

[Shri N. K. Shejwalkar]

actually? If the idea is to protect the hirer's interest as well as the owner's, that sort of clause will be unnecessarily introducing a stranger into the contract, "without the consent of the owner"—I do not think this is a very reasonable clause, and I wish the hon. Minister gives serious thought again to this point.

About the rights of hirer in case of seizure of goods by the owner, I want to bring to the notice of the Minister that this clause needs reconsideration because the question of price is material. What should be the price—that has been left vague. The price on the date of the sale or on the date of the seizure and how it should be determined—all these questions do arise. And we are left in the lurch, rather. Similarly, about clause 20, if it is provided that it is not necessary to return the goods or that the goods cannot be taken into the custody of the owner, this will be unnecessarily forcing the party to go to the court. What is the reason behind this, I do not understand. The whole idea is that there should be good promotion in the relations between the hire-purchaser and the owner and it is necessary to put in black and white all this law. Bui at the same time the relationship should be so reasonable and just that in future such sort of an agreement helps the consumer as well as the owner. But if such conditions are going to put hindrance, I do not think that this Act will serve the purpose. It would protect neither the hirer nor the owner. These were the few things which I 3 p. m. could point out in a short time. I beg your pardon I could not move amendments. But if the hon'ble Minister thinks fit he can reconsider the matter and incorporate it in the Bill,

SHRI NITI RAJ SINGH CHAUDHURY:

Madam Vice-Chairman, about clause 12 may I draw the attention of the hon'ble Member, Shri Shejwalkar, to sub-clause (iii). It provides for *decision of* such matters by the court of law. The only provision to which he is objecting is if it is unreasonable then only the matter will come before the court of law. Suppose the person enters into a contract and he subsequently unreasonably tries to get off, then certainly, the matter will have to go to the court of law and be decided.

SHRI N. K. SHEJWALKAR: The position of the law is that according to you the property in the matter does not pass for title

to the hirer unless total amounts are paid up to the owner. So the property still lies with the owner and through his consent you create circumstances wherein the hirer can assign his right. How do you patch up all these matters?

SHRI NITI RAJ SINGH CHAUDHURY:

It is for this reason that provision is made in all these clauses that all these matters will have to be decided by the court.

SHRI N. K. SHEJWALKAR: It is very difficult.

SHRI NITI RAJ SINGH CHAUDHURY:

Provision is made in sections 12(b) and 17 and 20 for protection of the hirer because the hirer is admittedly the weaker party. Therefore, this provision is made in the original Bill and the Joint Committee has allowed this provision to remain as it was there.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY): The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

#### THE NEWSPAPERS (PRICE CONTROL) BILL, 1971

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRIMATI NANDINI SATPATHY): Madam, I beg to move:

"That the Bill to provide for the control, in the interests of the general public, of the prices of newspapers with a view to ensuring that newspapers continue to function, in the prevailing conditions, as effective mass communication media and for securing their availability at fair prices, as passed by the Lok Sabha, be taken into consideration."

I would like to speak something, Madam, before hon'ble Members speak.

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY): I thought today nobody was interested in speeches.

SHRIMATI NANDINI SATPATHY: In rising to move that the Bill, as passed by the Lok Sabha, be taken into consideration, I would like to trace briefly, if you will permit me, the circumstances in which this Bill became necessary. The House would recall that to meet the financial burden, which the events of Bangla Desh imposed on us, it was decided that with effect from the 15th of November, 1971 an excise duty of 2 paise should be levied on newspapers having a circulation in excess of 15,000. With the imposition of this excise duty a large number of newspapers all over the country increased their prices from the date the excise duty came into effect not only to the extent of the date but well in excess of it. The price increase exceeded the excise duty from 1 to 6 paise. The immediate result of this price increase was to precipitate a strike by the hawkers in Calcutta. The hawkers claimed a proportionate share of the price increase. In the absence of an immediate settlement the distribution of newspapers was greatly affected and the city of Calcutta practically went without newspapers for a number of days.

Government were concerned with this position and on the 24th November, I appealed to newspaper managements not to increase their prices beyond the excise duty payable by them. I made it clear that this appeal was addressed to the newspaper managements not only in Calcutta but in all parts of the country, and I made it clear that Government intended to follow the same pattern all over. The appeal was, however, headed only by the Calcutta newspapers. The newspapers in other parts of the country continued to charge the higher prices which they had prescribed with effect from the 15th November. The main justification put forward by the newspapers is that even apart from the excise duty, there has been considerable increase in the cost of various other items. They have argued that they had, in fact, been contemplating price increases for a long time well before the new excise duty was levied.

While I agree that there is some force in this argument that there has been increase in *cost* in regard to a number of items, Government find it difficult to accept this argument in justification of ad-hoc increases in prices with effect from the date the excise duty came into force. It is difficult to avoid the impression also that the newspaper managements availed

of the opportunity presented to them by the new excise duty to increase their prices even in excess of what the cost increases would have justified.

As hon. Members will recall, this Bill was listed to be taken up for consideration and passing on the 24th December, 1971. In deference, however, to the appeal made by a number of Members opposite, I agreed not to press for the passing of this Bill during the last session.

Madam, while considering fair prices for newspapers, various factors will naturally have to be taken into account. It would not be sufficient merely to take into account the costs as they are actually. It would also be necessary to decide what these costs should be, that is, to fix certain norms of cost based on proper norms of productive efficiency. A detailed examination of the increases in the cost of production that may have occurred since the prices were originally fixed by the newspapers would be necessary. Such a detailed examination has also become necessary for another reason. In the present context, for instance, when foreign exchange resources have to be strictly conserved, it is inevitable that the allocation of newsprint will fall short of the requirements of the newspapers. This will have its own effect on the industry and finances of newspapers, especially the bigger newspapers. It would also be necessary, by employing stricter measures of control, to ensure that newsprint is used only for the purpose for which it is given and that it does not find its way into the black-market. These measures, too, may have some effect on the costs of production. But it is not possible for us to say at this stage what these effects will be. It is proposed to set up shortly a committee which will go into these details and particularly, the economics of the newspaper industry. As I said earlier, in considering what the fair price should be for newspapers, various factors will have to be taken into account. Appropriate steps in all these matters will be taken by Government after due consideration.

The Bill which I have the honour to commend to this House to-day is restricted only to one aspect of the matter, that is, to ensure that the readers get their newspaper at a fair and reasonable price. This is only an enabling measure. I would like to make it very clear

{Shrimati Nandini Satpathy]

here that it enables the Government to fix the price for newspapers and does not require the Government to do so. I may assure the House that no order under this measure will be issued without giving the utmost consideration to all relevant factors. Government are naturally most anxious to facilitate the development of the Press in the country on healthy lines and can be depended upon to refrain from taking any action which would hinder its progress.

With these words, Madam, I would like to commend this Bill to the House.

*The question was proposed.*

SHRI LALK. ADVANI (Delhi): Madam Vice-Chairman, I recall that towards the end of the winter session or rather on the last day of the winter session this Bill had come up before this House and some Members sitting on this side of the House had requested the Minister to take up this matter with the newspapers concerned. I was expecting the Minister to throw some light on what happened since then. She has not referred to anything of that nature, and has only recalled that in deference to the wishes of the House here this matter was not pressed there. My basic objection to this Bill, Madam, is that as a journalist I am always apprehensive of any measure or legislation which tries to regulate the press, tries to control the press in any manner. It may be said that this does not mean fixing prices, it is only an enabling measure. But the fact that it is an enabling measure opens up the possibility of its abuse, and my basic objection is that a measure of this kind should have necessarily incorporated in it a reference to the Press Council which it does not. The Press Council of India is a statutory body and even though prices of newspapers and newspaper economics may not come directly within its purview, I feel that this is a measure in which its advice should be sought and statutorily so; it should be made obligatory on the part of the Government before taking any steps in this regard to seek the advice of the Press Council. Somehow or other for sometime I have noticed that the Government is slightly chary in bringing in the Press Council of India into matters of this kind and in which advertisements also figure. It has been my view all along which I have expressed a number

of times in this House that advertisement policy also should be a matter in which the Press Council of India should have a say. I do not say that the Press Council of India should decide as to what should be the quantum of advertisements which should be given to this newspaper or that newspaper. But this is certainly important that what should be the advertisement policy, what should be the criterion or what should be the guidelines, on the basis of which the Government or the DAVP gives advertisements to the various newspapers, should be a matter in which the Press Council's advice should be binding on the Government. Somehow this has not happened. The Government is not agreeable to this. So is it in a case of this kind where it is felt that certain newspapers arbitrarily increased the prices of their newspapers, with the result that newspaper readers have been put to considerable difficulty. I would not claim to know the entire facts of the situation. This I do know that the Madras Hindu has increased its price. Their argument is that the price increase has been prompted by the smaller newspapers. I would like to know what the Government has to say in this regard, what talks or what negotiations the Government has held with the owners of smaller newspapers which have been very badly affected by the increase in the cost of paper even before this fresh Bangla Desh excise came in. If this is a fact that the present price of newspapers particularly in the Southern region is adversely affecting the smaller newspapers, I think it should be the concern of the Government to find a way out of this. The Hindu representatives who came and saw me in this regard last December mentioned that perhaps a newspaper of the kind of Hindu, of the size of Hindu, would be able to overcome the financial difficulties involved in maintaining the prices. But it cannot be said about the smaller newspapers which are there in the southern region. They would find it very hard to meet the present economic troubles that they are confronting. This is a matter on which I would like the Government to explain. My specific suggestion in this regard would be that the Minister should assure this House just as she has assured that whenever a decision in regard to controlling prices is taken by any Government due regard will be taken of the various aspects of the matter.

I would like her to give an assurance to this House that the Press Council's advice would be definitely sought in this matter, even

though it is not statutorily obligatory for the government to do so. I wish it were so. I wish that in section 3 of the Newspapers (Price Control) Bill a provision of this nature was there. I wish that in sub-section (2) of that section you had made a provision to the effect that in making under sub-section (1) any order determining the maximum price which may be charged for any newspaper referred to in that sub-section, the Central Government would consult the Press Council of India. Even if it is not statutorily done so, the Government's commitment in this House to that, I think, would go a long distance in meeting the requirements of the situation. In the end, I would like only to quote what the present Prime Minister had said about the Press Council when the Council was formed. Later the Information and Broadcasting Minister also said more or less the same thing. The Prime Minister had then said:

The Press Council is practically a compromise between the idea of self-regulation by the profession and the industry and the desirable elements of minimum regulations by way of assistance of statutory character.

Both the things, I think, are needed. In a case of this kind, there should be self-regulation because the price fixed now is considerably high for the average newspaper reader. They should be compelled and persuaded to reduce the price rather than doing it by an executive fiat or governmental order. I think, if the Press Council had been brought into the scene, it would have been feasible. With these words I support the Bill.

**श्री यशपाल कपूर (उत्तर प्रदेश) :** महोदया उपाध्यक्षा जी, यह विधेयक लाकर मंत्री महोदया ने एक बड़ा सवाल हल करने का प्रयत्न किया है। यह एक बड़ी महत्वपूर्ण बात है कि समाचार पत्रों के मूल्यों का नियंत्रण किया जाय।

SHRI S. S. MARISWAMY (Tamil Nadu): This is the hjn. Member's maiden speech.

Let us have the pleasure of hearing it. Will you kindly speak in English?

SHRIMATI NANDINI SATPATHY: Let him speak. Please do not disturb him.

SHRIYASHPALKAPOOR: Well. . .

THE VICE-CHAIRMAN (SHRIMATI PURABI MUKHOPADHYAY): You may speak in Hindi.

**श्री यशपाल कपूर :** हम और आप सब सुबह उठते ही अखबार पढ़ते हैं। अब अखबारों की हालत क्या हो गई है। कल का अगर आप एक अखबार देखें तो इसके हर सफे पर कितना एडवर्टाइजमेंट है। ये दो सफे देखिए दूसरा और तीसरा, कोई समाचार नहीं।

**श्री जगदीश प्रसाद माथुर (राजस्थान) :** यह आपकी सरकारी नीति की गड़बड़ के कारण है।

**श्री यशपाल कपूर :** यह सरकार का अखबार नहीं है, यह आप लोगों का ही समर्थन ज्यादा करता है।

**श्री जगदीश प्रसाद माथुर :** कौन सा अखबार है, नाम बताइए।

**श्रीमती नंदिनी शतपथी :** हिन्दुस्तान टाइम्स।

**श्री जगदीश प्रसाद माथुर :** बिड़लाजी तो पूरे भक्त हैं आपके।

**श्री यशपाल कपूर :** वे किसकी भक्ति करते हैं यह बहस का विषय नहीं है। मुझे इस सिलसिले में दो-तीन बातें कहनी हैं। आपने न्यूजप्रिन्ट का जिक्र किया। फारेन एक्सचेंज की कमी है, विदेशी मुद्रा चाहिए। न्यूज-प्रिन्ट का कोटा बांटा जाता है। उस न्यूज-प्रिन्ट की क्या हालत हो गई है। इस बारे में मैं सुझाव दूंगा कि जो आप कमेटी बिठाने वाली हैं वह देखे कि जो कोटा आप देती हैं उसका कितना सदुपयोग होता है, कितनी रद्दी और कटान के बहाने चोर बाजार में जाता है मेरी खुशकिस्मती है कि इस समय इंडस्ट्री मिनिस्टर साहब भी यहाँ बैठे हैं। न्यूज-प्रिन्ट के उत्पादन का प्रश्न उनके मंत्रालय से सम्बन्धित है।

[श्री यशपाल कपूर]

कई वर्ष हुए केन्द्रीय सरकार से उत्तर प्रदेश सरकार को सुझाव दिया गया था कि वह अपने प्रदेश के एक खास हिस्से में एक विशेष प्रकार का पेड़ उगावे जिनके फूलों से कागज बनाया जाता है। वहां वह पेड़ भी लग गये, उनके फूल भी निकल आये और वे सूख भी गये, लेकिन आज तक वहां कारखाना नहीं लगा। इसलिए अब उन्होंने एक पेपर कारपोरेशन खड़ा किया है और मैं उनसे प्रार्थना करता हूँ कि सब से पहले वह उत्तर प्रदेश में और दूसरे प्रदेशों में भी जहां उस के लिए कच्चा माल उपलब्ध है, कागज के कारखाने खड़े करने की कृपा करें।

दूसरी बात, मैंने ज्ञापनों की इस लिए कही कि आप जब मूल्य नियंत्रण करने वाले हैं तो साथ साथ यह भी आप देखें कि उनका देश के हर भाग में प्रसार हो। कास्ट आफ प्रोडक्शन के बारे में भी आप ने कहा और ज्ञापनों के साथ आप ने उस के मूल्य को जोड़ा। लेकिन कास्ट आफ प्रोडक्शन के साथ साथ ज्ञापनों के जरिये कितना लाभ उनको होता है और उनका जो मैनेजमेंट है उस में अपना काम अच्छी तरह से जानने वाले लोग, जिन को बेल क्वालिफाइड कहते हैं, वहां काम करते हैं, ताकि वे अखबार को अच्छी तरह से चला सकें, इस को देखने की बड़ी आवश्यकता है इसके साथ साथ प्रश्न आ जाता है उन अखबारों का जो महानगरों में चलते हैं और उन अखबारों का जो मुफस्सिल में छपते हैं और उन अखबारों का भी सवाल आ जाता है कि जो जिलों और आज कल तो तहसीलों में भी छपने लगे हैं। हमारे देश में पिछले कुछ वर्षों में साक्षरता बढ़ी है और जनता को देश के अंदर और बाहर और अपने प्रदेश और जिले के समाचार जानने की उत्सुकता रहती है। लेकिन आज दिन समाचार पत्रों को बड़े नगरों में पढ़ कर हम इतने प्रभावित होते हैं क्या वे हमारे देश की 80 प्रतिशत जनता तक पहुंचते हैं और पहुंचते हैं तो कितने हफ्ते के बाद। यह तो ठीक है कि आज रेडियो और ट्रांजिस्टर्स

की संख्या बहुत अधिक हो गयी है और उसे उपयोग में लाकर देश की अधिकांश जनता सारे समाचार जान जाती है, लेकिन जहाँ तक ज्ञापन का संबंध है यह बड़े बड़े ज्ञापन जो इन समाचार पत्रों में आते हैं, यदि आप छोटे स्थानों में छपने वाले अखबारों को देखें तो उनका नाम भी आप को वहां नहीं मिलेगा और सरकारी ज्ञापन जो उपलब्ध होते हैं मैं यह नहीं कहता कि वे छोटे अखबारों को या जिले के अखबारों को नहीं मिलते, वे उनको मिलते जरूर हैं, लेकिन उन की जो दर तय की गयी है उस से उनको कोई लाभ नहीं पहुंचता है। मैं समझता हूँ कि उससे कई बार उनको हानि होती है। इसलिए मेरी यह प्रार्थना है कि महानगरों में हजारों और लाखों की संख्या में छपने वाले समाचार पत्रों को सरकार की ओर से अधिक अधिक ज्ञापन देना उचित नहीं मालूम होता। यही ज्ञापन मुफस्सिल में, गांव के समाचार पत्रों को अगर दिये जायें तो वहां की जनता उन ज्ञापनों को अच्छी प्रकार से पढ़ती है। जिन ज्ञापनों की तरफ हम शहर के रहने वाले लोग ध्यान भी नहीं देते उन में वे अधिक रुचि लेते हैं।

इसके साथ साथ एक और अंतर जो मैं करूंगा वह है अंग्रेजी में छपने वाले अखबारों और भारतीय भाषाओं में छपने वाले अखबारों में। उसमें मैं समझता हूँ पूरा न्याय नहीं होता और देश में अंग्रेजी के कितने समाचार पत्र छपते हैं यह मुझे तो नहीं मालूम, शायद मंत्री जी के पास इसकी सूचना हो, लेकिन अधिकतर अखबार हमारे देश में भारतीय भाषाओं में ही छपते हैं।

जहाँ तक मैं जानता हूँ गुजरात में एक दो अखबार अंग्रेजी में जरूर छपते हैं लेकिन वह सब बन्द होने वाले हैं ऐसी दशा आ गई है। तो भारतीय भाषाओं में जो समाचारपत्र छपते हैं उनके प्रति अगर आप कुछ अधिक सहानुभूति दिखायें और उनको सहायता दें तो फिर भारत की गांव में रहने वाली जनता उससे लाभान्वित होगी और यह मूल्य नियंत्रण का जब आप कमेटी

के सामने रखें तो इन सब चीजों की ओर ध्यान दें, यही मेरी प्रार्थना है। बन्ववाद।

SHRIJ. S. TILAK (Maharashtra): Madam, I rise to make a few observations on this Bill. The Bill has been brought in because certain newspapers did not pay any heed to the appeal made to them not to increase the retail price of their newspapers by more than the excise duty, as observed in the Statement of Objects and Reason?.

[THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY in the Chair)]

Madam, as a matter of fact, the excise duty itself was levied to meet the expenses incurred in connection with the refugees from Bangla Desh. Naturally, as stated by the Finance Minister, the excise duty will be in operation for a short period only. Therefore, it is somewhat difficult to understand why the Government is bringing this measure at this late stage. On behalf of ILNA and some small and medium newspapers it was suggested that instead of controlling the price increase, it would have been better to bring in a Bill straight away fixing the price-page schedule, since there is now no Constitutional bar to so doing.

While moving the motion for the consideration of the 24th Constitution (Amendment) Bill, the Minister of Law particularly cited the case of *Sakal* and the judgment of the Supreme Court striking down the legislation laying down the price-page schedule. The Law Commission's suggestion was that from Article 31 (C) the exclusion of the operation of entire Article 19 should not be made. The Law Commission suggested that the exclusion should be confined to Article 19 (1), (f) and (g) only. The Commission stated that in their judgment in the *Sakal* newspaper case the court had unduly and unjustifiably imported fabrication of 19(1)(a) for striking down the legislation laying down the price-page schedule. The Government rightly did not share the optimism that in future when such a situation arose the courts would not take that view, and hence excluded Article 19 totally by bringing in the 24th Constitution (Amendment) Bill. Therefore, there is no legal bar now, and the way for a price-page schedule is clear. No special efforts need be made in this behalf also, as there is already an Act for price-page schedule ready. All that needs to be done now is to introduce

a Bill exactly similar to this Act with suitable changes. If this is done, it will stop unhealthy competition amongst the newspapers by the big monopolistic ones and would also enable the Government to control the supply of newsprint more effectively. To some extent, it would also save foreign exchange.

Therefore, Sir, I would again urge upon the Government to bring in a Bill linking the retail price of the newspaper with the pages it takes out. No monopolistic paper would ever agree to accept a ceiling on its pages, and while discussing this matter with them, Government has seen their reluctance to voluntarily accepting a ceiling on their pages. The newspaper which the Law Commission has referred to always resorted to unhealthy competition by giving more pages at a lower price, and thus cornered the sales of other small and medium newspapers from Poona and Maharashtra. This paper being the largest selling paper in Poona carried a bigger share of advertisements and on its advertisement revenues was able to give more pages at a lower price, utilising their financial advantage for unhealthy competition. It was not the quality of the paper but more pages at lower price, which was used to boost its sales—and further more sales more advertisements. This is how the monopolistic papers and vested interests act. Even the lion's share of the Government advertisements go to the monopolistic papers. So, the only way to curb this monopolistic cornering is to link the price of the paper with its pages statutorily.

Coming to the present Bill itself, I may say that fixing the basic price as on 22nd October, 1971, when the excise duty was levied, is justifiable because certain newspapers had already increased their price substantially before the date of the levy, and therefore they are in an advantageous position. So those papers which had increased their retail price slightly over the excise duty in order to meet the incidentals should be allowed to continue their price with that slight increase. That is, some papers whose retail price was 12 paise for 6 pages, adding the excise duty of 2 paise the increase in their retail price would have been 14 paise but they increased it to 15 paise. And this I say is because (i) the excise duty is to be paid even on the free and voucher copies, (ii) 25% commission has to be given on the increased retail price, and (iii) interest has to be paid on the excise duty which has to be paid in advance,

[Shri J. S. Tilak]

and several other things. Government should consider all these while fixing the maximum price.

In my opinion, fixing of basic price should have been decided after considering the cost of production and other relevant circumstances and not on the price of the paper on 22nd October, 1971. As for the excise levy, the Government imposed it from this day, apparently because that was the simplest method of deriving some extra revenue. As I said earlier, it is a temporary thing and it would be withdrawn soon.

For all these reasons, Sir, I would suggest that Government should amend clause 2(a) suitably in fixing the basic price on the survey of cost of production and other relevant things such as advertisement revenue, etc., as the Bill is coming before us at such a late stage. Secondly, I would also suggest that a savings clause be added to this Bill itself for imposing a ceiling on the newspaper pages whenever necessary.

I hope the Minister will consider my suggestions. Sir, I have done.

SHRI PRANAB KUMAR MUKHERJEE (West Bengal): Sir, I whole-heartedly support this Bill. It is high time that the Bill has been introduced. It was expected even during the last Session.

श्री जगदम्बी प्रसाद यादव : कब से कांग्रेस पक्ष में जाकर बैठने लगे हैं ।

SHRI PRANAB KUMAR MUKHERJEE: Long ago. I expected bitter criticism of the Bill from those hon. Members who opposed the introduction of this Bill in December last, but I am glad to find that they are satisfied and the Bill is having by and large abroad support from all sections of the House. Sir, it was necessary not only because of the attitude on the part of certain Press owners, Press barons, who had arbitrarily increased the prices of the newspapers, but it was necessary from other points of view also. We know what actually happened in West Bengal when the levy was introduced from 15th October. The newspaper owners arbitrarily increased the price of newspapers. They did not even care to

listen to the advice of the Government of India and the West Bengal Administration. The argument that they pleaded was that because there was rise in the cost, they also had to increase the price. But if you go through the price schedule of these newspapers for the last six years, you will find, Mr. Vice-Chairman, at every interval of 2 years they have been increasing the prices.

Some time before Mr. Yashpal Kapoor displayed a news paper and said how the readers are deprived of news. If you go through a paper of 8 pages, you will find four or five pages, sometimes even 5 or 6 pages are inserted with advertisements. There is no news for which the people are paying and purchasing a newspaper. So I think it is highly necessary that the Government should have a hand in fixing the price of a paper. There is a philosophical argument behind opposing this Bill that perhaps it is an attempt on the side of the Government to gag the Press and to put some obstacles to the freedom of the Press but I point out that on this occasion there is necessity to put some hindrances on the freedom of the Press. Freedom of the Press does not mean the freedom of the Press barons or the press owners. Actually what is happening is, in the name of the freedom of the Press the press barons are getting all sorts of opportunities to exploit the employees and the common people and sometimes they are exploiting even the countrymen by and large. The press barons of this country have a peculiar characteristic. The press barons in other countries are concerned only with the Press but in our country we find the jute magnates, the tea magnates, the steel magnates, all owning papers. Almost each and every monopoly house is controlling the Press and by that they are moulding public opinion to a great extent in their favour and they are absolutely ignoring the political trends and the culture of the country. They are expressing their views in the name of the people and in the name of the public opinion, they express their own capitalistic view. I do not see any reason for anybody to support this type of attitude. I do not think any freedom-loving person will support this attitude of the Press owners. We know what happened during the last 3 or 4 years and what was the attitude of the big papers owned by the big monopoly houses and what was their attitude towards the country's political forces particularly. I do not know whether they will learn

a lesson after the elections and whether they will learn a lesson from the massive mandate given by the people through the ballot boxes but actually what happened in the last 3 years is all the big Press managed by the monopolists tried to vitiate the political atmosphere in the country. It is to be thought over whether any Government responsible to the people could allow such things to continue.

Then there should be some code of conduct about display of news and expression of views. I do not like any legislation which would gag the free views of the Press but there must be some code of conduct and the Press Council has a very important role to play. If you go through the reports in the papers about the proceedings of this and the other House, you will find how distorted the views are expressed in the big papers owned by the monopolists. They are reported from a particular angle and point of view which suits their interest. I do not know if anybody would support this or advocate freedom of Press even on this point.

About newsprint, in the introductory speech the Minister said something but it is known to the People and to the Government also that there is a scandalous state of affairs regarding newsprint. I know of one big newspaper in Calcutta about which there is a case pending before the C.B.F. It is known to everybody, it is an open secret that these big newspapers show very inflated figures of their circulation and they get huge amount of newsprint as their quota and some of this newsprint goes to the black market. They make money out of it. You will be astonished to know this was the cause of their increasing the price of newspapers arbitrarily because when the Government levy taxes they found that because of their inflated figures they had to pay much more than what actually they would have had to pay according to their actual circulation and therefore they increased the price of newspapers arbitrarily. Sir, there should be a thorough investigation into this whole affair. The small newspapers are being deprived of their due because of this attitude of the big newspapers. The Government should create a cell within the Ministry of Information and Broadcasting to go into this matter and see whether there is scandalous dealing in newsprint quota by big newspapers.

With these observations I whole heartedly support this Bill and I congratulate the Minister for bringing forward such a piece of legislation which is highly necessary today.

**श्री जगदीश प्रसाद माथुर :** उपसभापति महोदय, इस विधेयक के सम्बन्ध में एक बात तो मुझे यह कहनी है कि विधेयक का मुख्य उद्देश्य माननीय मंत्री महोदय ने बताया कि जो उन्होंने बंगला देश के कारण से एक्साइज ड्यूटी बढ़ाई और उसके कारण से कुछ अखबारों ने जितनी कीमत होनी चाहिए थी उससे ज्यादा कीमत लगा दीं, इस कारण से यह विधेयक लाना पड़ा। मेरा इस सम्बन्ध में निवेदन है कि आपने जो एक्साइज ड्यूटी लगाई दो पैसे की वह जायगी कन्ज्यूमर के ऊपर, लेकिन अखबार वालों के पास एक ऐसा साधन है जिस पर ड्यूटी लगाते तो मैं समझता हूँ कि आपको भी फायदा होता और आम जनता को किसी प्रकार का नुकसान नहीं होता। अभी एक माननीय सदस्य बता रहे थे कि किस प्रकार का एडवर्टाइजमेंट बड़े बड़े अखबारों को इतनी बड़ी मात्रा में मिलता है। तो अगर आप बंगला देश के नाम पर एडवर्टाइजमेंट पर टैक्स लगा दें तो वह पैसा अखबार वाला अपनी कमाई से देता, आम जनता की जेब से नहीं लेता। आपने तो इस तरह पाठकों से वसूल किया है। नाम हो गया अखबारों के ऊपर दो पैसे लगा दिया जबकि उसे स्वयं कुछ देना नहीं पड़ा। उन्होंने दो पैसे के आधार पर ज्यादा कीमत बढ़ाई और उसके कारण आपको यह विधेयक लेकर आना पड़ा। अगर आप एडवर्टाइजमेंट के ऊपर बंगला देश के नाम पर टैक्स लगाते तो शायद किसी को आपत्ति नहीं होती और जो अखबार सरकार से और बड़ी बड़ी फर्मों से एडवर्टाइजमेंट लेते हैं वे अपनी कमाई से देते। इसलिए आप अखबार जितना कमाता है एडवर्टाइजमेंट में उस पर टैक्स लें बंगला देश के नाम पर और आम नागरिक से वसूल न करें।

आपने स्वयं न्यूज-प्रिन्ट के डिस्ट्रीब्यूशन के सम्बन्ध में अपने भाषण में चर्चा की। वह इसका



[श्री जगदीश प्रसाद माथुर]

विषय नहीं है लेकिन अखबार वालों को उस सम्बन्ध में जो कठिनाइयाँ आती हैं वे व्यावहारिक कठिनाइयाँ हैं। न्यूज-प्रिन्ट जिस तरह से ब्लेक में बिकता है उसका स्पष्ट कारण यह है कि आज देश में न्यूज-प्रिन्ट की कमी है। अगर हम मूल मुद्दे में जाए बिना अखबारवालों की आलोचना करते रहें कि वे ब्लेक मार्केट करते हैं तो उससे कुछ फायदा नहीं होगा। ब्लेक मार्केटिंग का सीधा अर्थ यह है कि आज देश में न्यूज-प्रिन्ट की कमी है और इस कमी की पूर्ति की दृष्टि से जब तक आप व्यवस्था नहीं करेंगे तब तक यह समस्या हल नहीं होगी। बंगला देश से समझौता हुआ है, वहाँ से न्यूज-प्रिन्ट मिलेगा। हमें न्यूज-प्रिन्ट के कारखाने देश के अन्दर और लगाने होंगे। आज जो स्थिति है न्यूज-प्रिन्ट की वह पर्याप्त नहीं है और इसलिए बड़े और छोटे अखबार दोनों ब्लेक मार्केटिंग करते हैं। अब जो छोटा अखबार दो हजार प्रिन्ट करता है उसको सर्टिफिकेट नहीं देना पड़ता और सर्टिफिकेट नहीं देना पड़ता तो दो हजार के बजाय दो सौ छापेगा, जहाँ विभागों को कानूनन कुछ कापियाँ भेजनी पड़ती है वे भेजने के बाद अगर वह 1800 की ब्लेक करता है तो उसके ऊपर कोई रोक नहीं है। और बड़े अखबार भी जिन को आप का संरक्षण ज्यादा मिलता है, मुक्तहस्त होकर जिनको न्यूज-प्रिन्ट मिलता है वह भी ब्लेक-मार्केटिंग करते हैं। बड़े और छोटे दोनों ही इसमें कमी नहीं कर सकते और इसलिए अगर इसका कोई निदान करता है तो उनकी चेकिंग की व्यवस्था कठोरतम होनी चाहिए और दूसरे न्यूज प्रिन्ट की कमी जो आज देश में दिखाई देती है और जो वस्तुस्थिति है उसको जब तक आप नहीं मानेंगे तब तक इस न्यूज-प्रिन्ट का ब्लेक मार्केटिंग नहीं घटेगी।

दूसरी बात, बंगला देश से आने वाले माननीय सदस्य जो छोटे और बड़े अखबारों की चर्चा कर रहे थे और बड़े अखबारों की और पूर्जापतियों की आलोचना कर रहे थे, लेकिन एक बात उपस्थापित महोदय, मेरी समझ में

नहीं आती कि पिछले दिनों, जहाँ तक बंगला देश का सम्बन्ध है उसके सिलसिले में किसी ने किसी अखबार की आलोचना नहीं की, लेकिन यदि कांग्रेस की कहीं पर आलोचना हुई तो एक बात कह कर कि जनता की जो वास्तविक भावनाएँ हैं वह अखबारों में नहीं दिखाई दे रही हैं। अखबार वाले अपनी जिम्मेदारी समझ कर कोई बात छापते हैं लेकिन चुनाव के दौरान जिस जीत की चर्चा करते करते आप थकते नहीं...

SHRI PRANAB KUMAR MUKHERJEE:  
It is a question of criticising the basic policies of the country. My contention is that they are anti-people. I am confined to that part only.

श्री जगदीश प्रसाद माथुर: बेसिक पालिसी आफ दि कंट्री कोई नहीं है। बेसिक पालिसी आफ दि गवर्नमेंट जरूर है। बेसिक पालिसी आफ दि कांग्रेस है और हम उसको क्रिटिसाइज करते हैं और अखबार वाले भी उसको एंटी नेशनल नहीं कह सकते। अपने अपने विचार हैं और विचारों की स्वतन्त्रता है। गवर्नमेंट की पालिसी को अगर आप बेसिक पालिसी कहेंगे तो वह ठीक नहीं होगा।

SHRI PRANAB KUMAR MUKHERJEE:  
It has no connection with the PreIS Bill.

श्री जगदीश प्रसाद माथुर: आप बंगला कांग्रेस में थे तभी आपने कांग्रेस की पालिसी को देश की पालिसी समझ कर दल बदल किया, लेकिन हम उसको बेसिक पालिसी नहीं मानते और इसलिए हम उनका क्रिटिसिज्म कर सकते हैं, समाचार पत्र भी उसका क्रिटिसिज्म करते हैं तो सरकार को उसका बुरा नहीं मानना चाहिए। उनके पास एक प्वाइन्ट आफ व्यू आता है। और चुनाव में जो आप कहते हैं कि हमने जनता में बहुत बड़ी जीत प्राप्त की, लेकिन उनको पता होना चाहिए कि आज हिन्दुस्तान की ओर से कम जनता ने उनको वोट दिये हैं। उनको 50 परसेन्ट से कम वोट मिले हैं और अगर उसके कारण आप को ज्यादा सीटें मिल गयीं, चुनाव की एक विशेष पद्धति के कारण तो

उनका यह कहना कि ये देश की जनता को रिप्रेजेंट कर रहे हैं यह गलत है। विपक्ष को 50 परसेंट से ज्यादा वोट मिले हैं और कांग्रेस को 50 परसेंट से कम मिले हैं और अगर ऐसी स्थिति में कांग्रेस के क्रिटिसिज्म की बात आती है और उसे बेसिक पालिसी के खिलाफ समझा जाता है तो यह दुर्भाग्य है प्रजातन्त्र का, और अगर आपने ऐसा कहकर अखबारों का, समाचार पत्रों का गला घोटने का प्रयत्न किया अपने देश में तो यह जनतन्त्र और हमारे प्रजातन्त्र को स्वीकार नहीं होगा। आज तो एक दल की तानाशाही दिखाई देती है। कांग्रेस की पालिसी को देश की पालिसी बताकर अगर प्रजातन्त्र का गला घोटने का प्रयत्न किया गया अखबारों के माध्यम से, तो वह जनता की वाणी को दबाना होगा, वह प्रजातन्त्र पर कुठाराघात होगा और हम उसका विरोध करेंगे। मुझे प्रसन्नता है कि आज के समाचार पत्र सरकार के इतने दबाव के बावजूद निष्पक्ष समाचार दे रहे हैं और हम उनके इस प्रयत्न का स्वागत करते हैं। इतना ही मैं कहना चाहता हूँ।

**श्री नवल किशोर (उत्तर प्रदेश) :** उपाध्यक्ष महोदय, यह जो विधेयक हमारे सामने है इसकी जो मंशा है, वह असल में बहुत सीमित है, लेकिन जो वाद-विवाद हुआ उसने इसका दायरा काफी बढ़ा दिया है। मंशा तो केवल यह था, और इतना ही था कि बंगला देश से जो शरणार्थी भाई आये थे उनका खर्च पूरा करने के लिए कई चीजों पर टैक्स लगाया गया था, उसी तरीके से कुछ एक्साइज ड्यूटी के नाम पर दो पैसा अखबारों के ऊपर भी लगा दिया गया था, उन अखबारों पर जिनका सर्कुलेशन 15,000 से ज्यादा था और यह उम्मीद थी कि वह अखबार अपनी जो कीमत बढ़ायेंगे वह दो पैसे से ज्यादा नहीं बढ़ायेंगे। लेकिन जैसा कि इसमें लिखा हुआ है, आब्जेक्ट्स एंड रीजन्स में, और जैसा कि माननीय मंत्री जी ने अपने भाषण में भी कहा कि कलकत्ते के कुछ अखबारों ने तो इस बात को माना, लेकिन बहुत से ऐसे अखबार हैं कि जिसकी कीमत बढ़ गयी और

उन्होंने गवर्नमेंट की इस बात के ऊपर कोई ध्यान नहीं दिया। यह बात सही है कि यह बिल 24 दिसम्बर को पास होना था, लेकिन उसकी मियाद अब बढ़ गयी तीन महीने के लिए इसलिए कि कुछ लोगों ने यह चाहा उस वक्त कि यह आखरी दिन पास न किया जाय। लेकिन आज जब कि इसको हम पास कर रहे हैं तो कोई शरणार्थी हमारे हिन्दुस्तान में है ही नहीं, शायद बहुत कम तादाद उनकी होगी, वह न के बराबर है, शायद थोड़े बहुत होंगे, एक लाख से भी कम होंगे, करीब 96 लाख से ज्यादा वापस चले गये। मैं यह नहीं कहता कि जो गवर्नमेंट के कमिटेमेंट्स हैं बंगला देश के साथ वहाँ जो शरणार्थी भाई वापस गये हैं उनको वहाँ बसाने के लिए उनको पूरा न किया जाये, लेकिन यह एक अजीब सा लगता है कि यह विधेयक ऐसे समय में पास किया जा रहा है जब कि शरणार्थी इस देश में नहीं हैं। खैर, जैसा कि मैंने कहा कि इसकी जो मंशा थी बहुत सीमित थी और मैं जानना चाहता हूँ कि उन अखबारों के खिलाफ जिन्होंने कि सरकार के इस आदेश को नहीं माना क्या कार्यवाही की क्योंकि इस विधेयक के पास होने तक सरकार को इंतजार करना पड़े ऐसी बात मैं नहीं मानता, उसके पास बहुत से ऐसे साधन हैं और तरीके हैं जिनसे कि जो डिफाल्टर्स हैं, जो गवर्नमेंट के आदेश को न मानें, उनको दंडित किया जा सकता है। तो जब माननीय मंत्री महोदय इसका जवाब दें तो बतायें कि अब तक कितने अखबारों के खिलाफ उन्होंने एक्शन लिया जिन्होंने कि कीमत बढ़ाने का जो उनका आदेश था वह नहीं माना।

एक बात कपूर साहब ने कही और आड-वाणी साहब ने भी कही, यूं भी एडवर्टिजमेंट की बात बार-बार आती है, यह बात सही है कि करीब-करीब एक तिहाई या एक चौथाई अखबार जो है वह एडवर्टिजमेंट से भरा रहता है और यह बात भी सही है कि एडवर्टिजमेंट तमाम गवर्नमेंट के नहीं होते हैं कुछ प्राइवेट भी

[श्री नवल किशोर]

होते हैं और मिस्टर आडवानी ने सुझाव सही दिया है कि एडवर्टिजमेंट देने का कोई तरीका होना चाहिये और इसमें प्रेस काँसिल से भी राय लेनी चाहिये। कुछ तरीका है भी लेकिन फिर भी इसमें काफी फेवरटिज्म और पेट्रोलनेज की गुंजाइश रहती है और यह भी आम तौर से शिकायत सुनने को मिलती है कि जो भी गवर्नमेंट हो, किसी खास गवर्नमेंट की बात नहीं है, जो भी गवर्नमेंट के हो और जो भी इसके लिये अधिकारी हों वह किसी से यदि नाराज हो जाय, जिले के स्तर पर या प्रदेश के स्तर पर तो उस अखबार वाले के लिये एडवर्टिजमेंट लेने में काफी दिक्कत होती है। यह बात भी बहुत कही जाती है कि डेमोक्रेसी की जो बुनियाद है वह फ्रीडम-आफ दि प्रेस पर है। तो क्या यह सही नहीं है कि इन एडवर्टिजमेंट के जरिये से अखबारों के ऊपर एक इन्डाइरेक्ट तरीके से, घुमा फिरा कर, इस तरह का दबाव पड़ता है कि सही मायनों में उनकी फ्रीडम आफ व्यूज या जिसको फ्रीडम आफ प्रेस कहते हैं वह रह नहीं पाती। मेरे मित्र ने जो कांग्रेस में अभी नये आये हैं उधर कांग्रेस की तरफ बैठे हुए हैं उन्होंने कहा कि अखबारों का कुछ कोड आफ कांडक्ट होना चाहिए। मैं उनसे इत्फाक करता हूँ कि कोड आफ कांडक्ट होना चाहिए। कुछ ऐसे अखबार हैं जिनको यलो जर्नलिज्म कहते हैं जो कि हमारे देश के जो नेशनल सिक्योरिटी है या जो इंटेग्रिटी है या जो कम्युनल हार्मनी है उसको काफी उलट-पुलट करने का काम करते हैं, उस तरह के अखबारों के ऊपर पाबन्दी होनी चाहिए। कोड आफ कांडक्ट के माने मैं यही समझता हूँ कि किसी भी पार्टी की गवर्नमेंट हो अगर वाकई उसकी निष्ठा डेमोक्रेसी में है तो किसी भी पार्टी की गवर्नमेंट इस बात को नहीं चाहेगी कि कभी भी अखबारों के अन्दर कोई रेजिमेंटेशन हो क्योंकि डेमोक्रेसी के माने ही यह है कि भिन्न-भिन्न विचार देश के अन्दर पनपें और भिन्न-भिन्न विचारों के अखबारों को व्यक्तियों और पार्टियों के भिन्न-भिन्न विचारों को

देश के अन्दर फैलाने का पूर्ण अधिकार होना चाहिए, हाँ इतनी बात जरूर है कि उनके विचार ऐसे न हो जिससे कि देश की सुरक्षा या देश के अन्दर जो एक सुव्यवस्था है उसमें कोई खलबली पैदा हो। उस तरह के विचार तो कोई भी सरकार या कोई भी जिम्मेदार व्यक्ति पसन्द नहीं करेगा, वर्दाश्त भी नहीं करेगा लेकिन यह जो एक भावना व्यक्त की गई कि कुल अखबार एंटी पीपुल हैं तो यह मेरी समझ में नहीं आया कि एंटी पीपुल क्या चीज है क्योंकि यह एक ऐसा फ्रेज है जिसके अन्दर हर चीज का समावेश हो सकता है, अगर कोई आदमी आज कह दे कि गवर्नमेंट का फलॉ टैक्स मुनासिब नहीं है और यह एक ऐसा बोझा है जिसको कि देश नहीं उठा सकता है तो कहा जा सकता है कि यह एंटी नेशनल हो गया, अराष्ट्रीय हो गया, इस बात को मैं नहीं मानता। कोई भी सरकार हो, उसकी नीतियों की टीका-टिप्पणी करने का अधिकार इस देश के अन्दर विधान के द्वारा भी प्राप्त है और जनतंत्र के मानी भी यही है। कौन चीज एंटी नेशनल है, जनता किस चीज को चाहती है, इसको सरकार अपने दृष्टिकोण से देखती है। यह बात सही है जिस पार्टी को साफ बहुमत मिला है, जनता के मैनटेड उसके पास है, उस पार्टी को अधिकार है कि अपने विचारों को अपने आदर्शों को अपनी नीतियों को अपने कार्यक्रमों को इस देश में पांच साल तक चलाये और उनको आगे बढ़ाए। जो विरोधी पक्ष के लोग हैं उनको इस बात का अस्तिधार है कि अगर वे समझते हैं कि सरकार की नीतियाँ सही हैं तो उन नीतियों का समर्थन कर सकते हैं, जिनको वे समझते हैं कि बुनियादी तौर पर गलत हैं उनका विरोध कर सकते हैं और करना भी चाहिए। लिहाजा मोनोपोली के नाम पर प्रेस की आजादी नहीं छीननी चाहिये। मैं खुद भी इस व्यू का हूँ कि अखबारों से मोनोपोली हटनी चाहिए। मोनोपोली के मानी हैं कि किसी आदमी के हाथ में 4-6 अखबार एक साथ न हों जिससे कि उसके हाथों में ऐसी शक्ति या ताकत आ जाए कि वह सही विचारों में बाधक बने। इस बात के खिलाफ मैं नहीं हूँ कि

अखबारों के अन्दर विचारों की पूरी कमी आजादी होनी चाहिए इस बात का मैं बहुत हामी हूँ।

कपूर साहब ने जिस चीज के बारे में कहा सूचना मंत्री का तो उससे उतना संबन्ध नहीं है, मगर इन्डस्ट्रीज मिनिस्टर का बहुत कुछ संबन्ध है। इस बात पर उन्होंने ध्यान आकर्षित किया कि उत्तर प्रदेश में कोई न्यूजप्रिन्ट फैक्टरी बनाने की बात थी। यह बात सही है कि प्राइवेट सेक्टर में फैक्टरी लाने की बात थी और बहुत दिनों तक चलती रही। वहाँ के फारेस्ट डिपार्ट-मेन्ट ने इसी आशा में वहाँ बैम्बू और युकलिप्टिस को काफी बड़े पैमाने पर प्लान्टेशन कराई और वह अब काफी बड़ी हो गई है और एक्स-प्लाइट की जा सकती है और उसको करने की जरूरत है। वह काफी बड़ा हो गया है और अब प्रयोग में लाने योग्य है और वह काम में लाया जा सकता है। सो मैं भी कपूर साहब की बात का समर्थन करता हूँ कि उत्तर प्रदेश में बहुत बड़ी आवश्यकता इस बात की है कि वहाँ एक न्यूजप्रिन्ट फैक्टरी लगाई जाए, वहाँ सब कुछ है बैम्बू भी है, युकलिप्टिस भी हैं और जो बड़ा घास उगता है जंगल में वह भी है। गन्ना की रवोई भी काफी मात्रा में होता है।

आखिर में एक बात कह कर मैं अपनी बात समाप्त करता हूँ। न्यूजप्रिन्ट की तकसीम की जो बात कही, एक तरफ तो यह है कि हम मोनो-पोली की बात करते हैं कि मोनोपोली खत्म हो, हम इस बात की कोशिश करते हैं कि जो छोटे लोग हैं उनको उठाया जाए लेकिन यह भी देखा गया है कि जब तक किसी का खास पुल न हो तब तक अखबारों के बहुत से मालिकों को शिकायत है कि उनको न्यूजप्रिन्ट मिलता नहीं, किसी को खपत से कम मिलता है, किसी को खपत से ज्यादा मिलता है। कुछ ऐसे भी हैं, जैसा माथुर साहब ने इशारा किया, जो बोगस पेपर्स हैं जिन्होंने अपना सर्कुलेशन ज्यादा दिखा दिया और छापते हैं 200, 400 या 500। इसकी ओर भी सरकार को ध्यान देना चाहिए। कोई ऐसा स्टैंडर्ड बनाना चाहिए जिसमें कि

कोशिश यह हो कि न्यूजप्रिन्ट ब्लैक में न जाए और जितना दिया जाए उसका सही इस्तेमाल हो सके।

जैसा कि मैंने शुरू में कहा, यह छोटा सा विधेयक है और मैं समझता हूँ इसमें कोई ऐसी खास चीज नहीं है कि किसी को कोई बुनियादी तौर पर मुखालिफत हो। इन शब्दों के साथ, जहाँ तक विधेयक का सम्बन्ध है उसको मैं अपना समर्थन देता हूँ, उसका सपोर्ट करता हूँ। पर साथ ही यह भी आशा करता हूँ कि जो छोटी-छोटी बातें कही गई हैं उन पर भी मंत्री महोदया विचार करेंगी।

SHRIMATI NANDINI SATPATHY: Sir, I am grateful to hon'ble Members for giving their valuable suggestions on this Bill. Actually their suggestions extended to other fields also besides this Bill. I am glad that most of the hon'ble Members supported this stand of the Government that some strong steps should be taken to check blackmarket in newsprint. I fully agree with the hon'ble Members. Of course, as the I. & B. Ministry is placed at this moment, it is not possible to tackle the problem as effectively as we would like to. The Registrar of Newspapers has his circulation teams which go round the country and tries to check up the newsprint allocation and the circulation of the newspaper. By that we try

our best to see that valuable news-4 p.m. print does not go to the black-market.

But I admit that that is not an adequate check and some more measures should be taken in this matter.

Sir, the hon. Member, Mr. Advani, made some suggestions. He wanted to know what happened to the talks between us and the newspapers. It may be recalled that the last time when we brought this Bill, after it was passed in the Lok Sabha, during the last session, hon. Members opposite here asked me not to press for the passing of the Bill at that time. At that time, some of the Members volunteered that they would talk with the newspaper people. Even before we brought this Bill in the Lok Sabha, we had discussions with the newspaper people. After that also, we had discussions with the different newspaper editors and others and we tried to bring it to their notice that this sort of *ad-hoc* in-crease in prices was not proper. That is why

[Snrmati Nandini Satpathy]

Government decided to set up a committee which will go into the economics of the newspapers so that the entire thing can be assessed and we can have a definite policy on this matter. So, we had our discussion with the newspaper people.

Sir, it has also been suggested that before taking any measures, we should rather discuss with the Press Council of India. As I have already said, even before introducing this Bill in the Lok Sabha, we discussed with the newspaper people and various sections. So, there is no question that we did not want or we did not intend to discuss it with the Press Council of India.

SHRI LAL K. ADVANI: Has it been discussed with the Press Council?

SHRIMATI NANDINI SATPATHY: This particular Bill?

SHRI LAL K. ADVANI: This issue of rise in the prices of certain newspapers. Has the matter been referred to the Press Council of India?

SHRIMATI NANDINI SATPATHY: I do not know whether they had any discussion amongst themselves. But we have not got any suggestion from them as yet on this matter.

Sir, it was mentioned here that when we asked the newspapers to bring down their prices to the 1.5th November level, the small newspapers were adversely affected. This point was also mentioned by Mr. Advani. I would like to mention here that the small newspapers were not affected. Of course, it was a request made by me in this House and in the other House to the newspapers not to increase their prices beyond the 2 paise levy. Some of the newspapers in Calcutta headed this request, but the rest of the newspapers in different parts of the country did not. Now, the point made was that the small newspapers were adversely affected by this. On the other hand, they are rather happy because we have requested them to do so.

Of course, as far as this Bill is concerned, certain points which were made here have got no relevance. But still I would like to say something about those points. About the advertise-

ment policy of the Government, I have made it clear again and again in this House and in the other House, that Government is always in favour of giving more and more advertisements to small and medium newspapers. But, Sir, there are certain handicaps about it. Before giving advertisements, we have to see the genuineness of the newspaper and its circulation also. The main purpose of the advertisement is that it should reach the People for whom it is meant.

It should go to the people; otherwise, for whom is it meant? That is why certain norms have been accepted in this matter. Advertisement policy has been decided by the Government. Government is trying its best to see that more and more advertisements are given to small and medium newspapers. There are certain advertisements which also should go to some of the newspapers in metropolitan cities because they are meant for people living in those areas. I am glad that the honourable Shri Mathur has brought out this point that we should have tax on advertisements. For quite some time the Government is thinking of this, as the honourable Member knows, and we will see how quickly we can do something about it,

**श्री जगदीश प्रसाद माथुर :** मैंने तो इस दो पैसे की एक्साइज ड्यूटी के बदले में कहा था, मेरे नाम से कोई नया टैक्स मत लगा देना ।

SHRIMATI NANDINI SATPATHY: You have said that there should be a tax on advertisements. It does not mean that the tax will be on the 2 paise levy. Then, a point was made by the honourable Shri Mathur himself that the Government gets angry when any newspaper writes against the Congress or the Government. I think it is not at all a correct statement. As all of us are aware, there are a number of newspapers in the country which do not approve of Government policies, which do not approve of the Congress stand . . .

SHRI JAGDISH PRASAD MATHUR: Therefore, they do not get your advertisements.

SHRIMATI NANDINI SATPATHY: Even this statement is also not correct. A number of newspapers which are definitely against the ruling party and against the Government, are getting advertisements; we are giving them advertisements. As far as advertisement question is concerned, we never have any such

policy that we should not give advertisements to those newspapers which are against us. then, Shri Nawal Kishore asked us what action we took against those newspapers which have not reduced their prices as yet. This is exactly the reason why we have brought forward this Bill, to enable us to do something about it. But, I may hasten to add, by that I do not mean that we are going to take some action immediately. I would like to make this very clear. Government does not have any power to take any action against these newspapers which do not listen to the request made by us. Some honourable Members talked about freedom of press. The Indian press enjoys a lot of freedom and honourable Members will bear me out that the maximum freedom is enjoyed by the Indian Press. While talking about freedom of Press, as some honourable Members have done, the point that has to be kept in mind is freedom from whom and freedom for what. These are the questions for discussion. Of course, I do not want to deal with this question at this moment. But I would like honourable Members to pay attention to this point also.

SHRIJ. S. TILAK: What about the price schedule?

SHRIMATI NANDINI SATPATHY: A suggestion was made here that it would be much better if a price page schedule is introduced instead of bringing this sort of a Bill. As you are aware, we tried for that but it was struck down by the Supreme Court. We are not in a position to say whether it will be possible to introduce a price page schedule. But Government are trying to do something which will actually help in looking after the price as well as looking after the pages of the newspapers. That will be in the interests of both the newspapers and the readers.

Shri Kapoor has mentioned about newsprint position in this country. Very rightly he said that unless production of newsprint increases in our country, it will not be possible to solve the problem of newsprint. We would very much like more newsprint plants to come up in the country. At this moment, there is only one. The rest of the newsprint is being imported from other countries. Naturally, everybody will like this country to produce more and more newsprint.

I think, I have covered all the points mentioned by the hon. Members. I am very happy that all of them have supported this Bill. I commend the Bill to the House.

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): The question is:

"That the Bill to provide for the control, in the interests of the general public, of the prices of newspapers with a view to ensuring that newspapers continue to function, in the prevailing conditions, as effective mass communication media and for securing their availability at fair prices, as passed by the Lok Sabha, be taken into consideration."

*The motion was Adopted.*

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

*Clause 2 to 9 were added to the Bill.*

*Clause 1 (Short title, extent and duration).*

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI DHARAMVIR SINGH): I move :

"That at page 1, line 4, for the figures '1971' the figures '1972' be substituted."

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

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): The question is:

"That clause 1, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 1, as amended, was added to the Bill.*

*The Enacting Formula*

SHRI DHARAMVIR SINGH: I move:

"That at page 1, line 1, for the words 'Twenty-second Year' the words 'Twenty-third Year' be substituted."

*The question was put and the motion was adopted*

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): The question is:

"That the Enacting Formula, as amended, stand part of the Bill."

*The motion was adopted.*

*The Enacting Formula, as amended, was added to the Bill.*

*The Title was added to the Bill.*

SHRIMATI NANDINI SATPATHY: I move:

"That the Bill, as amended, be passed."

*The question was proposed.*

SHRI G. A. APPAN (Tamil Nadu): Mr. Vice-Chairman, the purpose of this Bill has no significance now. This enactment came to our rescue and helped us to tide over the crisis that arose out of the Bangla Desh problem. Now that the war with Pakistan and the Bangla Desh problem are over already, there is no reason why the provisions of this Bill should be continued any further. It is a pity that whenever legislation is enacted in our country either for the benefit of the consumers of common people, one Party or the other wants to exploit that. When this Bill came into force, when this Bill was introduced, there was a limit up to which the price of the newspapers could be increased over and above the basic price. What happened? It is reasonable that any institution or any industrial undertaking could raise its price to the extent necessary, I mean, the price of any commodity. No doubt, the news papers are not an exception. It depends upon the need, upon demand and supply. In our country, unfortunately, this has not been effectively, scientifically and technically implemented. Many of the business people including the Newspaper magnates forget to see the reason why and how they could improve their benefit, their profit. Suppose the price of a commodity is increased over and above a certain purchasing limit. The demand will then fall. Naturally, the sales also will diminish and therefore, the intentions of the manufacturers will not be carried out.

Sir, I know that in 1930, the price of "The Hindu" was three paise, that is, half-an-anna.

It was only half-an-anna and it is not an incorrect figures. The price of "The Hindu" was only that much and I used to get this paper after three or four days because there were no proper postal services then. I was a small village teacher cut away from the area of postal service and I used to get this paper once in three or four days and go through them. Subsequently, the price came to 4 paise and then it came to 6 paise and 10 paise and so on. Today, Sir, it is 27 paise. What is the percentage of increase? It is nine times the price in 1930. I am not making any specific mention about "The Hindu" alone. It is the same case with all the other things. Why? Because people in trade, including the people in the newspaper trade, in the journalistic trade, want to make more money. Sir, "Ananda Vikatan" was also selling for one anna, that is, six naye paise, and today it is 35 paise. In the same manner, all the other things have increased. There is the paucity of newspaper; but there is no paucity of raw materials. You know, Sir, we have sufficient scope to produce sufficient pulp to increase our paper manufacture to the required quantity. But, Sir, it is a pity that still we are importing newsprint from other countries. Recently, the Jute Research Institute discovered a process by which they can convert the jute sticks into paper pulp. Not only we can convert the jute sticks into paper pulp, but we can also produce rayon type of yarn, a very strong type of yarn. As a Technical Officer in the Department of Khadi in Tamil Nadu where I was working, we used to produce paper out of hay and some such other things. Sir, from my personal experience during the last thirty years, I can say that in the case of paper manufacture, we can manufacture paper out of grass, out of leaves, out of every pulpy material that we throw out. And we have bagasse. So much of sugar bagasse is being wasted or it is burnt. If we put such things and such raw material into the right channel of production, we will not only be self-sufficient in our paper requirements but we can also export. Small countries abroad are able to export paper to us. Why not such a great country, such a big country, such a vast country like ours, where we have a vast scope and a variety of raw material for paper manufacture?

One thing more, Mr. Vice-Chairman, Sir. It is a pity that newspapers make very huge profits out of advertisements. Newspapers are media of education. Instead of being media



of education, a number of journals and newspapers want to make it a profiteering concern by increasing the quota of advertisements. Under these circumstances, the Government should make a policy that not more than a certain percentage is allowed for advertisements . . .

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): How many more minutes do you want?

SHRI G. A. APPAN: Two or three minutes more.

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): Take two minutes. Not more.

SHRI G. A. APPAN: Another thing is this. Government gives paper for some of the journals and newspapers. What a pity, Mr. Vice-chairman, Sir, that some papers become so mean that they do not care for decency or morality in human society. Instead of educating the people, they only want to agonize the people as they simply cast aspersions, aspersions and aspersions. Such of the papers which indulge in mud-slinging on other People, mud-slinging on other parties, should be banned. Unless such papers are taught a good lesson, Government's attitude, Government's gesture of help, in supplying paper will be only a waste and waste. Under these circumstances, I wish that the Stamp on Excise-Duties, (Amendment) Ordinance, 1971, promulgated, be withheld. . .

*(Interruptions)*

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): Kindly address me.

SHRI G. A. APPAN: We can utilize this for other things, for national interests, to reduce the price of these newspapers, to provide scope for savings and to create more productivity and employment potential.

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): The Minister.

SHRIMATI NANDINI SATPATHY: I have covered all these points while replying to other hon. Members. . .

श्री जगदम्बी प्रसाद यादव : श्रीमन्, मुझे भी कुछ निवेदन करना है ।

THE VICE-CHAIRMAN (SHRI S. S. MARISWAMY): Mr. Yadav wants to say a few words.

श्री जगदम्बी प्रसाद यादव : माननीय उपसभाध्यक्ष महोदय, मैं कपूर जी को धन्यवाद देता हूँ कि वे भारतीय भाषाओं के समाचारपत्रों की बात लाए । पता नहीं, इस संशोधन विधेयक में हमारी मंत्री महोदया क्या बताएंगी . . .

श्री गणेशी लाल चौधरी : है ही नहीं बताने को ।

श्री जगदम्बी प्रसाद यादव : लेकिन एक मौलिक बात को उन्होंने रखा है जिसके लिए उनको धन्यवाद देता हूँ । मैं मंत्री महोदया को यह बात कहना चाहता हूँ कि हमारे भारतीय भाषाओं के पत्रों पर सरकार का ध्यान अभी तक बकुल दृष्टि के समान ही है । इसलिए आज जितने भी बड़े-बड़े अंग्रेजी पत्र हैं उनको देखने से ऐसा लगता है कि भारत वर्ष जो एक पुरातन राष्ट्र है उसकी अपनी कोई भाषा है । सरकार की किसी भी कार्यवाही से या विचार से इस बात का पता नहीं लगता है । सरकार के इस रवैये के कारण जो भारतीय भाषा के पत्र हैं, स्थानीय राज्यों के पत्र हैं वे आज तक सरकार की इस नीति के कारण पतन नहीं पाये हैं । जिले के स्तर पर, स्थानीय स्तर पर, लोकल स्तर पर जितने भी भारतीय भाषाओं के पत्र निकलते हैं उनकी ओर सरकार का अभी तक ध्यान नहीं गया है और इस ध्यान के न जाने का कारण यह है कि दो समस्याएँ परेशान करती हैं । एक तो विज्ञापन की समस्या है जो बड़े-बड़े पत्र हैं, बिग बोसेज के पत्र हैं, बिग पूंजीपतियों के पत्र हैं वे चुनाव के अवसर पर श्री कपूर जैसे व्यक्ति जो चुनाव का चन्दा वसूल करने में मशहूर हैं, इस तरह के पत्रों का विरोध नहीं करते हैं क्योंकि ये पत्र भी सरकार का गुणगान करते हैं । इसी गुणगान की वजह से गोवा में खाद कारखाने के लिये 55 करोड़ रुपये का लाइसेंस प्राप्त हो गया है ।



[श्री जगदम्बी प्रसाद यादव]

आज हमारे देश में राष्ट्रीय सम्मेलन राज भाषाओं का हो रहा है। हमारे मंत्री जी इस सम्मेलन में जाते हैं और अपने विचार प्रकट करते हैं। जिस समय हमारे डा० राम सुभाष सिंह जी पार्लियामेंट के केवल मेम्बर थे तो वे उस समय हम लोगों तथा अन्य लोगों के साथ रनिंग स्टाफ जो रेलवे का है उसकी मांगों का समर्थन करते थे। लेकिन जब वे रेल मंत्री बन गये और हम सब लोग उनके पास रनिंग स्टाफ के बारे में गए तो उन्होंने उनकी मांग को मानने से इन्कार कर दिया और अपनी असमर्थता प्रकट की। जब प्लेटफार्म पर और मंच पर जाकर भाषण देते हैं तो समर्थन करते हैं और जब उसी बात को कार्यान्वित करने की बात आती है, सरकार की तरफ से कार्यवाही करने की बात आती है तो फिर मंत्री जी किस प्रकार से चूक जाते हैं। इसलिए मेरा कहना है कि देश को आजाद हुए 25 वर्ष हो गए हैं लेकिन अभी तक प्रदेशों के समाचार पत्रों तथा राष्ट्रीय भाषा के समाचारपत्रों को जो प्रतिष्ठा मिलनी चाहिये, सरकार की ओर से जो विज्ञापन मिलने चाहिए, उन्हें जो प्रमुखता मिलनी चाहिए वह अभी तक नहीं मिल पायी है।

आज अंग्रेजी के जो पत्र हैं वे ही सरकार से और विदेशों से प्रतिष्ठा प्राप्त किए हुए हैं। सरकार ने जब अंग्रेजी के अखबारों को प्रतिष्ठा दी हुई है तो अंग्रेजी के जो बड़े बड़े समाचार पत्र हैं उन्हीं की पूछ होती है और विदेशों के जो माने हुए पत्र होते हैं वे भी आकर ऐसे ही पत्रों की पूछ करते हैं। तो एक प्रकार का नहीं बल्कि अनेक प्रकार के प्रतिष्ठा के सवाल हैं जिनको सरकार को हल करना है। विज्ञापन का सवाल है, कीमत का सवाल है जिनके ऊपर सरकार को अपने विचार प्रकट करने चाहिए।

इसके साथ ही साथ मैं यह भी निवेदन करना चाहता हूँ कि अभी हाल में जो समाचार पत्रों ने अपनी-अपनी दरें बढ़ा दी है, दो पैसा बढ़ा दिया है उसके बारे में भी सरकार को

अपनी राय प्रकट करनी चाहिये। आज हमारे शहरों में गरीब लोगों की संख्या काफी बढ़ गई है, बेकारों की संख्या बढ़ गई है और वे लोग अखबारों में "वाण्डे कालम" देखना चाहते हैं मगर उनके जेबों में अखबार खरीदने के लिए पैसा नहीं होता है। दक्षिण के अखबारों ने पांच पैसा तक कीमत बढ़ा दी और उत्तरी भारत तथा कलकत्ता के अखबारों ने भी पत्रों की कीमत बढ़ा दी। कलकत्ता में तो हाकरों की स्ट्राइक की वजह से दाम घटा दिए गए लेकिन दक्षिण में अभी तक दाम नहीं घटाए गये। अगर यह जो दो पैसे की वृद्धि की गई है अगर उसको विज्ञापन के साथ एडजस्ट कर लिया जाता तो पाठकों को सुविधा हो जाती। मैं समझता हूँ कि मंत्री जी इस पर विचार करेंगे और अगर यह चीज संशोधन विधेयक के परे भी हो फिर भी इस पर विचार करने, सोचने तथा कार्यान्वित करने की जिम्मेदारी सरकार पर है क्योंकि यह राष्ट्रभाषा और उसके समाचारपत्रों की बात है।

SHRIMATI NANDINI SATPATHY: To most of the points that were raised by the Members I had already replied. There is only one thing about which I would like to say a sentence and that is about the feeling that the Members have that the difficulty arising out of the Bangladesh situation is over and so we should not do anything now. This is not the right way of understanding the situation. Actually, for quite some time, as Members know, we have to pass through a very difficult Period and that is why it has become much more necessary to have certain things to get over the situation which we faced because of the Bangladesh trouble.

Shri Yadav pleaded about the language papers. I have said again and again that the policy of the Government is to help the small and medium papers and most of them are in the different regional languages. That way we are helping them. As far as newsprint, machinery import and advertisement are concerned, we are trying our best to help the medium and small papers which are mostly in the different regional languages.

With these words, I request the Members to pass the Bill.

THE VICE-CHAIRMAN (SHRIS. S. MA.USWAMY): The question is:

"That the Bill, as amended, be passed."

*The motion was adopted.*

#### MEMBERS SWORN

Shri Harsh Deo Malaviya (Uttar Pradesh)

Shri Habib Tanvir (Nominated)

#### THE DRUGS AND COSMETICS (AMENDMENT) BILL, 1971

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY PLANNING (DR. DEBIPRASAD CHAT- TOPADHYAYA): I beg to move:

"That the Bill further to amend the Drugs and Cosmetics Act, 1940, be taken into consideration."

Mr. Vice-Chairman, the Drugs and Cosmetics (Amendment) Bill was introduced in this House on 13th December, 1971. In fact in this Bill we tried to amend the Drugs and Cosmetics Act of 1940. Now there was a lacuna in that Act and that was, the scope of the Act excluded Jammu and Kashmir. Now the good effects of this Act are likely to be largely neutralised if a particular State of this country is kept outside the purview of this Act because the quality control that we tried to effect in the other States is largely hampered and perhaps to a great extent, neutralised if in one particular State we have not the necessary mechanism and the machinery to ensure the quality of the drugs and cosmetics. It is having that end in view, namely, a uniform enforcement of the quality of drugs and cosmetics in all the States of India that we are bringing about this small enabling piece of legislation. In fact there is a law in the State of Jammu and Kashmir of this nature. That is called the Jammu and Kashmir Drugs Act, 2000. This meets in a limited way, I should say, the requirements of standardising and controlling the quality of the drugs and cosmetics in that particular State. But, Sir, I fear that that Act is not comprehensive enough

for the purpose we have in view. As you know, the subject-matter of the Drugs and Cosmetics Act falls under entry 19 of the Concurrent List which has been made applicable to Jammu and Kashmir only in 1967 as per the Second Amendment Order, 1967. Provision has been made in this Bill to ensure, by the Repeal and Saving Clause 5(1), the continuity of actions that might have been taken under the Jammu and Kashmir Drugs Act by the enforcement authority of that State so that there will be no legal gap between the proceedings and actions which have been initiated in that State under their existing law and the time this enactment will become effective there. We have therefore made necessary provision in the body of this Act.

For giving effect to the provisions of this enactment, the financial implication will be very small, a paltry sum of Rs. 1,000 only to cover the expenses of the officers who will be visiting that State.

With these words, I move.

*The question was proposed.*

**श्री जगदीश प्रसाद माथुर (राजस्थान) :**  
यह तो बड़ा महत्व का विषय है।

**संसदीय कार्य विभाग में राज्य मंत्री (श्री ओम मेहता) :** आप ड्रग्स में इंटरस्टेड हैं या कास्मेटिक्स में ?

**श्री जगदीश प्रसाद माथुर :** आप के नये मेम्बर आप के पडोस में बैठे हैं। हमारा विषय तो दूसरा है, वह आयेगा, लेकिन उन्होंने तो कास्मेटिक्स लगा लगा कर दुनिया की मंहगाई कर दी। उपसभापति महोदय, जहाँ तक इस विधेयक का संबंध है, माननीय मंत्री जी ने इस को बिल्कुल साधारण और सीधा-सा और निर्दोष विधेयक बताया है। मुझे भी इसमें कोई आपत्ति की बात नहीं दिखाई देती, लेकिन एक बात मेरी समझ में नहीं आती कि इसके आब्जेक्ट्स ऐंड रीजन्स में दिया हुआ है कि :

"The subject matter of that Act falls under entry 19 of the Concurrent List which has been made applicable to that State