं ।

श्री मुहम्मद यूनुस सलीम : आप आदतें बदल दीजिये तो अच्छा रहेगा । मैं तो यह देख रहा हूँ कि मिनिस्टरों के दाढ़ी मूडने की खबर भी आ जाती है ।

श्री हेमवती नन्दन बहुगुणा : जिस तरह मुंड रही है वह खबर के लायक है ।

श्री सुन्दर सिंह भंडारी (उत्तर प्रदेश) : आप मुंडायेंगे, तब भी खबर आयेंगी ।

श्री मुहम्मद यूनुस सलीम : जनाबवाला मैं बहुत सीधयसली अर्ज कर रहा हूँ कि आज के "टाइम्स आफ इण्डिया" को आप देखिये—उस दिन प्राइम मिनिस्टर की माजूदगी में मार्गेंट आल्ला न कितनी जोरदार तकरीर की लेकिन आज का "टाइम्स आफ इण्डिया" उठा कर देख लीजिये—एक लपज भी नहीं है ।

श्री सुन्दर सिंह भंडारी : कल के अखबारों में छप चुकी है ।

श्री मुहम्मद यूनस सलीम : "टाइम्स आफ इण्डिया" में नहीं है—"हिन्दुस्तान टाइम्स" में है, दूसरे अखबारों में है, कम से कम मेरी नज़र में नहीं पड़ा—अगर है तो "आई स्टैंड करेक्टेड" टी०वी० पर कोई न्यूज़ नहीं दी गई । मैंने खुद टी०वी० सुना । आल इण्डिया रेडियो पर जिक्र नहीं था । भूपेश गुप्ता की तकरीर का कोई जिक्र नहीं था । मैं समझता हूँ कि जानिवदाराना तरीके ठीक नहीं—मैं आम तौर पर इस बिल का और मुकद्दम करता हूँ—इनको मुबारकवाद देता हूँ कि वे इस बिल को ले कर आये हैं ।

SHRI BHUPESH GUPTA. I hope there will not be a talk in 'Spotlight' on "Shaving of Raj Narain."

श्री हेमवती नन्दन बहुगुणा : दादा, खत्म तो करने दीजिये ।

श्री मुहम्मद यूनस सलीम : जनाबवाला—मैं खत्म करता हूँ । आडवाणी साहब इस मामले पर पहले से मुतवज्जो हैं वे और मुतवज्जो होंगे और प्रेस को न सिर्फ अजादी बल्कि इन्साफ की तरफ लायेंगे । इन्साफ के मायने यह है कि गैर-जानिव-दाराना तरीके से रिपोर्टिंग होनी चाहिए—चाहे इस अखबार की पालिसी के खिलाफ जाती हो चाहे इसके मुवाफिक जाती हो—इनको दोनों नुक्साये नज़र पेश करने चाहिए ताकि अजाम को फंसला करने का मौका मिले कि मुवाफिक लोग क्या कह रहे और मुखालिफ लोग क्या कह रहे हैं और इसमें सच्चाई क्या है और अजाम का फायदा क्या है—मैं इन अल्फाज के साथ इस बिल की तार्हद करता हूँ और मैं शुक्रिया अदा करता हूँ कि आपने मुझे वक्त दिया ।]

SHRI JAGJIT SINGH ANAND (Punjab): Mr. Vice-Chairman, I hope you will bear with me, though I know my hon. friend Shri Bahuguna is very anxious to introduce his Bill. As a journalist I have to say a number of...

SHRI H. N. BAHUGUNA: My only point is that if I were sitting in the opposition, I would have simply congratulated the Government and resumed my seat. When an Act is being repealed and when all of us are agreed on it, sometimes speeches which are not even germane to the Bill are being made. I will be happy if hon. Members speak within the framework of the Bill. I am upset only on that score.

SHRI MOHAMMAD YUNUS SALEEM: It is for us to decide whether our speeches are relevant or not.

SHRI H. N. BAHUGUNA: It is for the Chair to decide.

SHRI V. B. RAJU (Andhra Pradesh) : If the hon. Minister expects a Bill to be enacted as an Act without a debate, I think it would not be possible in this House.

SHRI H. N. BAHUGUNA: I know. It was done earlier.

SHRI MOHAMMAD YUNUS SALEEM: Shri Bahuguna is overanxious to introduce his Bill today...

SHRI JAGJIT SINGH ANAND: I can only promise that I shall try to be strictly relevant to the business of the House, and I would only bring in those things which have to be brought in for certain reasons.

First of all, I want to congratulate Shri Advani for keeping the promise made by the Janata Party by introducing this Bill in this very session of the House and that way



liberating the Parliament itself from a certain sense of fear and certain state of affairs which was most deplorable and which was not in the interest of anybody.

I want to remind the House how this Bill came to be introduced in the Parliament in the first instance. The makers of our Constitution did not accept that whatever is said in the Parliament should be reported outside. Soon after the first Parliament came to be elected, it was the Indian Federation of Working Journalists appearing before the Press Commission who pointed out that "we cannot do justice to the Parliamentary proceedings because we are always under the fear of being hauled up before a court of law". The All India Newspaper Editors Conference also took up a similar stand. Then the Press Commission itself recommended in paragraph 499 of their report that some way should be found out so that Parliamentary proceedings can be fairly reported to the people. It was in this context that the late Shri Feroze Gandhi introduced this Bill on a historic day, I would say. He introduced this Bill on March 23, 1956 and exactly twenty-five years earlier on March 23, martyr Bhagat Singh has kissed the gallows so that our country may be free. In a way we were not free till this PHA<sup>wa</sup> passed. Till then there were many restrictions on the freedom of the Press. You will bear with me, if I just read out one or two excerpts from Shri Feroze Gandhi's speech while introducing this Bill. While introducing this Bill in the Lok Sabha, he said:

"The people have a right to know what their chosen representatives say and do. Anything that stands in the way must be removed."

He went on to say:

"The extent to which democracy has succeeded can be judged by

the extent to which we have successfully compelled the Government to function in the full limelight of publicity."

He went on to say:

"Our objective today is a socialist society—(something that has only been written in the preamble of the Constitution)."

Here the first hurdle is:

The newspaper which is the means of conveying and giving expression to our ideas belongs to a sector of economy, called the private sector.

It is here that the question of delinking comes, which Shri Advani, while replying to the debate on the earlier Bill, referred to and promised to look into.

Lastly, I will quote just a small sentence:

"Any newspaper which today publishes the proceedings of our legislatures does so at considerable risk and throws itself open to both civil and criminal action. The law of libel operates like a silent censor."

Now that the hon. Minister has withdrawn the Prevention of Publication of Objectionable Matter Act, I hope he will look into this. My request to him is this. The content of this Bill was not accepted by the founding fathers while framing the Constitution. This Bill, when it was introduced and accepted, was in relation to the Parliament alone. But what is now required is that this should also cover all the Legislative Assemblies because what is fundamental to this Bill is that our people choose their representatives to represent them in the State Assemblies and in Parliament and our people have to judge the performance of their representatives. The people have to

LShri Jagjit Singh Anand] exercise their vigilance to see how their representatives acquit themselves or they have to see how the promises made at the time of the elections are fulfilled or they have to judge, on the basis of the reports on the performance of their representatives appearing in the papers, as to what to do next time when they come to the people again for getting elected. So, this is required to report the reaction of the people and also reporting back to the people on how their representatives perform in the Assemblies and Parliament. But, here, Sir, I am not trying to support the idea given a few days back by Shri Jayaprakash Narayan that because the verdict of the people in the elections to Parliament was different, the Assemblies also should be dissolved. In this, Sir, I am with the Prime Minister, Shri Morarji Desai, whose view is that the Constitution should be allowed to run in its own way and whatever is inherent in the Constitution should be allowed to work. I also feel that if the people have given a particular verdict in favour of the Janata Party in Parliament, the people themselves should judge the Janata Party's performance for a few months and let the elections have their own course, and let the elections come when they must if the Janata Party is able to get the Bill regarding the reduction of the term from six to five years passed on which I stand with the Janata Party. Sir, our party opposed this aspect of the 42nd Amendment Bill itself. So, that is well and good. But if we are to follow constitutional ways, then we must be very much careful about them. What I am just now saying is this: I would like to request Mr. Advani to apply his mind to this fact that Parliament should extend this right to the Legislative Assemblies also because what is inherent in the Constitution applies to the Legislative Assemblies also since their MLAs and their Ministers and their Governments are as much responsible in their sphere

of functioning to the people who have elected them as we are responsible to those people who have elected us.

Then Sir I only want to come back to my point, that is, the circumstances in which Shri Feroze Gandhi felt impelled to bring forward this Bill and the circumstances were like this: The PTI's man, Mr. Rama-chandran, appearing before the Press Commission of those days went on to say that the Constitution did not give a right to him to report truthfully the proceedings of Parliament. As the honourable Minister has pointed out, in this Bill also, Sir, there is no unlimited right given and there are three limitations, that is, whatever is reported is substantially true, whatever is reported is free from malice and whatever is reported is for the public good. So, with these three provisions this Bill had to be brought forward and so long as this Bill was not there, the views of the monopolies in this country and the influence of the governmental agencies in this country were brought to bear on the newspapers to black out whatever was said for the good of the public. Sir, I will not go into all the details now. But, even at that stage, Mr. Feroze Gandhi explained how the debates were not reflected, how the Press Commission or the debate about it was not at all reflected properly in the Press and so on. He also mentioned a specific instance relating to the 15th of March debate of this House—he was in the other House—in which it had been brought out that there was a leakage of the budgetary proposals because of which the Birlas were able to unload a lot of shares in the Indian Iron Co. at Calcutta and Bombay and the papers were not able to carry this. I am only making a brief point that the thing that called for the introduction of this Bill was that certain influences, certain monopolists, could keep the Press out of the black deeds that they did and they could keep out the

mentioning or these things by Parliament also because the proceedings of Parliament could not be published. Now, it is to be seen as to how it came about that whatever was done by the father was undone by the son, how it came about that what was adopted in 1956 by Parliament unanimously, for which the great Jawaharlal Nehru gave his consent and for which he called the Minister to help Mr. Feroze Gandhi to formulate the Bill was undone and Mr. Feroze Gandhi.....

SHRI MOHAMMAD YUNUS SA-LEEM:  
He was not there then in Parliament.

SHRI JAGJIT SINGH ANAND: He was exercising the remote control and you friends are speaking now in a different tone. You were speaking differently earlier because of the pre dominant remote control exercised by that person in the Congress and else where. So, don't say that to me \_\_\_\_\_  
(Interruptions). So, please do not interrupt me like that. I am very glad that you all have spoken differently now. I was also a person here when that Bill was put on the Statute Book. Therefore, let us be honest at least in this Parliament. I would only like to ask where these Members were last year. Where were you all last year that you come out with these things now? Sir, I am glad and I congratulate them because they are liberating themselves now. I congratulate them that after the people have defeated the man from Amethi \_\_\_\_\_  
(Interruptions).....

श्री नागेश्वर प्रसाद राही : मेरा प्वाइंट आफ आर्डर है। मैं कहना चाहता हूँ कि इमरजेंसी का समर्थन सी० पी० आर्डी० के लोगों ने भी किया था। इमरजेंसी के दौरान इन्होंने भी कुकर्म किये थे। उस समय सी० पी० आर्डी० हमारे साथ थी आज ये अपने आप को कैसे निर्दोष कहते हैं। सी० पी० आर्डी० सारे दोषों और

पापों में शामिल है जिसके लिये हमें दोषी कहते हैं ..... (Interruptions.)

SHRI JAGJIT SINGH ANAND: I am very glad that my friend has raised this point. Although I have promised to Mr. Bahuguna not to raise these things, but I will tell my friend; Yes, the CPI supported the emergency, and the CPI analysed certain provisions.... (Interruptions.)

I would ask my friend not to interrupt. I will take care of him. The CPI is in the good company of Shri Jagjivan Ram, who is sitting on the Treasury Benches, in supporting the emergency. But I will ask my friend: Which was the Bill or measure brought forward in this Parliament by the ruling Congress, which was against the people, that had not been opposed by us? The emergency was declared on the 25th June. And I am going to quote something. Some of the things were blacked out by censorship during the emergency. The emergency was declared on the 25th of June. On the 24th August, the General Secretary of the Communist Party of India, Shri Rajeshwara Rao, made a statement strongly protesting against the demolition of houses in Delhi for the sake of the so-called beautification. Within two months we came out. And after that we have a very honourable record in this Parliament. We, at every occasion, opposed every measure that was wrong. One proof is the speech of the leader of my group, Shri Bhupesh Gupta, made in this very House, when it was sought to repeal this Act. That speech is on the record of the Rajya Sabha. Here, apart from going into the arguments, Shri Bhupesh Gupta also in this House appealed to the good sense of the Prime Minister, made an emotional appeal, that for the sake of perpetuating the memory of the great Mr. Feroze Gandhi, she should please take back this measure. And I am told that when this measure was introduced in the Lok Sabha, earlier on that occasion Shri

[Shri Jagjit Singh Anand] Bhupesh Gupta wrote a letter to the Prime Minister and the Prime Minister was good enough to call a meeting of the Law Minister and senior officials and the Prime Minister mooted that this Bill should be withdrawn. ...

SHRI BHUPESH GUPTA: Om Mehta says he also told her to withdraw the Bill \_\_\_\_\_. (*Interruptions*)

SHRI OM MEHTA (Jammu and Kashmir): No, no.

SHRI JAGJIT SINGH ANAND: He also was at that meeting. If the Prime Minister had considered the letter of Shri Bhupesh Gupta, if a special meeting was called after introduction of the Bill in the Lok Sabha, that would have been better. Even Shri Om Mehta, who was a very important Minister—Minister of Parliamentary Affairs—and other such people were for withdrawal. Then, I want to ask my friend, who were the people who compelled the Prime Minister to go ahead with bringing forward this Bill, repealing the great Act of Parliament of 1956, if they were not the people called the caucus? — (*Time Bell rings*).

Sir, there were three speakers of my party, whose time-----

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Your party has two speakers .....(*Interruptions*).

SHRI JAGJIT SINGH ANAND: Please let me go on. Now, I want to point out that this Bill was brought forward by Mr. Feroze Gandhi, because he was fighting the multi-nationals, he was fighting the Birlas, he was fighting the Dalmia Jains and all that. And this Bill was sought to be repealed by his son because he was in the company of these Birlas and Dalmias and others. Who does not know Sagar Suri, who does not know Manu Narang, who does not know how K. K. Birla was sought to be

brought into this House with the support of these people? You know as well as anybody knows that....

SHRI SARDAR AMJAD ALI (West Bengal): Sir.... (*Interruptions*).

SHRI JAGJIT SINGH ANAND: My good friend—I would not like to name him here—after the Gauhati Congress said: Congress is dead, Long Live the Youth Congress \_\_\_\_\_ (*Interruptions*).

SHRI SARDAR AMJAD ALI: I am thankful to my friend, Mr. Jagjit Singh Anand, when he says that he is very happy that the Congressmen are liberated from the old ideas. Sir, we are also equally happy to see that they are liberated from the hold of the Congress.... (*Interruptions*).

SHRI JAGJIT SINGH ANAND: The Communist Party is a party which believes in being openly self-critical. The Communist Party is on record, when we met in the National Council, that when the negative features of the emergency began to dominate, when we demanded that there should be fresh elections, when we opposed the extension of term to six years by a constitutional amendment, at that moment we should have demanded the withdrawal of emergency also. If the Congress friends sit together and announce that they have acknowledged that a caucus was operating and they are going to liberate themselves from that caucus, we will be in good company and I would welcome that.

Coming back to the Bill, it is clear that both the Bills, the Prevention of Publication of Objectionable Matter Bill, were introduced because the perpetrators of the emergency wanted that the emergency should continue in certain fields and when the emergency was not there, they wanted some of the draconian powers of the emergency to continue. What, they did during the emergency, they wanted to do in the future also. I will just give you some instances out of

hundreds of -what they did. I am juoting just 4 or 5 instances of what was killed by the censor.

"Mid-January 1976—Walk out in Rajya Sabha on Bonus Bill—This item should be banned."

They took away the bonus of the working classes. We walked out in protest from the opposition benches and a dictate was issued that this walk-out from the Rajya Sabha should be banned.

"All reports on Tulmohan's case (that notorious case) should be censored."

"Rajya Sabha Starred Question No. 60 on Philip Petroleum International Corporation should be banned."

This is how the multi-nationals were being cultivated. This is how the nationally-accepted policies were being subverted. Ground was being prepared for accepting commissions from the multi-nationals.

"Lok Sabha Supplementary Question No. 133 on ' generation of nuclear power not to be used. Banned."

April, 1976 (I want my friend, Shri Amjad Ali's attention). Raje-shwar Rao's speech In Bhopal banned.

No criticism of family planning programme to go. This is April, 1976.

I am inviting you to go back to April 1976 when you were under the influence of the caucus.

Sanjay Gandhi walked out of a function held in his honour. No report or pictures to be published. Banned.

As the youngster could not keep his temper and he misbehaved the people were prevented from knowing

about his real calibre. He walked out and the pictures of the walk-out were banned.

28th of April, 1976. Only Sama-char to be used on the Prime Minister's statement in Lok Sabha on law and order situation in Bihar Imagine even the Prime Minister's statement is sought to be filtered through Samachar, which was nothing but the hand-maid of the caucus. The Prime Minister's own statement in the House is sought to be pre-cen-sored in this manner.

Report of interception of a car on Tilak Marg, New Delhi banned.

When you go into the excesses of the emergency, Mr. Charan Singh, the Home Minister, will be able to enlighten us who was the owner of that car, who were travelling in that car and why that car was intercepted on the Tilak Marg.

Reports on Boeing scandul to be precensored. Now the Boeing story will come out into the open.

Speech of Mrs. Ambika Soni and Joshi at the AICC should not be used. For Prime Minister's speech, please take the Samachar copy as model.

They held a session in Gauhati. They held a pre-session also. A speech was made by the leader at the A.I.C.C. The instruction are issued that the Samachar version should be used. Mr. Bahuguna was a victin of that. The Communist Party regrets that the Communist Party should have started the revolt when Mr. Bahuguna was thrown out because of his good deeds. But on this, the country knows and Shri Bahuguna at least knows more. Anyway, Sir, the other item was. "With immediate effect all stories, comments and reports relating to inter-party rivalries within the Congress and between the Youth Congress and the All-India Congress should not be used", using the machinery of the emergency, using the

LShri Jagjit Singh Anand] machinery of Samachar and pre-censorship to ban all this. Then, Sir, I will just go to the other points.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): I request you to wind up. Your Party is entitled to 15 minutes.

SHRI JAGJIT SINGH ANAND: Sir, I was told that there are only three speakers and the time allotted is two hours.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): No, no. The total allotted time is two hours and your Party is entitled to 15 minutes. But I have given you 20 minutes. You can kindly wind up within two or three minutes.

SHRI JAGJIT SINGH ANAND: Sir, I did not know that my time is over but I would hurry up with my points because I was earlier told that at least this time I will get a proper opportunity. Shri Bhupesh Gupta was to speak on the first Bill and I was given the time to speak on the second Bill.

What I would say is now that the Old Bill is being withdrawn, I would draw the pointed attention of Mr. Advani, who himself is a very experienced journalist, to some of the things. One of the things that must be guarded against is the sycophants and lip-stickers who go and hang around the power as the flies hang around sugar or gur. The very people who are building up Mr. Sanjay Gandhi are now trying to build up other people and they should be careful about them. Then, Sir, what I want to say is about Samachar itself. I would say regarding radio and television, is yet the only change has been—that Samachar, radio and the television were not being objective and were serving one master. Now they have tried to serve another master which master promised that they would not

like Samachar or the radio or the television to be captive and used in the narrow party interests of the ruling party when they were fighting the ruling party. I would request Mr. Advani—I have been carefully following this media—to see that at least Samachar reports whatever is said in this House in a fairly objective manner and whoever may say it, whether it is from the Treasury Benches or from the Congress Benches or from any other opposition benches. I would request him to please go into it and exercise some control so that those people who are running Samachar get themselves rid of their old cobwebs that are still dominating them.

Then, Sir, certain other points also need immediate attention. Shri Advani has referred to the question of monopoly houses and small newspapers. Regarding small newspapers, I have a small point to make because mine is a small newspaper. Now that you have give us the right to report the Parliamentary proceedings, I would say that the question of accreditation specially to the small newspapers should be re-examined. I am not for taking away accreditation from the big newspapers. But the accreditation policy should be weighted in favour of those small newspapers who have been in existence for a fairly long time and daily papers or language papers and newspapers that go directly to the masses. And apart from general accreditation to the correspondents of such newspapers, one thing more should be done. There are small papers whose editors or whose readers are interested in a specific session of the Parliament on a specific occasion. They want to rush their special reporter to come all the way, say from Jullundur, to report the proceedings of Parliament on a particular occasion or a particular debate. So, temporary cards or short-term cards for those specific jobs should be given. And I would request Mr. Advani to consider favourably the issuing of these cards.

Then, Sir, what I want to say is this. The last item that was prevented was the news report regarding the judgment in the case of the Dalmia-Jains. They took so many years to prepare a report. There was a\* case going on. Ultimately the guilty were found, the guilty were to be punished. The punishment was awarded. But this authority was used to see that it was not reported. But this authority is not available after the emergency. But the ownership by the (Dalmias of the "Times of India", the ownership by the Tatas of the 'Statesman', the ownership of by Mr. Goenka of the Indian Express', this ownership will be used repeatedly as an invisible hand of censor. First of all you must take up the question of ensuring the rights of editor journalists and working journalists and non-working journalists also as a prelude to the setting up of a proper new machinery for delinking the Press so that they can reflect upon themselves and reflect upon the situation in the country truly and honestly from now onwards for finding a short-term media in which the representatives of the editors, the working journalists and the non-working journalists can bring to the notice of the Government, or Shri Advani's notice, the difficulties that they are experiencing from day to day because of a new policy not being laid down yet, on account of which the freedom of the Press is the freedom of the monopolists and not the freedom of the journalists or the freedom of the profession. With these words, I thank you, Sir, and I hope that Shri Advani would be congratulated for the prompt way in which he has brought up this Bill for the consideration of the House. I hope he will bear in mind the suggestions that I have made.

SHRI HAMID ALI SCHAMNAD (Kerala):  
Mr. Vice-Chairman, Sir, let me also congratulate Shri Advani for introducing this Bill. This Bill intends to undo what has been done by the previous Government. Actually, this Bill is intended to protect

the publication of reports and proceedings of Parliament. By this measure more protection is also given to the Members of Parliament. Our Parliament is considered to be the supreme legislative body of the land. Nobody disputes that. Everybody in this country, Members of the ruling Janata party as well as Members of the opposition parties, including the Congress Party, agrees that Parliament is the supreme legislative body of the country. As such, the proceedings of Parliament should be published as they are. This freedom was taken away during the emergency. It is our experience today that even those Members of the Congress Party who have supported this Bill today were keeping mum when this freedom was taken away. At that time they did not raise their voice, they did not raise their little finger, when this law was passed by the previous Government.

Sir, the voters in this country have got every right to know what is going on in Parliament. They send their representatives to the Houses of Parliament and they have got every right to know what their representatives speak here. They should know all that sitting in their villages, while working on their farms and in their small shops. They should read, through their newspapers what their representatives have said in Parliament. If what the Members speak here is not published in newspapers, that is certainly against democracy itself. For example, if we speak anything against hoarders, black-marketeers or smugglers, definitely newspapers will not publish unless they have got protection. Otherwise, they would be dragged on to the courts of law. We the Members of Parliament and many of the Press people are poor people and we cannot afford to fight these matters in a court of law. This Bill, therefore, gives welcome protection to us. And, I congratulate the Janata Government for having kept up its promise of introducing such a Bill as early as possible. It is, however, regretful to note that people who were

[Shri Hamid Ali Schamnad]

fighting for maintaining democratic principles and democratic rights did not oppose the measure when these rights were being taken away, just because they happened to belong to the Congress party. I remember very well, Sir, that it is they who voiced their support and said that there was nothing bad in that Bill. What they actually said was: It is for the Press to publish and take the risk. That is what was said. I remember very well the occasion when the Speaker convened a meeting of the leaders of all the political parties, the Jana Sangh, the Congress 'O', the B.L.D. and others. The demand of the leaders of the political parties was that whatever they spoke in Parliament should be known to the people. Shri Om Mehta was also there. That was their main demand. They said that on that condition they would attend the sessions of Parliament. This was one of the demands made to the Speaker of the Lok Sabha, who convened the meeting, by the leaders of the political parties. The C.P.I. leaders rightly joined in the demand made by other opposition leaders and asked the Home Minister to publish the proceed?

5 P.M.

Then, the Home Minister said:

"We will have to discuss with the Prime Minister; I cannot give you any guarantee."

SHRI BHUPESH GUPTA: We will discuss amongst ourselves, not with the Prime Minister but with somebody else.

SHRI HAMID ALI SCHAMNAD: Then, I also remember, Shri Om Mehta said: "Press people could publish it; we have no objection. Only thing is, they should take the risk." That is how they were saying. Anyhow, Sir, at least now they have come to their senses. I am glad to know it. I congratulate the hon. Minister for having introduced this Bill. At the same time I appeal to Samachar people that when they publish the proceedings, they

should see that the speeches of other Members are also given some importance in the Press. The ruling party should give due importance to the speeches of other Members also. Definitely, the Prime Minister should get priority; no doubt about it. Home Minister should get that priority and the leader of the opposition should also get priority that he deserves. So also, other leaders of the political parties are there. Taking the quantity of the members alone may not be the criterion. The quality of the speech should also be taken and that should also reach the voters so that they also know what their representatives have spoken in Parliament.

With these words, Sir, I conclude with hearty thanks to the honourable Shri Advani for introducing this Bill.

SHRI S. W. DHABE (Maharashtra): Mr. Vice-Chairman, Sir, this is a Bill which is highly welcome. But, as was pointed out by the earlier speakers and my friend, Mr. Anand, this is not complete in itself. It may be useful in the year 1956 but there is no protection given to proceedings of Assemblies, Metropolitan Councils and other elected bodies under this Bill. I do not think the intention of the Bill is only to give protection to the Parliamentary proceedings and to nothing else. Therefore, Sir, there is also the need to have a re-thinking and to bring about amendments or a further type of legislation to give protection to the pro-: ceedings of all bodies which are elected bodies strike the Assemblies, Metropolitan Councils and other.

Sir, another aspect is very important in this respect that this Bill gives, protection if something is published without malice or if it is published for the public good. But it is defamatory, if the individual is criticised without any facts or without any base or if there is a vindictive speech in the Parliament and it is published in the Press, the individual citizen who elects that representative who gave the speech, is without a remedy. He can-



not file a case for defamation because the law protects it. Some method has to be found out for accurate reporting. As the Press Commission has said there must be effective control on scurrilous writing. I do not want to read it out but I will only draw the attention of the hon. Members to page 39, para 109 of the Press Commission's Report, Part I. I shall read only one sentence:

"While it is necessary for the Press to develop so as to meet the needs of the country, it is also essential that effective checks should exist against publications of this character."

And it is further stated:

"We have examined a number of instances of such objectionable writing that were brought to our notice but they had to refrain from reproducing extracts for this reason among others that a number of them are quite unprintable."

Sir, it is possible. Therefore, if the proceedings are to be given protection, I think, Sir, some *via media* has to be found out for giving further protection to the citizens so that the citizens are not unnecessarily defamed and do not come under trouble and are not disreputed. There are two things which are very essential for the effective implementation of this legislation. There must be fair reporting. In this connection, I would again like to say that this is very necessary. But we see that in a number of places, relatives are appointed as journalists who do not have journalistic qualifications and who are not trained in journalism. In this connection, I would suggest to the hon. Minister to improve the higher education facilities in journalism in the various universities. If this is done if qualifications are prescribed, ii courses in journalism at the graduate and the post-graduate levels are introduced in the various universities and i

cadre of journalists is created, there will be higher standards in reporting and there will be fair reporting. Therefore, the first question which is very important is higher education. There should be right type of journalistic courses in the various universities in India. Therefore, I would suggest that this question should be reviewed and there should be post-graduate courses in journalism so that the journalists would not only be able to get higher wages in terms of the Wage Board recommendations, but talented people would also be attracted to the profession. One of the main hurdles in the way of fair reporting is that talented people are not attracted to this profession. Sir, I come from Nagpur. I had a friend, late Mr. Medkholkar, who was the editor of 'Tarun Bharat'. But such persons are very few. Many people do not take up this career. Therefore, these two things are necessary.

In regard to the freedom of the Press, it has been rightly stated that there should be diffusion of ownership. In this connection, I would like to invite the attention of the hon. Minister to the very important recommendation of the Press Commission. This is on page 498, paragraphs 1367 and 1368, about diffusion of ownership and newspaper trusteeship. One of the recommendations is that the employees working in those places, in the newspaper journalists or non-journalists, should be given a share in the ownership of the newspapers. If this is not done, there will be no involvement. Now, they are required to report whatever the owner of the newspaper dictates. It will not be censorship by the Government. It will be censorship by the newspaper. This is the only difference it will make. Therefore, Sir, in order to have contented journalists, the hon. Minister should see that there is proper implementation of the Wage Board recommendations and the various laws connected with the journalists. I am very sorry to say that many newspapers have not implemented the First Wage Board or and the Second Wage Board

[Shri S. W. Dhabe]

recommendations. Working journalists are not issued appointment cards. They are not classified into different categories. The services of a large number of journalists are terminated summarily and without any show cause notice. I would not say this about all the newspapers in general. But many newspapers have not implemented the recommendations. There is one newspaper published from Nagpur. It is also published from Indore, Bhopal, Jabalpur and Raipur. The management of this newspaper have not implemented the recommendations of the Wage Board. In this connection, I would quote para 43 of the Award of Industrial Tribunals Nagpur, at page 1881 of the Maharashtra Government Gazette dated the 3rd March, 1977. It says:

"Now, it is an admitted position that Nav Bharat is a leading Daily Hindi newspaper, published from Nagpur. Nav Bharat is owned by a partnership firm, registered in the year 1960 or 1961. Shri Ramgopalji Maheshwari and his three sons—Prakash, Prafulla and Vinod are the four partners of this firm. Besides Nagpur, Nav Bharat is also published from Raipur, Jabalpur, Indore and Bhopal. The circulation of Nav Bharat, Nagpur, is about 20,000 copies. It would appear that Nav Bharat is a leading Hindi Daily in Central India. Nav Bharat is established on a sound footing and earned reputation and it has a bright future before it. It is indeed unfortunate that such a popular and influential newspaper establishment should not have cared to implement the recommendations of the Working Journalists Wage Committee and the Wage Board for Working Journalists."

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Mr. Dhabe, even though the implementation of the Wage Board recommendation is very important, but on this occasion probably it is not very relevant.

SHRI S. W. DHABE: It has been stated here that fair reporting is necessary. I am only saying that for fair reporting contented working journalists class is also very necessary. The working journalists should have fair deal.

AN HON. MEMBER: He expects his point of view to be reported in the press.

SHRI S. W. DHABE: Sir, the working journalists are not given a fair deal. The Management is there. There are two hurdles and unless these two hurdles are overcome there will be no improvement. There is an instance of Mrs. Alva whose speech was not reported by some of the press. There are many other instances. Therefore, we have to see that the working journalists, who are working in the press, are independent and are in a position to report properly and faithfully.

I would like to suggest that in this whole discussion, the terms "fair reporting" and "public board" are very flexible. Ultimately, the Government is going to have control through advertisements. I would only say that in cases where the parliamentary proceedings are not fairly reported, the Government should not give them advertisements. Advertisements should be used as an economic constraint for them. It should be used rigorously so that the proceedings of Parliament are published in all newspapers.

श्री नागेश्वर प्रसाद शाही : श्रीमन्, एक बात साफ कर देना चाहता हूँ। सी० पी० आई० के आनन्द साहब और डी० एम० के० के स्वामीनाथन साहब ने यह आरोप लगाया है कि इस इमरजेंसी में कांग्रेस एम० पीज० पर प्रभाव नहीं हुआ। मैं कहता हूँ कि सी० पी० आई० और डी० एम० के पर नहीं हुआ। चन्द्र शेखर जी, रामधन और मोहन धारिया को किया गया और बहुगुणा साहब को समरीली डिसमिस किया गया। कांग्रेस के एम० पीज० को टेरोराइज किया गया जब कि डी० एम०

के० और सी० टी० आई० के लोग बोल रहे थे ।

SHRI BHUPESH GUPTA: I will be very glad if your Congress leaders said that Mr. Bahuguna was the victim of emergency.

SHRI HARSH DEO MALAVIYA (Uttar Pradesh): You should 'not have said it. An intelligent person like you should have no doubt about it.

SHRI LAL K. ADVANI: As in the case of the first Bill, here too I have received support from all sections of the House, for which I am deeply grateful, and there have been no reservations at all. It is the unanimous opinion in this House and one which reflects the opinion outside that our members of the press who are seated in the gallery above should never feel any hesitation or fear in reporting what we talk here, what we discuss here so long as their reports are substantially accurate, so long as their reports are not actuated by malice and so long as their reports are for the public good. So, on the main point of the Bill, the thrust of the Bill, there is complete unanimity. Some points were made in the course of the debate to which I would briefly refer. Several Members referred to the need of fair coverage of parliamentary proceedings by All India Radio and television. I would try to ensure that there is complete fairness and objectivity, although I have a feeling that very many times misgivings about the coverage arise from the fact that they are supposed to be not complete, which is always difficult. When proceedings extending over six hours and over more than a dozen subjects are sought to be compressed within five minutes or ten minutes. . .

श्री हर्षदेव मालवीय : बड़ा दीजिए,  
15 मिनट कर दीजिए ।

SHRI LAL K. ADVANI: The writers or the journalists, who do these reviews, are after all the persons mostly

from the press and they are faced with the problem and they sometimes seek the Government's advice also as to how best to tackle it. Otherwise what happens is that in order to mention all the people who have participated in the debates, it just becomes a narration of several names that so and so, so and so also spoke without putting the whole report in a focus. This is a practical problem. But I would like to see that at least there is no complaint on grounds of unfairness and there is objectivity in the coverage of the parliamentary proceedings.

Another point was made about the accreditation of press correspondents. It does not arise directly from the Bill at all. However, it is an important matter. During the last 20 months, several journalists, many of them of long-standing repute, had been dis-accredited. By now some revision has been going on. The function of accreditation vests mainly with the Central Press Accreditation Committee. I can only say at this stage that the Government's policy would be to base the system of accreditation solely on professional and non-political considerations. It is proposed to re-constitute the Central Press Accreditation Committee and it will be that Committee which will go into the entire matter again. For example, a suggestion was made by my friend, Mr. J. S. An and that representatives of small journals should be given part-time accreditation cards. When he referred to part-time accreditation cards, he had Parliament in view. This does not come within the purview of the Government. It is the Accreditation Committee of Parliament which governs the accreditation within Parliament House and the Press Galleries on its own. That is not within the sphere of the Government.

SHRI BHUPESH GUPTA: Somehow or other, the representatives of small newspapers find it difficult to send their people to the Press Galleries. Some ways and means should be found so that they are in a position also, other things being acceptable, to

[Shri Bhupesh Gupta]

send their representatives to cover parliamentary proceedings.

SHRI LAL K. ADVANI: I am aware of their problem, having been myself at one time a representative of a small journal. The weeklies, particularly, have a problem, which I am aware of. But this is not within the purview of the Government. It is for the Speaker and the Accreditation Committee of Parliament to consider this. One of the problems is the problem of space. It is a constraint on space. But till now, I can tell this House, that out of a total number of 49 pressmen whose accreditation had been cancelled during the Emergency, we have\* clearly issued orders for restoring the accreditation of 16 pressmen. This is in anticipation of the decision of the Committee, which, under the rules, will have to approve of the action.

There is one more important point that was made by my friend, Mr. J. S. Anand that this matter should be extended to Assemblies also. I may point out that when Shri Fe'roze Gandhi sponsored this Bill, the Bill was titled. The Proceedings of Legislatures (Protection of Publication) Bill, 1956, and the Bill was referred to a Select Committee. That Select Committee recommended—and I quote: "The Committee are of opinion that the provisions of the Bill should be confined to reports of proceedings of either House of Parliament only and that it should be left to the States to enact, if they so think fit, similar laws concerning the publication of reports of proceedings of the State Legislatures." This was the recommendation made by the Joint Select Committee of Parliament on this issue. And in pursuance of that, the immunity, so far as this Parliament is concerned, was provided only to the two Houses of Parliament. Subsequently, some of the legislatures have enacted parallel Statutes providing immunity to their own press-

men. So I feel that the present provision is sufficient enough.

Sir, I have nothing more to say except that India is proud of its history of Press freedom. Ever since Independence, India has been reckoned as among those countries which have a remarkably free Press. Among the developing countries, perhaps there will be a very few comparisons. But even in the whole world we have had a very high reputation all through and it is only on the 26th of June, 1975 that suddenly this reputation came under an eclipse. And on that when censorship was clapped on the press, a gag order that was unprecedented even during the British rule came into force, people were not allowed to publish even the facts that eminent leaders like Shri Jayaprakash Narayan, Shri Morarjibhai Desai and others had been arrested. Thirty or thirty-five Members of Parliament were arrested but their names also could not be published. Then we had a series of laws and a series of constitutional amendments which virtually made the freedom of the press absolutely meaningless in this country. I am very glad and feel gratified that this Parliament itself is now trying to undo all that was done then, and doing it with unanimity not doing it in a manner as to show that this determination to restore the full freedom of the press is not the determination merely of one party but that it is the nation's determination to do so. Therefore, I am very much gratified that all of you have lent full support to this Bill. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question is:

"That the Bill to protect the publication of reports of proceedings of Parliament, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.* >

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA). We shall now take up clause' by clause consideration of the Bill. In clause 2 there is an amendment by Shri Bhupesh Gupta.

SHRI BHUPESH GUPTA: Sir, I move:

"That at page 1, line 15, *after* the word 'Parliament', the words 'or a State Legislature', be *inserted*."

Sir, I do not wish to say much because it seems that it is not acceptable at this stage. He is quite right when he pointed out that Mr. Feroze Gandhi, my good friend, proposed that it should extend to the State Legislatures also. In fact, at that time, if I may say so—I do not know whether you were here—Mr. Feroze Gandhi and I were in mutual consultation on this matter and we were discussing it almost from day to day, and we felt very strongly that Parliament should provide for immunity to the press in respect the proceedings of the State Legislatures also. But unfortunately it was not acceptable to the majority of the members. If you read Mr. Feroze Gandhi's speech, you will find that he was not happy about it, that the scope of the measure was not acceptable to the majority of the members of the Select Committee. So I think that Mr. Advani should have improved upon it. Today the mood of the country is such, experience has been taken so bitter, that if you been included this you would have been hailed by the people of the country as the champion of the spirit and the desire of the entire people of the country. The State Legislatures, of course, can do it by themselves but they have not done it, for whatever reason it is. Parliament is dealing with this vital question and I think we could have done it here.

ii8 RS—6

bir, in this connection I should like to say only one thing more. Many things are being divulged now and I would divulge one thing. When the original 1956 Act was sought to be repealed in this House, apart from the personal appeal that I made to the Prime Minister, I went to the Congress President, Mr. Borooah, who was a Member of this House at that time. He sympathised with me. He was in favour of preserving the Feroze Gandhi Act and many Congress Members, also wanted the Feroze Gandhi Act to remain. But who cares for them? Some people decided that it must go. Mr. Advani may call whatever I say ironical. But it is ironical that the Feroze Gandhi Act was butchered by the people who should have been the last to butcher it. This is the tragic part of it. Even that part I made known to the appropriate quarter in the hope that some emotional chord will be touched, but nothing was touched.

Sir, I am not saying in this case that if somebody wants to destroy it, he will not be dissuaded. Many Congress Members wanted that it should remain. I can tell you that there was a feeling of sentiment, a feeling of emotion. Mr. Borooah was a friend of Mr. Feroze Gandhi. I was a friend of Mr. Feroze Gandhi for many years in England. We two particularly felt that this Act should not be repealed, but then some people, flesh of his flesh and blood of his blood, as you may call it, decided to commit a fratricidal act. That was done. Memory was destroyed by the act of some persons, so much so that I may inform you that the Law Minister was called and asked to do it. Shri Om Mehta—he has gone away—even went and pleaded that it should not be done, but he was not even listened to. Whatever may be his other involvements, as far as I know, he also went there to plead that this Act should not be repealed. But he was not listened to. Anyway, Sir, today it has fallen to Mr. Advani to revive the Feroze Gandhi Act,

[Shri Bhupesh Gupta]

while it was left to other people to destroy it. Well, this is a paradox of history—not merely ironical—and we welcome this thing. The only thing I should like to say is that if the State Legislatures had been included it would have been very good. But I never thought that so soon we would be in a position to restore the right of Parliament proceedings to be reported in the manner in which this Bill provides for. We are all very happy for this one act of asserting the supremacy of Parliament. When the supremacy of Parliament was being debated, a measure was brought forward to repeal the Act which added to the dignity of Parliament, to the scope of its relation with the masses. We are very glad that today we have done it.

Sir, I will move the amendment, but I will not press it to vote because I know Mr. Advani, in principle, is not against it. I would request him to bring it to the notice of the State Legislatures, or the Government, so that they might consider passing such a measure.

*The question was proposed.*

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): Do you still press your amendment?

SHRI BHUPESH GUPTA: Yes.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question is:

"That at Page 1, line 15, *after* the word 'Parliament', the words 'or a State Legislature' be *inserted*."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question is:

"That clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

*Clauses 3 and 4 were added to the Bill.*

*Clause 1—Short title, extent and commencement.*

SHRI BHUPESH GUPTA: Sir, I move:

1. "That at page 1, line 7-8, for the words and figures "the 25th day of March, 1977" the words "the day on which the Act was repealed" be *substituted*."

Sir, this amendment speaks for itself. Mr. Advani, being a journalist himself, should have shown a little originality in this matter, because he is giving this Bill retrospective effect. It is not as if it will come into force when the President gives his assent tomorrow or the day after. He wants to bring it into effect from the 25th of March, 1977. Today it is the 9th of April, 1977. A good thing you have done, but you should have gone a little further back. What I feel is that if it was made effective from the date on which the Act was repealed, that have been a moral blow to these people. I do not know why you missed this thing. Sometimes, you should consult us. You would have lost nothing. I am sure you would have accepted it if the other House was there in session. This is why I say that we would not have allowed this Bill off the Statute Book for a single day, and whatever had happened during that period, the period from the date when it was repealed till the 25th of March, 1977 would also have been protected.

SHRI SUNDER SINGH BHANDARI (Uttar Pradesh): That would be forgetting history, Sir.

SHRI BHUPESH GUPTA: This is only an amendment which has some practical implication, but it is a moral amendment, and I do not know, being

a very intelligent man, why Mr. Advani missed this opportunity to "put this in this form: I just cannot understand. Mr. Advani, I thought you would do that. If you had talked to me, I would have suggested you to put it like that. Anyhow, Sir, I am moving it also because I do not want it to go on record that any of us in this sphere wanted Feroze Gandhi to be dead even for a single moment. This should have taken effect from the moment he was slaughtered.

*The question was proposed.*

SHRI LAL K. ADVANI: I appreciate the sentiment behind the suggestion. But all through that period censure was in operation, and, therefore, it is not a practical suggestion. Besides, sometimes dark spot or mole enhances the beauty.

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question

1. "That at page 1, lines 7-8, for the words and figures "the 25th day of March, 1977" the word, "the day on which the Act was repealed" be *substituted*."

*The motion was negatived.*

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question is:

"That clause 1 stand part of the Bill"

*The motion was adopted. Clause 1 was added to the Bill.*

*The Enacting Formula and the Title were added to the Bill.*

SHRI LAL K. ADVANI: I beg to move:

"That the Bill be passed."

I would say that the dark dismal part is over.

At least the first phase of my proposition and my pledge to the country are over.

*The question was proposed.*

THE VICE-CHAIRMAN (SHRI LOKANATH MISRA): The question is:

"That the Bill be passed."

*The motion was adopted.*

**THE CALTEX (ACQUISITION OF SHARES OF CALTEX OIL REFINING (INDIA) LIMITED AND OF THE UNDERTAKINGS IN INDIA OF CALTEX (INDIA) LIMITED' BILL, 1977**

THE MINISTER OF CHEMICALS AND FERTILIZERS AND PETROLEUM (SHRI H. N. BAHUGUNA): Sir, I beg to move:

"That the Bill to provide, in the public interest, for the acquisition of the shares of Caltex Oil Refining (India) Limited and for the acquisition and transfer of the right, title and interest of Caltex (India) Limited in relation to its undertakings in India and thereby to secure that the ownership and control of the petroleum products produced by the Caltex Oil Refining (India) Limited, and marketed and distributed by the said undertakings, in India, are so distributed as best to subserve the common good, as passed by the Lok Sabha, be taken into consideration."

Sir, the main purpose of the Bill is the acquisition of the particular industry and its various functions so as to bring under the control of the nation one of the most strategic elements in the economy of our nation. This, Sir, at the outset I must say, is acquisition of shares, other interests and titles, if I may say so which does not extend beyond, what I say, a take-over by negotiation. The predecessor Government decided to take over these interests through negotiations rather than