

ENTRY OF "THE TRIBUNE" BANNED BY
HARYANA

*270. SHRI K. C. PANDA†:

SHRI M. K. MOHTA:

Will the Minister of INFORMATION AND BROADCASTING AND COMMUNICATIONS be pleased to state:

(a) whether the Union Government are aware that the Government of Haryana has banned the entry of "The Tribune" into the territories of Haryana;

(b) whether the Union Government have inquired into the reasons for the action taken by the Government of Haryana against "The Tribune"; and

(c) if so, the details thereof and the reaction of the Union Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING AND IN THE DEPARTMENT OF COMMUNICATIONS (SHRI I. K. GUJRAL): (a) to (c) Complaints to this effect have recently been made by the "Tribune" and also by one Member of Parliament to the Press Council. As the complaints are now under enquiry by the Press Council, it would not be proper for the Central Government to make any statement on the subject.

SHRI S. D. MISRA: It is not *sub judice*.

SHRI M. K. MOHTA: Can't we have the information then?

SHRI S. D. MISRA: Sir, nobody is more interested than you, in the Chair. Is the matter *sub judice* to say that because it is a matter under enquiry therefore he will not give the answer?

MR. CHAIRMAN: Yes, Mr. K. C. Panda.

SHRI K. C. PANDA: May I know whether the Minister had any information through vigilance, whether banning does not mean curtailment and violation of the freedom of the press provided for in the Fundamental Rights Chapter of the Constitution and, if so, whether the Government of India took up this matter with the Haryana Government and whether the reply of the State Government in this regard has been obtained?

SHRI I. K. GUJRAL: Coming to the last point first, when the complaint was received from the Tribune by the Ministry, we did take it up with the Government of Haryana who gave their version of the situation.

†The question was actually asked on the floor of the House by Shri K. C. Panda.

SHRI A. D. MANI: What is the version?

SHRI I. K. GUJRAL: Their version in brief was that advertisements were denied because of rates and that the cars were stopped because the cars had violated some traffic rules.

AN HON. MEMBER: Do you believe that?

SHRI I. K. GUJRAL: I should not be asked to define my attitude towards it. I can tell you what I was told by the Government of Haryana. I am only saying what the Haryana Government said.

MR. CHAIRMAN: The question was, what did the Haryana Government say? He has said it. You can put the other question, if you like.

SHRI A. G. KULKARNI: Sir, the point is, what are the traffic rules that they have violated?

MR. CHAIRMAN: That may be a matter of a supplementary. He has said two things, that the cars were not allowed...

SHRI I. K. GUJRAL: About the third allegation whether the Chief Minister of Haryana had asked some municipalities, etc., to stop buying the Tribune, that was denied by the Haryana Government.

SHRI M. K. MOHTA: Sir, this is an extremely serious situation. The history of the freedom struggle led by the Indian National Congress is also the history of the struggle taken up by the Congress on behalf of the cause of the freedom of the press. And when the Congress Government itself is in power both at the Centre as well as in Haryana, such things are happening. It is a matter of shame for everyone. What I want to ask the Government...

SHRI MAHAVIR TYAGI: But the Congress is not in power there. What do you say?

SHRI ARJUN ARORA: That is a very good question put by Mr. Mohta.

SHRI M. K. MOHTA: What I want to ask the hon. Minister is whether the Central Government would bring forward legislation in Parliament to amend the Constitution, if necessary, so that these water-tight compartments in which the States are functioning, not allowing one commodity to go from one place to another, not allowing things to come from one State into another, not allowing the freedom of the press and so on and so forth would be entirely within the jurisdiction of Parliament and not with the States?

SHRI I. K. GUJRAL: Freedom of the press is enshrined in the Constitution and any Government, whether here or elsewhere in India, are all sworn to that Constitution, and I think any Government, every Government, is responsible to these basic fundamental commitments. So far as our Government is concerned, for the information of Mr. Mahavir Tyagi, I may say that it is the Congress Government while the defectors are on the other side. The only thing that I would like to say, the basic thing that I would like to submit, is that we are committed to the freedom of the press and that was why the Press Council set up by Parliament is looking into such complaints.

DR. (MRS.) MANGLADEVI TALWAR: I would like to know from the Government what was the reason—he must have known the reason—why the Haryana Government has banned the entry of the Tribune into that State. It is a big thing. After all, for banning a newspaper—it is a national newspaper—there must have been some serious charges against it. What I would like to know is if they know of any serious charges the Tribune is charged of. They also read the Tribune. In their opinion was the Haryana Government justified in banning it?

SHRI I. K. GUJRAL: While I do not like to take shelter behind what my friend, Shri Shyamdhara Misra, may have talked of...

SHRI S. D. MISRA: I am still to put my question.

SHRI I. K. GUJRAL: If I can anticipate your question why do you bother to put it? The point basically is, so far as I am aware, the Press Council is making enquiries into these allegations. Therefore, it will be unfair to ask me to make a pronouncement whether it was banned or not banned. It may affect all those who are working on the Press Council.

SHRI BANKA BEHARY DAS: It seems the Government has developed some expertise in abdicating its authority and the sense of responsibility to the press. Can I know from the Minister when this matter came up in the press whether the Government of India acted on its own behalf or created a condition in which the Tribune and myself, as a citizen of this country, have to write to the Press Council and become a complainant? I may inform the House that the letter that I wrote to the Prime Minister and the Information Minister was not responded to favourably. May I know from the Minister whether it is a fact that during these few days the Uttar Pradesh Government has started an attack on the Times of India and the Andhra Pradesh Government on the P.T.I. and the daily Indian Express.

Whatever the Press Council might be doing, are the Government prepared to have a code of conduct for themselves as regards the behaviour with the press because they want a code of conduct from everybody. My specific answer is...

MR. CHAIRMAN: Do not give the answer. Put your specific question.

SHRI BANKA BEHARY DAS: ...In individual cases whenever there is some individual grievance they can go to the Press Council. May I know whether the Government of India, in consultation with all the State Governments will be convening a conference and develop a code of conduct as to how to behave with the press, for allocation of newsprint, for giving subscriptions or for giving advertisements or whatever it may be?

SHRI I. K. GUJRAL: My friend may clear his mind on two issues. The freedom of the press is, as I said, guaranteed under our Constitution and we are all committed to it. So far as the Government of India is concerned, I have said it repeatedly and I would like to repeat again, that it is not a question only of formally being committed to it. It is a matter of conviction with us that the freedom of the press must be preserved.

So far as advertisement is concerned, my friend might keep in mind that there is a controversy now going on everywhere in the world whether the right to advertisement is also a fundamental right or not because this is a basic thing...

SOME HON'BLE MEMBERS: No, no.

SHRI BANKA BEHARY DAS: You must have a code...

SHRI I. K. GUJRAL: If I sit down without satisfying, then he should get up. The main point is basically whether the right to advertisement is a part of the freedom of the press or not. That is one point to be decided. The second point is, if you come to the conclusion that the State advertisements, whether at the Centre or in the States, are a matter of right for the newspapers, then the question will also arise whether the private sector advertisements can also be taken as a right. The third thing is basically the code to give advertisements was laid on the Table of the House. The Government of India have laid down criteria on the basis of which advertisements should be given to the papers. To these we are committed. That was laid on the Table and will be laid again on the Table of the

House. Sir, that circular was issued to the States and the Government of India is bound by that general Code. So far as other things are concerned, namely, whether the entry of the paper was stopped or not, it is definitely a bad thing. The entry of newspapers cannot and should not be stopped.

SHRI A. D. MANI: Exactly.

SHRI I. K. GUJRAL: The hon'ble Member might like to know about our taking action in the matter. I would like to tell him that we immediately initiated action.

The Government of India asked the Government of Haryana to tell us what the facts were, and it was on our initiative, even before my hon. friend wrote to us, that we moved in the matter.

SHRI S. D. MISRA: Sir, I remember to have read a statement in the press by the Minister replying to the question, about four weeks ago, when some correspondents put to him a question that there was an allegation from Members of Parliament and others about the freedom of the press. He said, it is not the freedom of the press which is important; it is the freedom of the writers which is important. I do not know how he distinguishes between the freedom of the press and the freedom of the writers. I do not know what he meant by that. But he did say this and I can produce the cuttings. The second point is...

MR. CHAIRMAN: What is the first question?

SHRI S. D. MISRA: My first question is: Does he stand by his statement given to the press which appeared in many dailies that freedom of the press does not mean anything other than the freedom of the writers and, if so, how does he distinguish between the freedom of the press and the freedom of the writers? Secondly, is it not a fact that regarding this paper *Tribune*, it is not only that advertisements are given less or have been stopped by the Haryana Government, but the Haryana Government is harassing this paper to such a great extent that trucks, cars and jeeps carrying this paper for distribution are being challanned by the police; and this has come in the papers and allegations have been made, but the Haryana Government has done nothing. Thirdly, it is not only this paper which has been affected, but other papers like *Times of India* and *Monitor* also have been affected. Mr. Charan Singh, the Chief Minister of Uttar Pradesh, stopped all advertisements to *Times of India* because...

(Interruptions)

MR. CHAIRMAN: Please do not introduce other things.

SHRI S. D. MISRA: Is it the policy of the Government that only those papers will get more advertisements which favour the Government's policies and attitudes and papers which do not fall in line with the Government will get less advertisements and less newsprint? Is there any committee to determine these things? If so, what is that committee?

SHRI I. K. GUJRAL: Sir, my hon. friend has alleged that he seems to have read some statement—where or in which paper he read it, I do not know... (Interruptions). Let me finish. (Interruption). The main point is, my hon. friend is mixing up two things. I have said and I reiterate that it is to be determined by the society as to what is the freedom of the press. Is it freedom of the journalists, or is it freedom of the owners? My friend seems to be worried about the owners. He mixes up these two things.

SHRI S. D. MISRA: Not at all.

SHRI I. K. GUJRAL: The main point that I have said—and I would reiterate it in this House—is that if we want freedom of the press really in full content, it will have to be freedom of the journalists and not freedom of the owners. The second point that my hon. friend has raised, which is again basic, is whether newsprint or advertisements or other things are given on the basis of some political orientation. I would say "No." And I would say definitely this that there is not a single case like that. I challenge anybody to point out to me a single case where the Government of India has at any time, either in the matter of newsprint or in the matter of advertisements, taken any prejudicial action against any newspaper.

SHRI S. D. MISRA: Sir, the Minister is giving misleading information.

MR. CHAIRMAN: Please sit down.

SHRI I. K. GUJRAL: The third point that my hon. friend has raised is about the advertisement policy. I have said, and I would like to repeat, that we give advertisements to all newspapers. But we do give preference to the medium and the smaller newspapers.

SHRI BHUPESH GUPTA: You don't.

SHRI S. D. MISRA: This is wrong again.

SHRI I. K. GUJRAL: We do give some preference to the language newspapers. But we do not decide anything on any other basis except that we do not give advertisements to those papers which write virulently to create hatred between communities in India.

SHRI S. D. MISRA: No, no. (*Interruption*). It is being challanned by the police. Has it come to the notice of the Government?

SHRI I. K. GUJRAL: The Haryana Government has given its own version. As I stated earlier, the Press Council will look into this. It will be unfair if I now pronounce a judgment whether it has been or has not been done.

SHRI SATYA NARAYAN SINHA: Sir, I may add that when this matter was reported in the press I telephoned to the Haryana Chief Minister and he completely denied the allegations made in the newspaper.

श्री सुन्दर सिंह भंडारी : मैं मंत्री जी से यह जानना चाहता हूँ कि प्रेस कौंसिल वास्तव में किन विषयों पर जांच कर रही है ? उन का एडवर्टीजमेंट रोक दिया गया है या नहीं इस फैक्ट की जांच कर रही है क्या ? ट्रिब्यून के रेट्स आफ एडवर्टीजमेंट सब से ज्यादा थे पिछले दिनों में बढ़ाये गये या इन्ही रेट्स पर इस अखबार को बहुत समय से एडवर्टीजमेंट मिल रहे थे ? मैं जानना चाहता हूँ कि यह स्टेटमेंट आफ फैक्ट्स है और क्या प्रेस कौंसिल इन स्टेटमेंट आफ फैक्ट्स की जांच कर रही है या इस के बाद की कुछ घटनाएँ जो हैं उन की वह जांच कर रही है, इस के बारे में स्पष्टीकरण होना चाहिये । दूसरा मेरा सवाल है कि संविधान में जिस फ्रीडम आफ प्रेस का उल्लेख किया गया उस फ्रीडम आफ दि प्रेस का अर्थ प्रिमेंसरशिप तक ही सीमित है या अखबारों को चलाने के लिये साधारण तौर पर एडवर्टीजमेंट या उन के सर्कुलेशन को बढ़ाने के लिये जो सविधायें अखबारों को मिलती हैं, कागज आदि, इन सब मामलों में भी फ्रीडम आफ दि प्रेस में किसी न किसी प्रकार इनवाल्व है या नहीं उन के हिसाब से और अगर राजनीतिक विरोध के कारण हरियाणा की सरकार ने यह कदम उठाया है, ट्रिब्यून के लेख उन के लिये इन्क्वीनियेट होने लगे, उन की सरकार की आलोचना ट्रिब्यून के सम्पादकीयों में और

समाचारों में हो रही थी, या इन के विरोध में होने लगी तो क्या फ्रीडम आफ दि प्रेस की गारंटी उस की सरकार द्वारा इन प्रकार का कदम उठाये जाने के बावजूद भी वास्टाईगेशन के अनुसार वाजिब समझी जायेगी ?

SHRI I. K. GUJRAL: Sir, his questions were very long and I will try to recall whatever I remember.

SHRI SUNDAR SINGH BHANDARI: It means your memory is so short.

SHRI I. K. GUJRAL: The first question that my honourable friend has asked is whether the freedom of the press is only limited to the elimination of pre-censorship. I would say that as laid down under the Constitution the freedom of the press as part of the freedom of expression is absolute and unlimited. There is no limitation of any type on that. Regarding his second question I would like to say that so far as advertisements are concerned, Government is not the only source of advertisements. You will be surprised to know that the Central Government and the State Governments put together have approximately a total budget of only about Rs. 3 to Rs. 4 crores annually while the budget of the private sector, so far as I know, is of the order of Rs. 30 crores. The ratio is 1:10. What I am trying to say is that all the main issues, whether it is a question of rates or the stoppage of cuts or the elimination of purchase of newspaper from various parties, will be discussed by the Press Council. All these things are also pending reference before the Press Council. They are not looking into only one thing. They are looking into the various aspects of the problems and once their judgment comes, that will be, I think, the appropriate time when this House should discuss these things, after seeing what the Press Council has to say about this.

SHRI ARJUN ARORA: May I know if the freedom of the press means a certain guarantee of getting advertisements? If it is included, will the Government see to it that all the newspapers published in the country get some advertisement or the other from the Government? I feel a wrong interpretation is being given to the freedom of the press.

Mahatma Gandhi's HARIJAN enjoyed the freedom of the press without getting any advertisement. May I know if the Government will ensure that all the papers published in the country get some advertisement or the other from the State Governments and from the Union Government so that they have the means to enjoy the freedom of the press?

SHRI I. K. GUJRAL: I have at my disposal approximately a budget of a crore and twenty lakhs and in this country approximately there are about 600 daily newspapers and to this if I add the periodicals, then the number comes to thousands. Probably the figure will be in the order of 10,000. I do not know how this small budget can be stretched to such a large extent. The main issue of advertisements is that it is not a subsidy or support. Behind these advertisements, we have certain attitudes and policies. It is not a question of doling out...

SHRI ARJUN ARORA: Government gives Rs. 2,000 worth of advertisements to the Times of India group every day.

SHRI M. S. GURUPADASWAMY: I have been standing off and on; but you do not seem to see me at all.

MR. CHAIRMAN: You are wrong.

SHRI M. S. GURUPADASWAMY: I am not accustomed to make any remark which is wrong...

MR. CHAIRMAN: I am calling...

SHRI M. S. GURUPADASWAMY: This is not the first time...

MR. CHAIRMAN: I am going to call everybody, but not simultaneously.

SHRI M. S. GURUPADASWAMY: I know the rules and you do not teach me about the rules. May I ask this question...

MR. CHAIRMAN: It is not a question of rules. It is a question of decorum in the House. I do not want to say anything more.

SHRI M. S. GURUPADASWAMY: I am not indecorous. Let me know when I have been indecorous. I am not putting the question. Let me know whether I have violated decorum... (*Interruptions*). You seem to be testing my patience. I have been watching this for the last three days...

MR. CHAIRMAN: I am not...

(*Interruptions*)

SHRI M. S. GURUPADASWAMY: Where is the question of decorum? When did I violate it? You seem to be...

MR. CHAIRMAN: Please sit down.

SHRI M. S. GURUPADASWAMY: I am not going to sit down. What do you mean by this?

MR. CHAIRMAN: You please sit down...

(*Interruptions*)

SHRI M. S. GURUPADASWAMY: You are testing my patience. You seem to be testing my patience. I do not want to be...

SHRI MAHAVIR TYAGI: I appeal to my friends not to lose temper.

SHRI M. S. GURUPADASWAMY: This is not the first time. I have been seeing this for the last three days...

SHRI G. A. APPAN: On a point of order...

MR. CHAIRMAN: No point of order.

SHRI G. A. APPAN: I want your protection...

MR. CHAIRMAN: No point of order. I am not calling you.

SHRI G. A. APPAN: He has cast aspersions against you. Those words should be expunged.

SHRI M. S. GURUPADASWAMY: I want to ask this specific question. May I know whether we live in a police state or not? My friend Shri Gujral is swearing by the Constitution very emotionally. But does he stop only by swearing or does he believe in acting on the provisions of the Constitution? Here is a case where there is denial of entry of the newspaper "The Tribune" and the reasons for that are given. They have stopped the car and vehicles because there is traffic violation. On the ground of violation of traffic rules by the Tribune press, the papers have been stopped. This is the physical fact. This has been done obviously because The Tribune is not toeing the line of the Haryana Government and the Chief Minister there. May I know whether he believes—whether he takes action or not is a separate issue—that there is a violation of the fundamental right? If that is so, then there are various courses open to deal with the question. I want to know what is the hon. Minister's appraisal or assessment of the situation. I want to know whether he considers it as a routine affair or whether he treats it as a violation of a fundamental right.

SHRI I. K. GUJRAL: One thing I might say. I repeat it is not a question like that. The first thing is ascertaining all the facts. I might say this thing that the Haryana Government has denied that and the Press Council is now seized of the matter. I am saying again and again that it will be unfair on my part now to give a judgment on the facts of the case. The facts of the case can be judged only by a competent body like the Press Council. After they have given their judgment on whether it was an attempt to contain the freedom of the Press, naturally, whatever judgment the Press Council gives, we will stand by it. This I can assure my hon. friend. The issue, I might say, between a State Government and a

responsible newspaper has arisen and therefore, please let the Press Council decide on the issue and the facts of the case. Once they have decided, then there will be a lot of opportunity to discuss. So far as the statement of my hon. friend is concerned, it is both an emotional and intellectual commitment. It is a commitment of the whole personality of the Press.

SHRI M. M. DHARIA: Mr. Chairman, Sir, while agreeing with the hon. Minister that freedom of the Press is not freedom of the owners, may I know from him what steps are being taken by the government to implement the important suggestion of the Press Council regarding the price page schedule and if the Constitution is coming in the way, why the government is not coming forward . . . (*Interruption*) even to amend the Constitution?

Mr. Chairman, it is a question of advertisement and because of the creation of monopolies and the interests of protecting this big monopolist, in that context, if due justice is to be rendered, then the price-page schedule is a must and that is why there should be some advisory body which should give some guidelines to the government and even to private individuals as to how these advertisements should be distributed. If this price-page schedule is rather accepted by the government and introduced, I have no doubt that a lot of justice is possible to all the press owners and there cannot be any sort of interference either from this side or that. In that context, may I know what he has to say? And, secondly, so far as the "Tribune" matter is concerned, it is true that it is left to the Commission. But how long is it going to take and "The Tribune" is supposed to wait that long? It is a paper being conducted by a trust and not by the monopolists in the country and when this paper is being conducted by a trust, if they do not get justice immediately, well, there may be instances which may perhaps mar the progress of this paper and in that context, what is the protection being given by the Government?

SHRI I. K. GUJRAL: So far as "The Tribune" is concerned, I might say that the fact is that "The Tribune" is being run by a trust in the public interest which is not a profit-making organisation. We in this part of the country are proud of "The Tribune" as an institution.

Now, about the second thing I would like to say that the Press Council is not postponing it. It is already hearing the case. Even today the hearing is on. They have already had three hearings and today and tomorrow they are hearing the case. So, it is not postponed. It is not as if it is delaying tactics.

So far as the price-page schedule is concerned, the hon. Member will recall that this House and the other House had passed a Bill on the price-page schedule. It was turned down by the Supreme Court. They thought that it was an interference with the fundamental rights. Now, the second issue has arisen . . . (*Interruptions*) . . . whether the government would straightway bring another Bill or an amendment before passing, what is now being called, the Nath Pai Bill. Of course, it will have to be done in two stages . . .

(*Interruptions*)

MR. CHAIRMAN: Shall we pass on to the next question? We have taken a long time.

SHRIMATI PURABI MUKHOPADHYAY: Sir, may I draw your attention?

MR. CHAIRMAN: I have called another Member.

SHRIMATI PURABI MUKHOPADHYAY: You never call me.

MR. CHAIRMAN: I cannot call everybody, because I have only sixty minutes. If I call everybody, then even one person may not get.

REDUCTION IN CHARGES FOR LONG DISTANCE CALLS

*271. **SHRI SUNDAR MANI PATEL:**

SHRI M. K. MOHTA†:

SHRI K. C. PANDA

Will the Minister of **INFORMATION AND BROADCASTING AND COMMUNICATIONS** be pleased to state—

(a) what are the charges for long distance calls between Delhi/Calcutta and Delhi/Bombay;

(b) whether Government propose to effect reduction in the charges for long distance calls; and

(c) If so, the details thereof?

THE MINISTER OF INFORMATION AND BROADCASTING AND COMMUNICATIONS (SHRI SATYA NARAYAN SINHA): (a) The charges for an ordinary trunk call between Delhi-Calcutta and Delhi-Bombay are Rs. 16 and Rs. 12 respectively per unit call of 3 minutes duration.

(b) This is under active consideration of the Government.

(c) Details of the new method of charging are being worked out.

†The question was actually asked on the floor of the House by Shri M. K. Mohta.