

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

**CANCELLATION OF WEST BENGAL MIN-
ISTER'S MAY DAY BROADCAST DUE TO
OBJECTIONS RAISED BY ALL INDIA
RADIO STATION DIRECTOR, CALCUTTA**

MR. CHAIRMAN: Now calling attention
to a matter of urgent public importance.

SHRI BHUPESH GUPTA (West Bengal):
Sir, I beg to call the . . .

THE MINISTER OF INFORMATION
AND BROADCASTING (SHRI K. K.
SHAH): Sir, . . .

SHRI LOKANATH MISRA (Orissa): It
seems the Minister has something to say.

SHRI K. K. SHAH: Ma, I crave the
indulgence of this House and say that Calling
Attention Notices are fixed at the same time
in both the Houses, probably thinking that
this would come up on the 25th? We can, I
submit, take it up in the afternoon here and
then I will attend to it.

SHRI BHUPESH GUPTA: It will be very
improper . . .

SHRI NIREN GHOSH (West Bengal):
Why should things always go there first?

SHRI BHUPESH GUPTA: I could have
understood if the hon. Minister had conveyed
this idea to us earlier. He is here now and
you, Sir, have called me. And then just to
accommodate the other House he should go
away? It is not proper at all.

SHRI K. K. SHAH: May I request Shri
Bhupesh Gupta and tell him that I went to
the Speaker and told him that I should mention
this in this House and then go there.

SHRI BHUPESH GUPTA: What is the
idea? What is your contention? Is it that you
should go there and then come back?

SHRI K. K. SHAH: My contention is your
indulgence.

SHRI BHUPESH GUPTA: We are not
asking you to be philosophical. All that we
are asking you is to be a proper
parliamentarian in this matter. Now you are
here. You did not convey it to our Chairman
that you would not like it to be taken up now.

MR. CHAIRMAN: He told me about it.

SHRI BHUPESH GUPTA: He told you!
Then why does he appear here? He now tells
us that he cannot take it up in this House
because he has to go to the other House just
now to deal with an identical matter, with an
identical motion. This is deliberately giving to
this House a back seat.

SHRI K. K. SHAH: May I tell my hon.
friend, Shri Bhupesh Gupta, that I am a
Member of this House and I have the greatest
respect for this House? And as a Member of
this House let him permit me to go there and
then come here.

SHRI BHUPESH GUPTA: As a Member
of this House our affections will go to you
first and then you can go there.

Sir, I beg to call the attention of the
Minister of Information and Broadcasting to
the objections raised by the Calcutta Station
of the . . .

SHRI P. N. SAPRU (Uttar Pradesh): Sir, I
want to . . .

MR. CHAIRMAN: Mr. Sapru wants to
raise a point of order.

SHRI P. N. SAPRU: As a matter of
principle I think it is not right for us to think
of the other House at all. We must function as
if the other House did not exist. Therefore, I
would request Mr. Shah to deal with this
matter now.

SHRI BHUPESH GUPTA: I agree with
that line.

Sir, I beg to call the attention of the Minister of Information and Broadcasting to the objections raised by the Calcutta Station of the All India Radio to the script of the proposed May Day broadcast by Shri Subodh Banerjee, Labour Minister of West Bengal, resulting in the cancellation of the broadcast.

SHRI K. K. SHAH: Sir, on 29th April, 1967, Station Director, All India Radio, Calcutta, requested the Labour Minister, West Bengal if he would agree to participate in a discussion programme which All India Radio was arranging on "Gheraos". The Labour Minister agreed to record a talk which was scheduled for the 30th April, 1967. As is customary, a copy of the script was asked for in advance by the Station Director. On going through the script the Station Director found the following sentences:—

"(i) For this a revolution is necessary, election is ^{no} revolution though we have formed the Government through Election. Secondly, if we want to get rid of exploitation, there is need for changing political system. A change in Government does not imply a change in the political system."

And the second sentence is:

"(ii) It is necessary to understand what is the meaning of the word 'legitimate'. Legitimate and lawful are not synonymous. Under the existing social system of exploitation, there are many things which are legal but not legitimate.

(iii) Therefore, it cannot be ruled out that whatever is considered as illegal is not necessarily unjust.

(iv) To intensify the liberation movement, to remove the cancerous growth in the administration as a result of Congress rule to gear up the administrative machinery, ever, the judiciary which lost its neutrality during the long Congress Administration, the defeat of the Congress was necessary."

These references violate the established conventions.

The Station Director rang up the Labour Minister, West Bengal and pointed out that there were difficulties in regard to certain portions of his script. He offered to go to the Minister and discuss with him. The Minister said he would not agree to any change and that he would not broadcast. The Station Director offered to draw his attention to certain portions of the script. The Minister, however, refused to discuss the matter and cancelled the broadcast.

The script went against the code accepted by All India Radio which is in the interest of all parties. This code applies to all irrespective of party affiliations. It will be conceded that this code is in the interest of smooth working of democratic institutions. If one party is allowed to attack another party the other party will have to be allowed to do like wise. There will, thus, be no end to it and each party will ask for more opportunities which will lead to perpetual bickering. It is also necessary for functioning of democratic institutions that no party is allowed to attack the Constitution or plead for a change in the Government except through constitutional means. It is also necessary to prevent any aspersion or derogatory references to Judiciary.

Since the Station Director was satisfied that the said references were against the accepted policy of All India Radio he was obliged to request the Labour Minister to hear him, so that the script could be amended. He had offered to go to the Labour Minister but unfortunately the latter refused to listen to him and cancelled his broadcast.

Instances are not wanting when similar situations arose in the past also. On 6th July, 1949, for example, Shri C. Rajagopalachari, the then Governor-General of India, had to amend his script which contained eulogistic references to the Congress

[Shri K. K. Shah] Party. The Governor-General in the first instances refused to be guided by the Station Director and preferred to cancel his broadcast rather than delete certain portions of his script. However, he later accepted the rationality of the position placed before him and agreed to drop any special reference being made to Congress Party against which the Station Director had taken objection. Last year, another incident occurred when the Chief Minister of Bihar insisted upon referring to SSP and Communist Party of India by name. The Station Director tried to persuade the Chief Minister to omit the names of the political parties. As the Chief Minister did not agree to change the script even after the implication of reference to political parties by name was explained to him, the Station Director contacted the Director General, All India Radio to seek his advice. Director General instructed him to hold over the broadcast until he received further instructions. After satisfying himself that the stand taken by the Station Director, Patna was correct, Director General tried to contact him on telephone and accord approval to his decision but as the telephone lines had temporarily failed the Station Director, Patna could not be contacted. In the absence of instructions from Director General, All India Radio the broadcast of Chief Minister went through the air, but this action of the Chief Minister was taken note of and his attention was drawn to it. The Chief Minister in protest wrote back to say that since it was the deliberate policy of All India Radio that political parties should not be named in any speech to be delivered on the radio, he had decided not to speak on All India Radio at all. This made it necessary for the Ministry to issue the following instructions in more emphatic terms to Director General, All India Radio: —

"The Government desire that you may advise Station Directors

to explain to any broadcaster, irrespective of his or her rank, station or authority, why it is necessary to refrain from mentioning any political party or group by name even when it is clear that the disturbances are going to be organised by specific political parties or groups. If the intending broadcaster insists on naming any political party or parties or group or groups, the Station Director should decline to record his/her broadcast, after all persuasion to refrain from naming political parties or groups has failed. Exceptions will be made only under clearly authorised orders issued by the Ministry on each specific case of exemption of this advice."

The question regarding broadcast by the Chief Minister, Bihar was raised on the floor of the Rajya Sabha by Shri Bhupesh Gupta during supplementaries to Starred Question No. 157, on 15th November, 1966. Shri Bhupesh Gupta had approved of the attitude taken by the Station Director, Patna. Shri Bhupesh Gupta went to the extent of saying that if the Chief Minister was the custodian of life and property and every thing, he thought that the Station Director, All India Radio, Patna was also the custodian of something.

These instances have been mentioned to show that the action of the Station Director, A.I.R. Calcutta was not arbitrary. It was in full accord with the healthy conventions which have grown regarding such broadcasts. The question regarding broadcast by the Chief Minister, Bihar was raised on the floor of the Rajya Sabha by Shri Bhupesh Gupta during supplementaries to Starred Question No. 157 on 15th November, 1966, and Shri Bhupesh Gupta had approved of the attitude taken by the Station Director, Patna.

SHRI BHUPESH GUPTA: Sir, this is a deliberate distortion. What was the point then? At that time we were¹

accused of committing sabotage, committing crimes. Mr. Subodh Banerjee was not saying anything of the kind.

SHRI K. K. SHAH: If I am wrong even by a word I will give you my abject apologies, I have not changed anything; I have got the record ready and I can read it out to the House.

Shri Bhupesh Gupta went to the extent of saying that if the Chief Minister was the custodian of life and property and everything, he thought that the Station Director, All India Radio, Patna, was also the custodian of something.

(Interruptions.)

SHRI BHUPESH GUPTA: But Sir, when the . . .

MR. CHAIRMAN: You will have your say.

SHRI K. K. SHAH: In order to satisfy my hon. friend, Mr. Bhupesh Gupta, I will just read out what he said from the record so that he may be satisfied that I have not quoted him wrongly:

"SHRI BHUPESH GUPTA: . . . May I know whether it is not a fact that the All India Radio authorities there asked Mr. Sahay to delete certain things from his statement, that is, his derogatory references against the S.S.P. and the Communist Party, but the Chief Minister insisted that he must say things against the S.S.P. and the C.P.I., whether these suggestions were made—good suggestions for once you made, I agree . . ."

So have you not approved it?

SHRI BHUPESH GUPTA: Do not treat it so lightly.

Mr. Chairman, before I seek clarification—I am coming to that later—by way of personal explanation I would say that if the hon. Minister

was honest in this matter he should have read out to you that portion of the Bihar Chief Minister's broadcast to which the Station Director took exception and to which we also took exception. He was trying to accuse two parties of sabotage, subversion and so many other things, of criminal acts. We are not opposed to a bare criticism of a political party. Now they are trying to quote me; it is like the Devil quoting the scriptures.

Anyhow, coming to clarifications, first of all I must make a very humble request to you to kindly provide for a two-hour discussion of this matter because it relates to Centre-State relations and may be such a discussion will be helpful. I make this suggestion to you.

Now, what he has given is an utterly insulting and preposterous version of what happened. It was to be a May Day speech. Mr. Subodh Banerjee was not asked to make a speech on gheraos. I have got a copy of the English translation of his script supplied to me by the concerned Minister himself. This is the English translation of the Labour Minister's May Day Radio talk which was cancelled due to the objection raised by the Station Director. The original was in Bengali and this translation has been approved by the Labour Minister. I will now show you that the Minister here has quoted something in a very distorted manner. Sir, you are in the labour movement and you know these things. Here he says: "This needs a revolution" that is, exploitation of man by man. The word objected to is 'revolution'. The ignorant people in the Congress Government should know very well that revolution does not necessarily mean violation of law, let alone violence. It is quite possible sometimes to bring about fundamental transformation in society through peaceful means and also by using parliamentary methods. You will remember, Sir, in this House in a different context Prime Minister Nehru was very often,

[Shri Bhupesh Gupta.] though wrongly, talking about carrying out a revolution. He used to call the Community Development project a silent revolution in the countryside. Therefore the word 'revolution' does not mean necessarily what he said. In some cases I concede revolution may be violent. In other cases it may not be so. But revolution means a fundamental transformation of social order. Are we not working for a fundamental transformation of the social order? What is wrong there?

THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI I. K. GUJRAL): Sir, en a point of order. It is strictly laid down in the rules that on a calling attention motion he can ask questions for further elucidation and clarification. He cannot deliver a speech but unfortunately . . .

SHRI BHUPESH GUPTA: Sir, I am getting tired of this Minister. On a calling attention motion you cannot ask questions. You can seek clarifications. Go and learn your rules. Sir, you ask the Minister of Parliamentary Affairs to study the rules. You will find in the rules it is stated that I can seek clarifications and precisely I am seeking clarifications. And he comes and asks me to follow the rule and ask questions. *(Interruptions)* Sir, you have young blood but the young blood is so ill-informed. I seek clarification as to why the Government thinks that the word 'revolution' means all that. Another clarification that I want is about changing the system. Of course we are all working for changing the system. They also say that they are working for building democratic socialism. It is not capitalism. You don't mean it but we mean it; that is the difference. Therefore what was wrong there, I would like to know. Then there is reference to political system. Then, he said legitimate and lawful Under some law you can marry as many wives as you like. It is lawful.

but it is not good. You will note that. The entire public opinion sometimes may think that some of the provisions of the law are unjust in a given social context, but technically lawful. Anyone who stands for social progress does find these things out. Nothing wrong in it. Sometimes we come here to amend the Constitution even in order to set things right. What was wrong there? It was only a statement of facts of our public life, a statement of reality and nothing else.

Then, Sir, I should also like you to know that here the Congress rule has been ended. It is a historical fact.

AN HON. MEMBER: It is not a historical fact.

SHRI BHUPESH GUPTA: I have carefully studied the entire statement. The Congress Party as a party has not been attacked at all. Now, all that it says is, that the twenty years of Congress rule has been ended. Did you not say, when you overthrew us in Kerala, that the twenty-eight months of communist rule had ended? What is wrong there? Now, it is a fact. People have ended that rule there. People are entitled to tell this glaring historical fact over the radio on so solemn a day as the May Day of the Working people. There is nothing wrong there.

Then, there is another point, reference to violence. No references have been made to violence or any such thing. No rule has been violated. Here it is said aspersion against the Congress Party. The Congress Party, sometimes the Ministers there pretend to be Caesar's wife. That is the trouble with It. Mr. Gulzarilal Nanda, as the Home Minister in the Union Cabinet, made a broadcast on January 1, 1965, in which he said—kindly listen:—

"There is reason to believe that the Left Communist Party has close

links with Chinese from it draws ideological inspiration and receives support in other forms."

"The Calcutta Congress of the party a couple of months ago was a landmark in the evolution of the left Communist Party as an anti-nation organisation."

That slanderous statement he made. Then he said:

"It emerges clearly that the leaders of the Party have been preparing the rank and file for armed revolution and guerilla warfare."

This was the statement made over the All India Radio, after having put the people in detention. One of them happens to be now the Deputy Chief Minister of the Government of West Bengal. Now, this was the Government at that time. Nobody stopped him from telling such atrocious lies against such a responsible political party in the country. Now, therefore they should not say such things. Yes, I should like to know whether the Government ordered the All India Radio to apologise to the listeners for having 'allowed', . . .

SHRI C. D. PANDE: (Uttar Pradesh): Sir, on a point of order..

SHRI BHUPESH GUPTA: No.
(Interruptions.)

MR. CHAIRMAN: He is on a point of order.

SHRI BHUPESH GUPTA: Sir, I obey you.

SHRI C. D. PANDE: Mr. Bhupesh Gupta has dealt with the finer principles of jurisprudence and things like that. May I know from him whether there is not a fundamental difference between pro-peking party . . .

SOME HON. MEMBERS: What is the point of order?

SHRI C. D. PANDE: I want to submit to your judgment whether there is any difference between a demo-crative party and a party which does not believe in democracy at all, a

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party that believes in overthrowing the Government by force and in league with foreign countries like China and Russia?

MR. CHAIRMAN: Please go ahead.

SHRI NIREN GHOSH: On a point of order . . .

MR. CHAIRMAN: Mr. Bhupesh Gupta, kindly go on.

SHRI NIREN GHOSH: May I know whether it is in order for Shri C. D. Pande to say what he said, because it has just now been quoted that the Government itself on the radio attacked a party. They also subverted the Kerala Government. They also subverted the Kerala Ministry in 1959. So, may I know whether it is in order for him to put that question at all?

MR. CHAIRMAN: Mr. Bhupesh Gupta, please go ahead.

SHRI BHUPESH GUPTA: I would not talk about hooligans of the Congress Party.

SHRI I. K. GUJRAL: Sir, on a point of order. The hon. Member said that I had not studied the rules. I will quote the rule relating to calling attention to matters of urgent public importance. Rule 180 (1) lays down:

"A member may, with the...."

SHRI K. S. CHAVDA (Gujarat): Sir, on a point of order, if one Member is on his legs, another should not get up.

SHRI BHUPESH GUPTA: On a point or order, two are standing there.

SHRI I. K. GUJRAL: It lays down: —

"A member may, with the previous permission of the Chairman, call the attention of a Minister to any matter of urgent public importance . . .

(2) There shall be no debate on such statement at the time it is made."

I think the hon. Member has no right whatsoever to deliver a speech. After the Minister has made a statement,

[Shri i. K. Gujral.] at the most it has been a convention here that queries can be raised or questions can be asked. I am quoting the rule, but the hon. Member chose to deliver a lengthy, boring speech at this time and make us suffer.

SHRI BHUPESH GUPTA: Sir, you have been here. We missed you all these years. Now, the position is this. Even now he does not understand it. For goodness's sake, save Indira Gandhi from such Ministers. From what he read out he did not point out that I can ask questions. All that he has said is that there shall not be a debate, that the convention is not to ask questions, but to seek clarification. Now, even now he could not understand it.

MR. CHAIRMAN: Please finish your clarification, but do not try to make a speech.

SHRI BHUPESH GUPTA: The difficulty is this. If you have Parliamentary Ministers, such ignoramuses about Parliamentary affairs . . .

MR. CHAIRMAN: No, no.

SHRI BHUPESH GUPTA: . . . these difficulties arise.

MR. CHAIRMAN: He has a right to express his point of view.

SHRI BHUPESH GUPTA: I volunteer my services, through you, to Mrs. Gandhi's Ministers to teach them a little parliamentary rules.

MR. CHAIRMAN: You can meet them outside. »

SHRI BHUPESH GUPTA: Through you. I never go anywhere near the kitchen Cabinet.

MR. CHAIRMAN: Thank you.

SHRI BHUPESH GUPTA: I would request you to read the entire speech. Again and again I have read it and these speeches are an elucidation of the policy of the West Bengal Government in regard to labour. This

is all. Therefore, very many other things are said. Perhaps you at least will have no difficulty in endorsing it, even acclaiming it, if I may say so.

Now, therefore, finally here he says:

"If we can achieve this, there will be a qualitative difference in outlook in the administration of the country; the common man of the country will be able to take active part in the administration and they will have the taste of real freedom in their every day life. To reach this goal I appeal to the working people to organise themselves on the May Day and create a tidal wave of democratic movement which will sustain the progressive forces in the society."

Tell me where is sedition? Tell me where is treason. Tell me where is provocation to violence in this matter or violation of the Constitution. All that the Minister appeals on this solemn day is to strengthen and carry forward the democratic movement, so that we can sustain everything that is progressive in our present day society. For that, and for similar statements he had been dealt with in this manner.

Now, Sir, one other clarification I should like to have, i.e., who authorised the All India Radio, Calcutta to behave in this manner? It was the Congress Government at that time. Federal principle means that in the matter of the State, All India Radio should be available to the service of the State Government within its own sphere as much as to the Centre. Now, even after this, I got into touch, through the teleprinter with the West Bengal Labour Minister, who was in Jalpaiguri, out of station. He sent me a message in which he says:

"The Congress Government i-the Centre is now enjoying a virtual monopoly in propagating its views through All India Radio."

"The present practice should therefore not be changed to give the State Government full freedom to propagate their views through All India Radio regardless of whether they are in accord with the policies of the Central Government or not."

This is the message which I have received last night from Mr. Subodh Banerji. This is his view-point. I would like to know why the Central Government or its Station Director of all people interfered with the representative of a popular Government in so important a State and so sacred a day as the May Day. Secondly, I would like to know why the matter is not being thrashed out. You may be knowing from the newspapers that West Bengal Government has decided after that affront and insult that no Minister shall go to the All India Radio to make a speech. Is that how a federal system should work? The All India Radio can say whatever they like. They can make Bengali or any broadcasts from Delhi and give their version on the food situation.

SHRI A. D. MANI (Madhya Pradesh): Sir, on a point of order. I have not raised a point of order so far. May I ask whether we are listening to questions put to the Minister because a number of us . . .

SHRI BHUPESH GUPTA: It will go on for two hours.

SHRI A. D. MANI: We would like to have clarifications of the answer.

MR. CHAIRMAN: Mr. Bhupesh Gupta, you have spoken for nearly half an hour. Will you kindly ask questions on clarifications you wanted? I shall ask the Minister to reply to you.

SHRI BHUPESH GUPTA: You will give plenty of time to all of us because here it is a question of Centre-State relations. The States are represented here. Therefore, you will give a little time. You must

kindly understand and appreciate why I am saying this. Today you see people in West Bengal do not have the opportunity of listening to their Ministers, when from the All-India Radio they are making Bengali, Hindi and English broadcasts to put across their view-point, whatever they like to say, about food and other situations. Not only that, this is a part of their game. Last week Mr. Chavan was in Calcutta. He spoke publicly on the law and order situation in the State, castigated the Bengal Government directly, provoked the people to do something—again a violation of the federal principle. He had no business, law and order is an absolutely State subject.

MR. CHAIRMAN: Kindly refer to the present matter.

SHRI BHUPESH GUPTA: It is a part of the game. It is a part of the grand conspiracy against a non-Congress Government. What Mr. Chavan did is a continuation of the monstrosity perpetrated by the blessed All India Radio. Mr. Chavan would be entitled to communicate privately whatever he likes to say about law and order.

MR. CHAIRMAN: He is not here. Let us not discuss about Mr. Chavan. You have clarified your points so that I would now ask the Minister to reply.

SHRI BHUPESH GUPTA: Therefore, you find that a serious situation has arisen. It is not merely a question of censoring something. In the first instance it was an insult to the people of West Bengal that the popularly elected Labour Minister should be treated like this by a tiny Director of the Calcutta Station of the All India Radio. We prevented a serious situation because people wanted to go to All India Radio and have it out with these people. But the Government did not allow such things, the leaders did not allow such things.

MR CHAIRMAN: You have finished your points. Now I shall ask the Minister to reply.

SHRI BHUPESH GUPTA: The point is whether in this matter the State Government will be put on a par with the Central Government, and so far as the State matters are concerned there should be a convention and the rule should be changed in a manner so that nobody here, certainly not this Government, has any authority to interfere with the freedom of speech of Ministers in the All India Radio so long as they conform to public decency, public morality and certain other fundamental tenets of public life.

DIWAN CHAMAN LALL (Punjab) : Sir, before you ask the hon. Minister to give his explanation, may I request the hon. Minister to lay the document, the text of the speech? If he has got it, may I ask him to lay the text on the Table of the House?

SHRI K. K. SHAH: May I first of all assure my friend that whatever restrictions are imposed will be observed by us first? Therefore, he need not worry that they are treated in one way and the other party will be treated in another way.

SHRI G. MURAHARI (Uttar Pradesh) : Restrictions always suit you. That is the whole trouble.

SHRI K. K. SHAH: I want to clarify. It was true that he refused to speak on the 'gherao' but he said that he would speak on the May Day. That* is true.

SHRI BHUPESH GUPTA: On that even he is not correct, I have to point it out. Dismiss the whole lot from the All India Radio. You apologise for trying to mislead the House.

SHRI K. K. SHAH: If you have got a wrong impression I am sorry. My friend has now tried to interpret the speech in a different way. Even with reference to the context I want to convince my hon. friend that there can be no other interpretation by

anybody who reads this line. I will read a few sentences earlier and a few sentences later so that you will be satisfied that it is not an excuse which has been trotted out with a view to preventing the May Day speech of the hon. Minister. I also want to assure him that on matters of policy without naming the party and without saying anything against the Constitution any State Government will be free to say anything about their policies from the All India Radio and nobody will prevent them. What more do they want? I will read them :

"To bring liberation to solve the basic problems of the people and to open the door of social progress, the capitalist social order is to be replaced by a socialistic system where there is no exploitation. For this, a revolution is necessary, ..."

(*Interruption*) You

just wait.

SHRI BHUPESH GUPTA : You are violating

SHRI K. K. SHAH:

"... election is no revolution, through we have formed the Government through election. Secondly, if we want to get rid of exploitation, there is need for changing the political system."

(*Interruption*)

MR. CHAIRMAN: He must be heard. The whole House heard you.

SHRI BHUPESH GUPTA: If you order us, we will obey you. But I tell you we are not accustomed to an exhibition of ignorance.

MR. CHAIRMAN: I should like that you should hear him.

श्री गोडे बुराहरी : मेरा एक सबमिशन है.

AN HON. MEMBER: It is a case of perversion.

MR. CHAIRMAN: I shall give you many chances to speak. Let us hear the Minister.

SHRI K. K. SHAH: May I again remind ^he hon Member the principle I have enunciated that the All India Radio all throughout does not allow anybody to refer to any political party by name?

SHRI BHUPESH GUPTA: What did you do . . .

SHRI K. K. SHAH: My hon. friend is reading a printed speech. He has not given me notice. If he had given me notice, I would have found whether it has happened or not happened. I am not in a position to contradict.

SHRI NIREN GHOSH: You come here to clarify and you are pleading ignorance.

SHRI K. K. SHAH: How many records do you want me to go through? There are a number of instances.

SHRI BHUPESH GUPTA: How is it that you did not go through the records? He should talk responsibly. He went through the record of Sahai and not G. L. Nanda. Mr. Rajagopalachari you brought in because he does not belong to your party.

SHRI K. K. SHAH: My dear Sir . .

SHRI M. M. DHARIA: (Maharashtra) : Why should Mr. Bhupesh Gupta disturb the House? He has not understood it. What is it?

SHRI BHUPESH GUPTA: I said nothing.

श्री राजनारायण (उत्तर प्रदेश) :
भूपेश गुप्त सदन की कार्यवाही में बाधा नहीं
डाल रहे हैं। माननीय मंत्री जी गलत बयानी
करके गलत ढंग से पढ़ रहे हैं। मैं आपसे
रिक्वेस्ट करूंगा कि माननीय मंत्री जी से कहें
कि कोई स्पीच देने के पहले या एक्सप्लेनेशन

देने के पहले कस्टोडियन को पढ़ें। आल
इंडिया रेडियो कार्ड मीपर कस्टोडियन नहीं
लाद सकता।

MR. CHAIRMAN: Mr. Rajnarain, please sit down. I am going to give a chance to others to speak after even the Minister has explained and made a clarification.

SHRI RAJNARAIN: I have to hear the Minister? He has not explained anything.

MR. CHAIRMAN: He has a right to be heard. As I have allowed you to explain your point of view, you must also allow the Minister to explain his point of view, and I shall give some occasion for you. (Interruptions) Please Let there be silence. Let us hear him.

SHRI K. K. SHAH: "Is this not enough to show that the judiciary lost its neutrality during the Congress administration?" Now, is that not an aspersion on the judiciary? And my friend has nothing to say about this. On the contrary, I thought . . . (Interruptions.)

SHRI CHANDRA SHEKHAR (Uttar Pradesh): Mr. Chairman, I have a suggestion to make. By continuous interruptions, it seems that the hon. Members in the Opposition are not inclined to hear anything from this side.

SEVERAL OPPOSITION MEMBERS: No, no.

SHRI CHANDRA SHEKHAR: Do not say, "No, no." I am not Mr. K. K. Shah, I will reply to you. I know what people you are.

SHRI BHUPESH GUPTA: You are not Mr. K. K. Shah, you are a far better person.

MR. CHAIRMAN: I must say this emphatically that you hear when the Minister is speaking and then you will have an occasion; I shall allow you to speak. I do not want this kind of noise, this will not help us to conduct the business in a dignified manner.

SHRI CHANDRA SHEKHAR: Sir, I was making a suggestion—and I shall request the Minister also to consider it—that all the Members in the Opposition, especially the brilliant exponents of the propagation theory, should be given all opportunity to have their say for two, three or four hours. Two days back they were very serious about the food problem, now the greatest problem of the country in their eyes is the speech of Mr. Subodh Banerjee. So, Mr. Chairman . . . (Interruptions).

MR. CHAIRMAN: Let the Members take a vow not to make any noise till the Minister replies and I shall give them a chance, the right to . . .

SHRI BHUPESH GUPTA: It will be extremely painful; still I take it.

DR. D. R. GADGIL (Nominated): May I make a suggestion, sir? I do not think it would be right to go into this, if you really want to discuss this, until we have the script in our hands. I would very strongly support Diwan Chaman Lal's suggestion that the script be placed before the House because, as I found, the Minister read bits here and there. Sometimes he thought that they were inflammatory or objectionable; then perhaps he seemed to change his mind and went on to something else. Unless we have the whole script before us, it really becomes difficult, and we would be merely wasting the time of the House.

SHRI K. K. SHAH: I am surprised that a friend who has known me all these years, Dr. Gadgil—with great respect to him—should say this. He knows that I do not argue any point on facts which are not correct. He knows that. I have no objection if the Chairman orders about it.

DR. D. R. GADGIL: I was not at all suggesting that the Minister's facts were wrong; I merely suggested that his view on some sentences might change.

SHRI K. K. SHAH: I have read and re-read it. I want the House, Sir, to realise that. I am not on this

point whether something is said in praise of somebody or something is said by somebody against some other body. My point is that no party should be mentioned by name on the AIR. You will have a right to propagate any point of view. The only reason why I am saying that is that if one party is named, the other party will also ask for facilities to name the other party. This will go on *ad infinitum*. It will be impossible for the AIR to restrict one party to five times and to restrict another party to ten times and therefore, a very sound principle has been accepted. So far as the views are concerned, nobody said 'No'. So far as the naming is concerned, I quoted the speech of Shri Rajagopalachari wherein something was said 'in praise of the Congress Party but still that reference to the Congress Party was removed because then, if somebody says today something by naming some party in one way, some other body might say in the other way. So, I request the House, I request my hon. friends in the Opposition, to kindly take into consideration only this point—the point is whether this House in its wisdom, whether the Members of the Opposition in their wisdom want a kind of convention whereby political parties will be named on the All India Radio and a perpetual, recriminatory war should go on or whether it is wise that all parties including the ruling party should not name any other political party on the All India Radio so that the names of all political parties are removed and you will be justified....

SHRI D. L. SEN GUPTA (West Bengal): Sir, on a point of order.

MR. CHAIRMAN: What is it?

SHRI D. L. SEN GUPTA: My point of order is this. Does it mean that to say anything against capitalism or in favour of revolution is ascribing something for or against any person or party? That is my question.

MR. CHAIRMAN: There is *no* point of order.

SHRI K. K. SHAH: The second point that I am propagating, placing before the House in all humility for the consideration of all Members irrespective of . . .

SHRI BHUPESH GUPTA: On a point of order. He said, "The second point that I am propagating.." You should not ask him to propagate anything, you should ask him to clarify.

SHRI K. K. SHAH: Yes, yes, I am clarifying, I am placing before the House. Propagation is also clarification.

SHRI BHUPESH GUPTA: No.

SHRI K. K. SHAH: As a lawyer, I join issue with you on that.

The second point which also must be brought to the notice of the Members in clarification is that the Constitution is sacred and nothing should be allowed to be said by any party against anything that is provided in the Constitution. These are the only two restrictions.

SHRI AKBAR ALI KHAN (Andhra Pradesh): And the judiciary.

SHRI K. K. SHAH: Of course, the judiciary is a part of the Constitution. I do wish that these restrictions are observed by all of us. Let us for the time being forget that we belong to different parties. The All India Radio belongs to the entire country. All parties are entitled to make use of it. Let us observe certain conventions. Even what my hon. friend, Mr. Bhupesh Gupta, wants is that the State Government should be put on a par with the Central Government. Now, if the Central Government is observing certain restrictions, then are the States not placed on a par with the Central Government? If I were going to ask that something should be allowed to be done by us and that something should not be allowed to be done by you, then I can understand it. But when something is being restricted, when all parties are restricted, don't you think that the State Governments and the Central Government are placed on a par?

DIWAN CHAMAN LALL: You place the document on the Table of the House.

SHRI A. P. CHATTERJEE (West Bengal): Mr. Chairman, Sir, the problem seems to have been simplified to the point of absurdity. It is not a question of referring or not referring to a particular party by name. I do not understand also **why** actually the Minister should be so chary that a particular party should not be named in a broadcast over the All India Radio. If he had said further that a particular party should not be vilified or should not be censured or that something should not be said against it which would lower its prestige in the eyes of the public, well, I can understand it. But when he says that a particular party should not be named, I think the Minister puts too wide and too broad a construction, and that cannot be the norm of any speech which can be delivered by a Minister over the All India Radio. Mr. Chairman, Sir, the question here is: Which parts were really taken exception to by the Station Director of All India Radio? Am I to understand that the Station Director as well as the Minister here had objection to the words "Long live revolution". These are not words to which exception was taken by the Station Director of All India Radio. It has also not been stated by the Minister that he has taken exception to these ending words "Long live revolution". If that is so, thereby really hangs the entire tale.

Really what has happened is this. Mr. Subodh Banerjee, Minister of Labour, has expressed an opinion. His opinion is this that if we are to get rid of the shackles of capitalism, to get rid of the iron chains of capitalism, then it is possible only in one way. And what is that way? He has said that that is the way of revolution. That is an expression of opinion, and a Minister has the right to express an opinion as any ordinary citizen has. If, for example, an ordinary citizen can say that capitalism cannot be done away with unless there

[Shri A. P. Chatterjee.] is revolution, if I say this in a public meeting in the town of Delhi, would that be sedition, would that be anything said against the principles of the Constitution, would that be anything said against the fundamentals of law? Now, if that is not so, if Mr. Subodh Banerjee had said that he needed revolution, how can you say that this expression of opinion cannot be made 'by a Minister over the All India Radio? Here there is no excitement to revolution. He has never said that "you people of Bengal should go into revolution immediately". Mr. Subodh Banerjee did not say that the people of Bengal would go to revolution. Whether Mr. Shah, the Minister of Information and Broadcasting, wants it or not is a different question. Here is a translation of the speech in which the hon. Minister never asks the people to go in for revolution. May I read extracts from his speech to which Mr. Shah, the Minister of Broadcasting, has referred? It says:

"If this emancipation has to be effected . . . then the capitalist order must be replaced by a socialist system . . ."

I think on those benches no voice will be courageous enough to raise an objection to these words, namely:

"the capitalist order must be replaced by a socialist system . . ."

I do not think any one on the Congress Benches, including those who secretly do not agree with it, would dare raise objection to this sentence that the capitalist order has to be replaced by a socialist system. This is an expression of opinion by the Minister of Labour. He says:

"If this emancipation has to be effected... then the capitalist order must be replaced by a socialist system free from all sorts of exploitations of man by man. This needs revolution."

That is what he said. That is his opinion. Then what does he say afterwards? He says that "Election is not a revolution".

SHRI A. D. MANI: On a point of order, Sir. Are we again having speeches?

SHRI A. P. CHATTERJEE: No, Mr. Mani, I am asking for clarification.

SHRI A. D. MANI: I am on a point of order. The matter is so important that on this subject instead of having speeches we should ask for clarification.

MR. CHAIRMAN: Mr. Chatterjee, may I say that you are making a speech? Mr. Bhupesh Gupta wanted clarification on certain matters. I would like you to put some questions which have not been raised by Mr. Gupta.

SHRI A. P. CHATTERJEE: I am asking for clarification.

MR. CHAIRMAN: You may ask for clarification on questions that were not put by Mr. Gupta. Mr. Gupta wanted clarifications and the Minister gave replies. You also kindly do the same. After all, we should have finished the whole thing within half an hour. I am allowing you a long time because it is an important matter on which people have different views.

SHRI A. P. CHATTERJEE: I respectfully bow to your order. But I will only say this, Mr. Chairman, that you will not listen to persons like Mr. Mani who seem to be particularly confused.

MR. CHAIRMAN: I will listen to every one in reason.

SHRI A. P. CHATTERJEE: Therefore, I am asking this question whether a person has a right to express opinion and express opinion to the extent that a capitalist system of society cannot be replaced except by a revolution. It is an expression of opinion. Let him clarify whether I can or cannot make that propaganda on a public platform, whether I can or cannot make that expression of opinion outside. And if a Minister gives expression to that opinion, then

Can it be said that the Minister went beyond his bounds? That is the first Clarification which I want from the Minister.

The second clarification which I want from the Minister is this. Mr. Subodh Banerjee said that election is not a revolution. I want the Minister to clarify whether he thinks that election is a revolution. I think the very posing of the question will immediately show the absurdity of the position, if he takes the position that election is a means of revolution. If we are to take the dictionary meaning of the term, if we are to take the historical sense of the word, revolution cannot include election. So if Mr. Subodh Banerjee said that election is not a revolution, then did the Minister go beyond his bounds? I ask clarification from the Minister on that point also. Did the Minister go beyond his bounds when he said that election is not a revolution? It is such an obvious fact. It is an obvious statement of the actual state of things. He will kindly give a clarification on that point.

Next, I will ask the Minister also to point out—this is also *on* a point of clarification—in which portion of the speech that the hon'ble Minister of Labour wanted to give over the All India Radio, Calcutta Station there is any incitement to revolution. Can he show any part of the speech where it can be said that the Minister of Labour gave an incitement to revolution? Mr. Chairman, I will give only some portions from the speech. The Minister of Labour said that election is not a revolution. Then he said:

"... if exploitation has to be terminated, the socio-economic-political structure must change. A change of government is not a change in the socio-economic-political structure."

This is also an expression of opinion. He has also said that we have formed a United Front Government, and if there are handicaps under which the

United Front Government has to work, we can introduce certain essential reforms in regard to labour legislation. That is what he has said. Can he point out any portion of the speech where it can be said that the Minister of Labour gave an incitement to revolution? That is the third clarification which I want from the Minister of Broadcasting.

Next thing which I shall ask 'the hon. Minister is this.

SHRI K. K. SHAH: Three clarifications are sufficient.

SHRI A. P. CHATTERJEE: You can note down all the points and then reply. I am putting very clear, concrete questions to you.

MR. CHAIRMAN: Be as short as possible.

SHRI A. P. CHATTERJEE: He is evading, the reply. Mr. Chairman, the Minister said that in the speech of the Minister of Labour there is a reflection upon the judiciary. Where does he get that idea may I ask? May I read from the translation of the speech? The speech says like this:

"... In strengthening the movement for emancipation from exploitation, in terminating the vicious circle in administration, and even in restoring independence of the judiciary which it had lost during the Congress regime, it was necessary that the Congress should be defeated."

Here is a solicitude for the independence of the Judiciary. There is nothing here which barter away the independence of the Judiciary. Here there is, of course, a reflection upon the Congress regime that the Congress regime had tried to interfere with the independence of the Judiciary.

SHRI AKBAR ALI KHAN: I do not think the Judges ever yielded to any pressure? Is it not a reflection?

1 P.M.

SHRI A. P. CHATTERJEE: No, it is not stated there.

SHRI BHUPESH GUPTA: I have lost my property. You may be a thief. How is it a reflection on me?

SHRI M. M. DHARIA: On a point of order. I would like to draw your attention to Rule 240 which says:

"The Chairman, after having called the attention of the Council to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech."

Sir, now my submission is
(*Interruption*). I am on a point of order. My point of order is I have listened to the speech of Mr. Bhupesh Gupta. All the points that are now being stated here by my friend, Mr. Chatterjee, have been stated by Mr. Bhupesh Gupta. The speech of Mr. Chatterjee is nothing but a repetition, irrelevant repetition, of the points raised by Mr. Bhupesh Gupta. Therefore, Sir, when it is nothing but a repetition and when they have been already replied to by the hon. Minister, I would request you to request Mr. Chatterjee to stop his speech because it is absolutely irrelevant and he is unnecessarily wasting the time of the House.

MR. CHAIRMAN: Mr. Chatterjee, do not repeat the same questions that were raised by Mr. Bhupesh Gupta. If you have got any new points to put forward, kindly do so. You are a very able speaker, You kindly put the new points.

SHRI BHUPESH GUPTA: Mr. Chatterjee is not exactly repeating.

(*Interruptions*).

SHRI A. P. CHATTERJEE: Let there be a comparison between the script of Mr. Bhupesh Gupta and the

script of the speech what I have said just now. If there is no repetition, then Mr. Dharia should apologise to this House.

MR. CHAIRMAN: I appreciate the spirit of your speech. There is no question that it is a wonderful speech. But at the same time, I would like you not to waste the time of the House by putting the same questions that were put by Mr. Bhupesh Gupta. Try to put them as briefly as possible. Let us not waste our time.

SHRI BHUPESH GUPTA: Yew allowed Mr. Dharia to raise a point of order. There is also a rule a convention, not to allow frivolous points of order. Now, therefore, Sir, Mr. Chatterjee was not repeating my points. He was giving a strictly jurisprudential, legalistic and constitutional interpretation of what I have commonly placed.

MR. CHAIRMAN: Mr. Chatterjee, you will help me by asking for only short clarifications.

SHRI A. P. CHATTERJEE: Mr. Chairman, I am asking for clarifications. Now if the clarifications are many, well, I cannot help it because the speech of the Hon. Minister of Broadcasting was confusion worse confounded and unclarity more unclarified. Therefore, the clarifications must be more in number. That is why I have to put in more questions for clarification. Now, Sir, I was putting this to the hon. Minister for clarification. The words used are "... restoring the independence of the judiciary which it had lost during the Congress regime." Now I will pointedly ask this question: Is there anything in this sentence by which it can be said that there is a reflection on the judiciary? I will rather say that it is quite clear from the language in which it is put, the language being what it is and capable of no other explanation or meaning, that it only means that the Minister had expressed solicitude for the independence of the judiciary and, therefore, he was asking that the independence of the judiciary should

be restored because the Congress regime had tried to interfere with the independence of the judiciary, had tried to tamper with its independence. Is it something that amounts to a reflection on the judiciary? On this ground, can it be said that the Minister went beyond the limits and that the Minister should not be allowed to make his speech? Now, Mr. Chairman, Sir, I will place another thing also before the hon. Minister. If on all these points, the speech of the Labour Minister is beyond reproach, then actually what impelled this particular Station Director of All India Radio to interfere with the speech of the Labour Minister? Are we to understand that he was acting under the orders of the Director-General of All India Radio who, the whisper goes, is associated with the International Cultural Centre through his wife, a Centre which is aided by the C.I.A. funds? Was it the voice of America which he obeyed? Was it the voice of Jacob . . .

MR. CHAIRMAN: These things need not be referred to. You straightway put the question.

SHRI A. P. CHATTERJEE: This is what the question is. Was the Station Director acting under the orders not of the Ministry but of the Director-General of All India Radio, namely, Mr. Menon, whose very close relation seems to be associated with the International Cultural Centre which everybody knows, is aided by C.I.A. funds? The hands were the hands of Esau but the voice was the voice of Jacob. Was it the voice of Jacob or the voice of the Wall Street of America that he was obeying?

Lastly, I shall place this pointedly before the hon. Minister. Who is this busy body, the Station Director of All India Radio? What Constitutional or legal right has he to stand in a supervisory capacity over this speech that the Minister had to give through All India Radio? Mr. Chairman, Sir, you know that according to the Constitution, the executive power of the State will extend to all the items over

which the State has power to enact legislation under list II of the Sixth Schedule of the Constitution. Now if the State does anything which is within its Constitutional competence, if the Chief Minister does anything which is within its Constitutional competence, if the State Minister does anything which is within its Constitutional competence, then the Director—he may be a Central Government servant—cannot interfere with the action or the words or the sayings of the State Ministers because the State Ministers are supreme and the State Government is supreme within the field allotted to them, under List II and also the Concurrent list, unless the powers are taken away by a Union legislation. So long the State Government is restricting itself within the special field allotted to it, the All India Radio Director or any Central Government servant cannot interfere, cannot tamper, with any words, any deeds of the State Government concerned. Will he clarify under what Constitutional and legal authority this Station Director of All India Radio interfered with the legitimate activities of a State Minister —activities which were completely within the competence of the State Government?

There is another thing also. The hon. Minister has referred to Mr. Rajagopalachari's broadcast . . .

MR. CHAIRMAN: What is the question you are raising about Mr. Raja-gopalachari's speech? It is not relevant. Kindly sit down.

SHRI A. P. CHATTERJEE: It is relevant. I am showing how it is relevant. He has quoted the instance of Mr. Rajagopalachari's broadcast. His broadcast was a broadcast as a Governor who as a Constitutional head, has to be guided by the Ministry concerned. Can the broadcast of a Governor be equated with the broadcast of a Minister?

MR. CHAIRMAN: That is a matter of opinion. Kindly sit down.

SHRI A. P. CHATTERJEE: I am saying this because he has referred to that point. Mr. Chairman, Sir, he has

[Shri A. P. Chatterjee.] justified the interference with Shri Subodh Banerjee's speech by saying that Mr. Rajagopalachari's speech was similarly interfered with. I have a right to seek a clarification on that point. How is it irrelevant, Sir? This is what I am saying and this will prove its relevance. Mr. Rajagopalachari was the Governor-General and he was the constitutional head and he had to carry on his activities in accordance with the provisions of the Constitution. He could not say anything, he could not do anything unless he was advised and aided in that matter by his Council of Ministers. But can Mr. Rajagopalachari's broadcast be placed on the same par, on the same level with the broadcast of a Minister because, under the Constitution, he is an executive head, so to say, well, accordance to the substance of the Constitution. Therefore, as far as reference to Mr. Rajagopalachari's broadcast is concerned, that has nothing to do with Minister Subodh Banerjee's broadcast. These are the clarifications I seek.

MR. CHAIRMAN: Very good. Mr. Rajnarain. Make short and sweet remarks.

श्री राजनारायण : श्रीमन,

SHRI D. L. SEN GUPTA: On a point of order, Sir. Our names appear in the order list; it is our question . . .

श्री राजनारायण : अभी तो हमारा नम्बर है, इसके बाद आप का आयेगा।

श्री डी० एल० सेन गुप्ता : आयेगा, तो ठीक है।

श्री राजनारायण : श्रीमन, आप जानते हैं कि अपने अपने मन के मुताबिक एक बात किसी को मोठी लगती है और वही बात दूसरे को खट्टी और तोखी भी लग सकती है। इस लिये मैं नहीं जान सकता कि मैं जो बात कहूँगा वह स्वीट होगी, मोठी होगी या नहीं। मगर मैं आपके जरिये स्पष्टीकरण करते हुये सुझाव देना चाहता हूँ, सुझावात्मक स्पष्टी-

करण करना चाहता हूँ। माननीय मंत्री जी को जो रेडियो स्टेशन के डाइरेक्टर साहब हैं उनका वकील बनकर इस सदन के समय को नष्ट करने की कृपा नहीं करनी चाहिये। माननीय मंत्री जी को हमने जो कुछ सुना है, उन्होंने वकालत की है और वकालत भी किसी हाईकोर्ट या सुप्रीम कोर्ट में नहीं की है बल्कि किसी तहसील में की है।

श्री कै० के० शाह : नहीं, नहीं, ऐसा कहना ठीक नहीं है।

श्री राजनारायण : मैं चाहूँगा कि माननीय मंत्री जी अब आगे उठने के पहले कांस्टिट्यूशन को पढ़ें। माफ कीजियेगा हमारे पास अंग्रेजी का है, ज़रा हिंदी का हो तो दे दाजिये।

19 वें अनुच्छेद में यह है :

"Right to Freedom All citizens shall have the right to freedom of speech and expression" * * *

इसी से हमारा मतलब है। नौसे और बहुत सी बातें भी हैं। आप स्वयं यह सब जानते क्योंकि आप एक कुशल मजहूर नेता हैं रह चुके हैं। तो मेरा निवेदन है कि क्या मंत्री जी संविधान के अन्दर जो अधिकार एक नागरिक को प्राप्त हैं उनको छीनना चाहते हैं और यदि खुद नहीं छीनना चाहते हैं तो रेडियो के डाइरेक्टर से छिनवाना चाहते हैं। मैं नम्रता के साथ कहना चाहूँगा कि सदन सरकार को या रेडियो के स्टेशन डाइरेक्टर को ऐसा करने से मना करेगा और अगर वे नहीं मानेंगे तो उसके ऊपर उचित कार्यवाही करेगा। मैं आपसे ईमानदारी से कहना चाहता हूँ कि अगर मैं मंत्री होता और हमारे में यह ताकत हुई होती तो उस डाइरेक्टर को इस पद से बहुत पहले ही हटा दिया होता।

इस सदन में आने के पूर्व क्या मंत्री जी ने कभी कोशिश की है लेबर मिनिस्टर साहब की पूरी तकरीर को पढ़ने की और

पढ़कर समझने की ? मैं उनको सुझाव देना चाहता हूँ कि अगर इस तरह की स्पीच पर आगे बेकूब कहना चाहें, तो श्रीमन्, आपकी खिदमत में मंत्री जी हाजिर हो जायें। मैं समझता हूँ कि इस श्रम मंत्री के पूरे बयान को यदि आपके ऊपर छोड़ दिया जाय तो आप यही फैसला करेंगे कि इसमें तनिक भी आपत्तिजनक बात नहीं है। मैं गाडगिल साहब की राय से सहमत हूँ, क्योंकि मैं भी संसदीय परम्परा का एक विद्यार्थी हूँ छोटा हूँ, कि इसकी कापी बहुत पहले से लोगों के पास पहुँच जानी चाहिये थी, लोग अध्ययन करके आते ताकि मंत्री जी जो इधर उधर से काट कूट कर पूरे प्रसंग से एक सेंटेंस को निकालकर पढ़ देते हैं, वह अर्थ का अनर्थ न कर पाते।

श्री के० के० शाह : आप के पास तो है।

श्री राजनारायण : हाँ, हमारे पास पूरी कापी है। श्रीमन्, मैं जानता चाहता हूँ माननीय मंत्री जी से कि क्या पश्चिम बंगाल के श्रम मंत्री रेडियो ब्राडकास्ट कर रहे थे किसी लव अफेयर के बारे में, किसी मुहब्बत के बारे में। वे रेडियो ब्राडकास्ट कर रहे थे पहली मई के बारे में। पहली मई का एक अंतर्राष्ट्रीय महत्व है। पहली मई क्यों आई। मैं कहना चाहता हूँ कि लेबर मिनिस्टर को इससे ज्यादा कहना चाहिये था कि पहली मई आई क्यों और पहली मई का अंतर्राष्ट्रीय महत्व क्या है। पूँजीवादी व्यवस्था, समाजवादी व्यवस्था और सामान्य जनतंत्रीय व्यवस्था में क्या फर्क है। अगर लेबर मिनिस्टर पहली मई को रेडियो ब्राडकास्ट के मौके पर पहली मई की सिगनिफिकेंस को नहीं बतायेगा तो वह अपने कर्तव्य से च्युत होता है। इसलिये मैं कहना चाहूँगा कि माननीय मंत्री जी पहली मई के महत्व को समझने की कृपा करें। लेबर मिनिस्टर ने तो बहुत कम कहा है, मुझे कहना होता तो मैं बहुत कहता। श्रीमन्, मैं यह पूरना चाहता हूँ कि जिस तरह से संयुक्त सरकार पश्चिम

बंगाल में कायम हुई और वहाँ पश्चिम बंगाल की जनता में, पश्चिम बंगाल के मजदूरों में जो एक उत्साह, उमंग और हक हासिल करने की भावना पैदा हुई है, क्या उसके बारे में लेबर मिनिस्टर कुछ नहीं कहे। लेबर मिनिस्टर की क्या गलती है। अगर लेबर मिनिस्टर यह कहना चाहता है कि तुम्हारे अन्दर बहुत सी उम्मीदें बन्धी हैं, मगर हम किस हालत में आये हैं, कोई आंतिकारी परिवर्तन नहीं हुआ है, हम चुनाव से जीत कर आये हुये हैं तो इसमें क्या बुराई है। मैं लेबर मिनिस्टर की एक राय से सहमत नहीं हूँ। मैं साफ कह दूँ। एलेक्शन और रेवोल्यूशन, दीङ्ग आर टू थिंग्स, यह सही बात है, मगर एलेक्शन रेवोल्यूशन का माध्यम नहीं हो सकता, अगर लेबर मिनिस्टर की यह राय है, तो मैं इससे सहमत नहीं हूँ। मैं जानता हूँ कि एलेक्शन एक माध्यम है, एलेक्शन एक साधन है क्रांति का। रेवोल्यूशन का क्या मतलब होता है, यह श्रीमन् आप हम से अच्छी तरह से, बढ़िया तरीके से माननीय मंत्री जी को बुला कर के समझा सकते हैं। रेवोल्यूशन और एवोल्यूशन, दीङ्ग आर टू वर्ड्स। एवोल्यूशन का हिन्दी अर्थ मात्राभेद और रेवोल्यूशन का होता है गुणभेद। रेवोल्यूशन का मतलब है क्वालिटेटिव चेंज, न कि क्वाण्टिटेटिव चेंज इसलिये लेबर मिनिस्टर ने अपने संवैधानिक अधिकारों का प्रयोग किया है अपने वक्तव्य में जो कि वह पहली मई को देना चाहते थे। मैं समझता हूँ कि लेबर मिनिस्टर ने अपने आप को बहुत ही रेस्ट्रेंट किया है और बहुत ही सोच समझ कर उन शब्दों को वहाँ पर रखा है। लेबर मिनिस्टर ने अगर यह कहा तो क्या बुरा कहा।

MR. CHAIRMAN: You kindly do not defend the Labour Minister. Put questions to the Minister.

श्री राजनारायण : वही तो मैं पूछ रहा हूँ। मैं जानना चाहता हूँ कि यह सरकार चाहती क्या थी या रेडियो के स्टेशन डाइरेक्टर चाहते क्या थे। लेबर मिनिस्टर साहब वहाँ पर क्या

[श्री राजनारायण]

कहें। क्या नोटकी के बारे में बयान दें, किसी मंत्री के लड़के-लड़की की शादी के बारे में बयान दें। मैं लेबर मिनिस्टर, लेबर मिनिस्टर मुनते मुनते थक गया। मैं कहना चाहता हूँ कि लेबर मिनिस्टर के बयान को मैं जितना पढ़ता हूँ, हमारी तबियत मस्त हो जाती है। अगर लेबर मिनिस्टर यहां होते तो मैं उनको चूम लेता। मैं यह कहना चाहता हूँ कि क्या माननीय मंत्री जी यह चाहते हैं कि मजदूरों से लेबर मिनिस्टर यह न कहे कि ऐ मजदूरों, सामाजिक और आर्थिक परिवर्तन जो तुम चाहते हो वह तब तक नहीं होगा जब तक कि पूँजीवादी व्यवस्था नाश नहीं होगी क्योंकि आज पूँजीवादी व्यवस्था कायम है। मैं जानना चाहता हूँ कि क्या कोई भी कांग्रेस के अंदर ऐसा हयादार बाकी है जो यह कह सकता है कि मिश्रित अर्थव्यवस्था इस समय नहीं चल रही है। मिश्रित अर्थव्यवस्था के माने क्या हैं। मिश्रित अर्थव्यवस्था के यही माने हैं कि पूँजीवादी व्यवस्था भी हो, इंडि-विजुअल सेक्टर भी हो और पब्लिक सेक्टर भी हो। यही तो मिश्रित अर्थव्यवस्था है। तो इस बारे में लेबर मिनिस्टर कहता है कि क्या हो। यहां पर हमारे माननीय राज्य सभा के सम्मानित सदस्य सप्रू साहब बैठे हुये हैं। वे जज रह चुके हैं, मैं उनकी बड़ी इज्जत करता हूँ। अगर लेबर मिनिस्टर कहता है कि 20 साल तक कांग्रेस शासन में न्याय-पालिका और कार्यपालिका में अन्तर नहीं हुआ, न्यायपालिका स्वतंत्र नहीं हुई तो क्या यह असत्य है? इससे कम कोई क्या कहेगा। क्या किसी रेडियो स्टेशन के डाइरेक्टर को यह ताकत दे दी जायगी कि वह हमारे मुल्क को ताले बन्द कर दे इस सत्य को भी न कहने दे कि न्यायपालिका स्वतंत्र नहीं हुई है। मैं जानता हूँ कि न जाने कितने राज्यों के बारे में जहां पर न्यायपालिका और कार्यपालिका का सेपरेशन पूरा नहीं हुआ है। आज न्याय पालिकाएं टूट रही हैं। मैं आपके जरिए चाहता हूँ कि माननीय मंत्री जी इलाहाबाद आई कोई का पुराना अंग्रेज जज लूथर जब जा रहा था

तो उसने एडवोकेट के सामने ब्यान दिया था उसको पढ़ें। वह क्या कहता है? दुनिया के कानून के जानकार कहते हैं कि यहां न्याय-पालिका, कार्यपालिका से दबती जा रही है। तो डाइरेक्टर को इतनी हिम्मत हुई कि उसने मंत्री के बयान को रेडियो से ब्राडकास्ट नहीं होने दिया। मैं सदन से कहना चाहता हूँ कि मैं रहता तो मैं रेडियो स्टेशन पर गया होता और डाइरेक्टर साहब से कहता गट्टा पकड़ कर कहता कि तुम निकलो, तुम संविधान की हत्या कर रहे हो, मौलिक अधिकार की हत्या कर रहे हो, तुम्हारे जैसे डाइरेक्टर को रहने की आवश्यकता नहीं है। ये मंत्री यहां पर बैठ कर अनाप शनाप सफाई दे रहे हैं। कांग्रेस के समझदार लोग भी किस तरह की बात कर रहे हैं। आप लेबर लीडर रहे हैं, कांस्टीट्यूशन बनाते समय भी रहे थे, आपने एलाऊ कैसे किया। आपके रहते . . .

MR. CHAIRMAN: Now you must finish. You must finish now. You have taken too long a time.

SHRI RAJNARAIN: Yes, yes. I must finish this bad Congress regime at the Centre.

MR. CHAIRMAN: Yes, yes. You must finish your speech. I must ask other Members to speak.

श्री राजनारायण : देखिए हम रिपीट नहीं कर रहे हैं। श्रीमन् लेबर मिनिस्टर यह कहता है कि जनतांत्रिक परिवर्तन के लिए मजदूर को तैयार रहना चाहिए। इसके लिए मजदूरों को संगठित होना चाहिए। इस साधु बयान को डाइरेक्टर, रेडियो स्टेशन ने नहीं होने दिया। अदब के साथ मैं आपके जरिए माननीय मंत्री जी से जानना चाहता हूँ कि रेडियो स्टेशन के डाइरेक्टर ने जो संविधान के साथ बदतमीजी की है, जो मौलिक अधिकार का हनन किया है, जो एक राज्य के मंत्री को अन्तर्राष्ट्रीय महत्व के दिन, पहली मई को रेडियो ब्राडकास्ट नहीं करने दिया उनके लिए उन्होंने क्या सजा सोची है? अगर नहीं

सोची है तो उसके लिए क्या सजा सोचेंगे । मैं चाहता हूँ कि इसके लिए सदन बैठे, पूरी स्क्रूटिनी हो और रेडियो के डाइरेक्टर को सजा दें ।

एक बात मैं आपके द्वारा और कहना चाहता हूँ । आप हाथ न उठाएँ । 'आप' शब्द आप के लिए इस्तेमाल होता है, इसलिए मैं आपके जरिए माननीय मंत्री जी से कहूँगा कि वे हाथ न उठाएँ, उनको अगर भूख लगी है तो वे जाय, खाँय । उनकी जगह जगजीवन राम अच्छी तरह जवाब दे लेंगे । **He knows better**. हमने माननीय मंत्री जी को क्या गलत सुना है कि उनका अखबारों में एक बयान निकला कि मैं अपने जीवन की सबसे बड़ी प्रभुताई जो थी मंत्री बनने की वह पा गया, अब मेरे लिए कुछ बाकी नहीं है ? यह हमारे रेडियो मंत्री साहब बोले थे, अखबारों में आया था—अब मैं मंत्री बन गया, इससे ज्यादा कुछ बनना नहीं है । क्या उस डर से, उस लालच से कहीं माननीय मंत्री जी डर तो नहीं रहे कि जो न मिलने वाली वस्तु किसी को कृपा से श्री के० के० शाह जी को मिल गई वह छिन तो नहीं जायेगी क्योंकि श्री के० के० शाह मंत्री रूपी डोंगरे का बालामृत पाने के पूर्व और मंत्री रूपी डोंगरे का बालामृत पाने के बाद बहुत बदल गए हैं ।

जिस पद पर आप विराजमान हैं उसी पद पर डा० जाकिर हुसैन विराजमान थे । जिस दिन डा० जाकिर हुसैन की सेवाओं के लिए इस सदन ने ग्रन्थवाद प्रदर्शित किया मैं यह पूछना चाहता हूँ सदन के सामानित सदस्यों से कि क्या मैंने उसमें भाग नहीं लिया था । माननीय मंत्री जी को मालूम है कि मैंने उसमें भाग लिया था । बनारस, बाराणसी, काशी विश्वपीठ के प्रोफेसर ने हमें टेलीफोन किया कि रेडियो पर जो संसदीय कार्यवाही की चर्चा हुई उसमें केवल 3-4 आदमियों का नाम आया

कि डा० जाकिर हुसैन के लिए इन लोगों ने ग्रन्थवाद दिया, क्या तुम आज हाउस में नहीं थे । मैंने कहा, मैं था । जो संसदीय प्रथा के डाइरेक्टर हैं उनसे मैंने कहा और उसी दिन के० के० शाह को टेलीफोन किया और हमने कहा कि क्या तुम चाहते हो कि रेडियो इस तरह से नौटंकी करे । रेडियो से जो संसदीय कार्यवाही प्रसारित होनी है उसमें डाइरेक्टर जिसको चाहे उठा दे, जिसको चाहे छांट दे । माननीय मंत्री जी ने कहा कि मैं जंच करूँगा, लेकिन आज तक एक पत्र भी इन्होंने मुझे नहीं लिखा । यह हैं मंत्री, रेडियो । चूंकि स पर चर्चा होने वाली थी, मैंने अभी सदन में आने के पूर्व सचिव महोदय को लिख कर दे दिया कि हमारा विशेषाधिकार का प्रश्न है । जो संसदीय कार्यवाही के प्रसारण के लिए इंचार्ज हैं . . .

श्री लोकनाथ मिश्र : इसके बारे में एक लफ्ज मैं कहूँगा ।

For the information of hon. Members I may say this at this stage, for it is very interesting. Since the hon. Minister of Information and Broadcasting is here and since Shri Rajnarain has referred to this matter regarding broadcasts by the Information and Broadcasting Department, I think it would be extremely satisfying for Shri Rajnarain if I pointed out the broadcast on a particular date.

SHRI K. K. SHAH: Leave it to me. That will show how he misinforms the House.

SHRI LQKANATH MISRA: Since I have got up let me say it. It is extremely interesting. Shri Rajnarain says that he felt that he was left out by the All India Radio. That is not a fact. I say this because on one occasion when I was listening to their broadcast entitled "Today in Parliament" to my utter surprise, the Members who had taken part in that day's proceedings were not quoted by the All India Radio, but the absence of Mr. Bhupesh Gupta and Mr. Rajnarain

[Shri Lokanath Misra.]

was taken up and it was specially mentioned by the All India Radio that Mr. Bhupesh Gupta and Mr. Rajnarain were not in the House.

MR. CHAIRMAN: Mr. Rajnarain, you must now finish up. I cannot allow you to go on for any longer. I give you two more minutes.

श्री राजनारायण : Two minutes are equal to five minutes in parliamentary practice. पहले मैं अपने मित्र का मुबारकवाद देता हूँ। उन्होंने जो कुछ कहा वह रेडियो डिपार्टमेंट की गड़बड़ी ही सिद्ध करता है। रेडियो डिपार्टमेंट जब जिसको चाहे उठा दे, जब जिसको चाहे गिरा दे। मैं यहाँ मेलिस आफ मोटिव चार्ज करता हूँ। मैंने डा० जाकिर हुसैन के बारे में कुछ खास बात कही थी। इसके लिए उनको मुबारकवाद दिया था कि वास्तव में इस बात के कि आठ राज्यों में गैर-कांग्रेसी सरकार बन गई। उसके लिए उनको मुबारकवाद दिया था और रामायण की एक चौपाई भी कोट की थी। उनको फिर कोट करने से समय नष्ट होगा, इसलिए उसे कोट नहीं कहूंगा। जानबूझकर, द्वेषपूर्ण भाव से रेडियो बिभाग ने हमारा नाम तक नहीं लिया कि डा० जाकिर हुसैन के बारे में हमने भी वहाँ पर कुछ कहा। इससे बढ़कर ब्रीच आफ प्रिविलेज नहीं हो सकती। संसदीय प्रथा है कि हर मेम्बर की रिप्रेजेंटेटिव स्पीच जो वह सदन में देता है वह रेडियो पर प्रसारित होनी चाहिए क्योंकि हम समाचारपत्रों को परमिट करते हैं। यह नहीं है कि अपने राइट से वे यहाँ आते हैं। इसलिए रिप्रेजेंटेटिव स्पीच पर कोई कंट्रोल नहीं होना चाहिए, उसे प्रसारित किया जाना चाहिए। मेरे सुनने में आया है कि कुछ समाचार-पत्रों, और खास कर इंडियन एक्सप्रेस के रिप्रेजेंटेटिव जो पार्लियामेन्टरी प्रोसीडिंग्स के बारे में सही रिपोर्ट देते थे, इस केन्द्रीय सरकार के कारण, इनके हस्तक्षेप के कारण उन लोगों

को वहाँ से हटाया जा रहा है। आखिर यह सरकार चाहती क्या है? आज केन्द्र और राज्यों में इस रेडियो ब्राडकास्ट को लेकर एक बड़ा भारी तनाव पैदा हो गया है। निश्चित रूप से आज इस डाइरेक्टर को आप रिमूव नहीं करते, हटाते नहीं...

MR. CHAIRMAN: Mr. Rajnarain, you cannot go on, I may tell you. You have taken too long a time. You must sit down. Now, Mr. Banka Behary Das.

SHRI RAJNARAIN: At least those two minutes, you may give me.

श्रीमान्, आप अपने वचन को भंग कर रहे हैं। हमारी घड़ी में अभी 40 सेकण्ड बाकी हैं। मैं यह अर्ज कर रहा हूँ कि अगर माननीय मंत्री जी उस रेडियो से डाइरेक्टर को पनिश नहीं करते, सजा नहीं करते तो राज्य और केन्द्र का सम्बन्ध जो बिगड़ेगा उसकी सारी जिम्मेदारी केन्द्र पर होगी। मैं आज यह कहना चाहता हूँ कि हर राज्य को अपने रेडियो स्टेशन को लगाने की सुविधा होनी चाहिए। केन्द्र सरकार इस प्रकार हमारे हितों पर कुठाराघात करेगी तो उत्तर प्रदेश की सरकार अपने यहाँ लगा कर रहेगी, बिहार की सरकार लगाकर रहेगी, बंगाल की सरकार लगाकर रहेगी। हम इस सरकार को मौका नहीं देना चाहते कि जो चाहे अंडबंड बक दे और सही तरीके से सरकारें काम कर रही हैं वे अपनी नीति, पालिसी और सामाजिक और आर्थिक विषयों के बारे में अपनी नीति का वर्णन और प्रसारण न कर पाएँ। मैं चाहता हूँ यह हक आप लें कि जो बर्गलिंग हुई है। You must look into it. फिर मरी रिक्वेस्ट आपसे है कि इस सदन में मंत्री महोदय की सफाई से और हमारे भाषण से इस समस्या का समाधान नहीं होगा। मेरी आपसे रिक्वेस्ट है कि आप लेबर मिनिस्टर के सारे बयान को अपने सामने रखें, उनका भाषण यहाँ पर है, मैं आपको भिजवा दूंगा, और मंत्री जी के बयान को सामने रखें, माननीय मंत्री जी ने जितनी जितनी बातें कहीं हैं उनको सामने

रखें। हम और कितनी नई बातें कह सकते हैं। केवल नाम की बात नहीं बल्कि भूतपूर्व प्रधान मंत्री ने सोशलिस्ट पार्टी का नाम तक लिया है विदेशी मामलों में जिसकी कि सदन में बैठ कर लोक सभा के सदस्यों ने भर्त्सना की, भूतपूर्व प्रधान मंत्री पंडित जवाहर लाल नेहरू ने कहा, उन्होंने सोशलिस्ट पार्टी के बारे में कहा कि हमारे मुल्क में एक ऐसी पार्टी है जो जनतंत्र को मानती है उन्होंने टमाटर फेंक दिया तो हम क्या कर सकते हैं। यह उन्होंने कहा है। सदन में इस तरह की चीजें होती रही हैं। इसके बारे में श्री के० के० शाह ऐसे आदमी उस गलत काम को सफाई दें और बकायत करें ऐसा मंत्री जो को नहीं करना चाहिये। यही हमारा निवेदन है।

MR. CHAIRMAN: Mr. Banka Behary Das. Don't repeat the same things. You can put any new questions for clarification.

SHRI BANKA BEHARY DAS (Orissa): I never do.

With the emergence of non-Congress Governments in the States I think a controversy about the AIR has arisen and such controversies will continue to arise as long as there is no change in the structure and policy of the All India Radio. We know what sort of persons are associated with the AIR. Sometimes they are drafted from the provincial Services also and some Station Directors may not have the courage—unlike this instance in West Bengal—to censor the script of a Minister. I can cite a long list of instances to show that in many cases the Station Directors have not had the courage to censor the scripts of Ministers when they tried to criticise different political parties by naming them. I know that as long as the character of AIR is not changed, as long as it functions as a domestic concern of the Ministry or the ruling party, as long as the Chanda Committee's recommendation is not accepted to make it

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an autonomous body, the officers will not have the courage to censor the scripts of Ministers and we will have to discuss such things off and on. I want to say that in my State in 1961 the Chief Minister criticised my party and other opposition parties violently over the All India Radio and the script was not censored as it was not censored in the case of Mr. Gulzarilal Nanda with regard to Left Communists. Mr. Chairman, fantastic interpretations are being made and this is not the only occasion. As you know, some days back the Mayor of Poona wanted to broadcast an appeal for collecting donations for relief in Bihar and Uttar Pradesh and he was denied that privilege. In fantastic ways different interpretations are given and unless the structure of the AIR is changed and a new code is evolved . . .

SHRI K. K. SHAH: May I interrupt my hon. friend? The other House has fixed 2 O'clock for this and the Speaker has said that I must be present there at two. So will it be possible to finish by that time?

SHRI BANKA BEHARY DAS: I am going to finish within three or four minutes. As I said in that case also the Station Director denied the Mayor the privilege of broadcasting an appeal. This is the way things are done. Up till now the AIR has no definite policy and whatever policy they have, it is meant to subserve the interests of the party in power.

Now I want to refer to one point which has not been referred to so far and I want to quote from the speech of the Labour Minister of West Bengal. He has talked so much about lawful and legitimate means and I want to know how the Station Director has objected to this. The Labour Minister says:

"It is necessary to understand the meaning of the term 'legitimate'. Students of Ethics are well aware that whatever is legitimate may

[Shri Banka Behary Das] may not always be in accord with the law in force at the time. In a social order in which exploitation exists, there are many laws which cannot be treated as legitimate or ethically right."

This paragraph was taken objection to by the Station Director of West Bengal. May I ask the Minister whether, if he is placed in the position of a Station Director and a script comes up from a Minister in which this portion is there, he would take objection to such statement saying that a differentiation has been made about legitimate and lawful? I think every now and then in the All India Radio we have heard so many things which conform to this opinion that has been given expression to by the Labour Minister. Therefore I want to know, in view of the conflict that has arisen and in view of the many impending conflicts that are bound to arise in the country after the emergence of the different forces, whether the structure of the All India Radio is going to be changed and whether a new code of conduct for broadcasts is going to be evolved in consultation with all the forces that have come up recently in the picture of India and what the Minister is going to do when such innocent and pious statements are objected to by the Station Directors who use their discretion in whimsical ways. These are the few clarifications I wanted to have from the Minister.

MR. CHAIRMAN: There are three more speakers. Mr. Kumaran; but I take it that Mr. Bhupesh Gupta has exhausted all the points and I am sure Mr. Kumaran has nothing new to add.

SHRI P. K. KUMARAN (Andhra Pradesh): There is only one point I would like to make. I do not want to repeat anything. Whatever may be the virtues which the hon. Minister has attributed to the convention or rules or the practices which the All India Radio is now following, it has been proved by his own statement

that when the West Bengal Labour Minister wanted to mention the ruling party by name or use the word 'revolution' he could not broadcast his speech. At the same time the same convention or practice did not prevent Mr. Gulzarilal Nanda from maligning a political party and showering slanders on a political party. Although he took action he could not defend those actions later but that did not prevent him from imputing motives to them. At the same time the hon. Minister mentioned—I do not know why he mentioned it—that the All India Radio prevented Mr. Rajagopalachari from making his speech because in that speech when he was the Governor-General he had mentioned something about the Congress Party. So it is clear that the present convention is a convention which is there to subvert the monopoly power of the ruling party. Now the situation in the country has changed. Many political parties or combinations of political parties have come into power in different States and in view of the changed political situation and in view of the dispersal of political power among different political parties, will the Minister now convene a conference of the representatives of the different States, discuss the present procedure and come to an agreed formula whereby no party is done a wrong? That is what I want to know from the Minister.

MR. CHAIRMAN: Mr. Chitta Basu, have you got any questions to put? Don't repeat.

SHRI CHITTA BASU (West Bengal): I am not in the habit of doing so. I do not take much time. In his long speech the hon. Minister has sought to make out two points. One is that through the medium of the All India Radio no political party is to be criticised.

SHRI K. K. SHAH: Named.

SHRI CHITTA BASU: All right; no political party is to be named. Secondly, that the medium of the AIR should not be used to challenge the principles of the Constitution and

it was on these two grounds, he said, that the speech of the Labour Minister of West Bengal was censored and not allowed to be broadcast. Now, Mr. Chairman, these two grounds raise certain fundamental questions. Who is to decide whether a particular speech challenges the basic principles of the Constitution of India or militates against the basic principles of the Constitution of India? I have patiently heard the hon. Minister. He has quoted some portions of the West Bengal Labour Minister's speech out of context and sought to prove that all those expressions are against the principles of the Constitution. Many of our friends here have also expressed their opinion that those expressions do not challenge the basic principles of the Constitution. If I am allowed I can discuss the speech of the Labour Minister and show to you, Mr. Chairman, that this particular speech does not challenge the spirit of the Constitution of India.

MR. CHAIRMAN: That was explained by the other Members. So, you need not repeat it.

SHRI CHITTA BASU: I am not repeating it. Therefore, who is the proper authority to consider that a particular speech of a particular person, whatever his position may be, challenges the principles of the Constitution of India? Now, here it is only a Station Director, who has been allowed to sit in judgment over a speech to be delivered by a popular representative of a State, who is one of the members of the West Bengal United Front Government. Therefore, in this way it cannot be brushed away simply on these two grounds. I want it to be clarified whether a Station Director or an officer of the All India Radio is sufficiently competent to give a judgment as to whether a particular speech of a particular person violates the principles of the Constitution or not. I want that point to be clarified.

Secondly, Mr. Chairman, you will understand that the speech which the Labour Minister of West Bengal was

to broadcast from the All India Radio was an announcement of the labour policy of the United Front Government of West Bengal. In the course of doing that he reflected the opinion not only of himself. He reflected and sought to reflect the opinion of the West Bengal Government as a whole regarding a particular aspect or a particular problem of that State. That is, the labour problem of the State. The affront was not against the particular Minister. It was an affront against the Cabinet itself. I want clarification on this point of the authority of the All India Radio. What authority has the Government of India got to prevent a particular State Government from giving expression to its point of view in matters of public interest?

MR. CHAIRMAN: Thank you.

SHRI CHITTA BASU: I have got some other point.

MR. CHAIRMAN: The hon. Minister will reply.

SHRI D. L. SEN GUPTA: I want to ask.

MR. CHAIRMAN: I shall come to you. You must finish now.

SHRI CHITTA BASU: I shall finish if you so order.

MR. CHAIRMAN: I do not order anybody.

SHRI CHITTA BASU: I am discriminated against. So many Members have been given so much time. But I am not repeating any point.

MR. CHAIRMAN: Kindly finish in two minutes.

SHRI CHITTA BASU: I want to know whether the Government of India or the All India Radio has, as a limb of the Government of India, got any right to prevent a particular States Government duly and constitutionally elected, from discharging its responsibility, to give expression to its own point of view regarding certain State subjects. Has the Government got power to do that? Secondly, if not, may I know whether

[Shri Chitta Basu] the State Government will be allowed to make separate arrangements to give expression to its point of view in regard to that? Finally, I want to know whether the Government of West Bengal wrote a letter to the Government of India protesting against this action of the Station Director and, if so, what action the Government of India has taken so far with regard to that protest lodged by the West Bengal Cabinet. I want these questions to be answered.

MR. CHAIRMAN: Mr. Sen Gupta.
Kindly finish in two minutes.

SHRI D. L. SEN GUPTA: I assure you of that. Will the hon. Minister, with reference to the speech of Shri Subodh Banerjee, Labour Minister of West Bengal, point out, by way of clarification, whether he has imputed any person or party? In this connection I want to know whether, according to the Minister of Information and Broadcasting, the words 'capitalism' and 'revolution' by themselves are, in the context of the speech, casting any aspersion on any party or on any person. His reply has been that it is the policy of All India Radio not to allow it to be used either for the propaganda of any person or party or to malign any person or party. If that is the position, then what business the Station Director had to take exception to the word 'capitalism' being used and 'revolution' being used? There is no denying the fact that we are in a state of capitalism. We are striving for a socialist economy. The capitalist economy is there. You cannot deny it. It is a fact. If you all agree, then he has simply stated that fact, that in a capitalist state of economy we cannot do much. So, you must not expect more than that. He has taken the people into confidence. While taking the people into confidence, he has only given a caution that people should know that we have got to work within the framework of the Constitution and we have to work in a capitalist society. The exception

taken by the Station
context to the words
'capitalism' and
'revolution' should
done.

The second point is, I agree on principle that All India Radio should not be used for the propaganda of any person or party. You may differ with me, but now comes the question. The decision has got to be taken either from the point of view of law Or from the point of view of expediency. Even if there is any provision in law, was it infringed or was the constitutional provision infringed? Can the hon. Minister show that there is any violation of any provision of law or the Constitution in regard to the speech of Mr. Subodh Banerjee?

Then, you can very well say it was done from the point of view of expediency. You can say that though there was nothing illegal, from the point of view of expediency it was done. May I know what is the expediency involved? On the first of May Mr. Subodh Banerjee made a whole speech containing caustic remarks against the Government of India and this Department. He said that it was a May Day speech. People appreciated him, applauded him, and cast a slur on this Government for not allowing Shri Subodh Banerjee to make that speech from the All India Radio. So, it was not expedient either.

Then comes the question of the complications this Government has raised. The whole of the West Bengal Government has boycotted this All India Radio. Does it augur well for the federal relations between the States and the Centre? How long will the Government of India placate this unwise and unsound policy of the Station Director, so as to allow the West Bengal Government to continue in the manner they do?

MR. CHAIRMAN: Thank you.

SHRI D. L. SEN GUPTA: One more point. In every Station there is an Advisory Committee, and that Advisory Committee in a matter like this was not consulted. What is the sense in having that Advisory Committee? If in the Advisory Committee this matter did not come up, then what for is the Advisory Committee there?

MR. CHAIRMAN: Let the Minister reply. He has to go to the other House.

श्री गोडे मुराहरी : मैं सिर्फ यह जानना चाहता हूँ मिनिस्टर साहब से कि जो राज्यों में आल इंडिया रेडियो के स्टेशन्स हैं, जैसे उत्तर प्रदेश में लखनऊ और दूसरी जगहों में हैं उनको अगर राज्य सरकारें ले लें तो क्या इस सरकार के लिये इसमें कोई हर्ज होगा ।

SHRI B. K. P. SINHA (Bihar): Sir, one question. I shall be very short.

MR. CHAIRMAN: I am extremely sorry. If I allow you, I have to allow others. The Minister to reply.

SHRI K. K. SHAH: I want to point out the reply given to my hon. friend, Shri Bhupesh Gupta, and he will see what attitude I have taken up and the Government of India have taken up:

"Thanks for your telegram stop
Anxious to discuss subject with you
when you are in Delhi towards
wholesome universal principle."

This is my reply to Shri Bhupesh Gupta immediately I received a wire from him. This is my reply. There is different interpretation. Mr. Chitta Basu is a good lawyer, and Mr. Rajnarain may not say that I am not a good lawyer. Now I am not in need of a certificate. I would have been in need of a certificate earlier. If I were in need of a certificate, I am sure there are many High Court Judges who will

be able to give me a certificate. But the fact that this could be interpreted diversely—Mr. Chitta Basu interpreted it in one way and Mr. Raj narain in another way—that itself proves the necessity of having a principle that no party should be named. Therefore, the question of interpretation does not arise at all. On the contrary the entire discussion on the floor of the House has established a solid base. That different Members could interpret the same speech in different ways shows that, if you want to obviate the necessity of interpreting and do justice, the best way is not to name any party by name, and all that difficulty will be over.

श्री गोडे मुराहरी : चाहे जो भी इंटरप्रिटेशन दे, वह रेडियो स्टेशन के डाइरेक्टर के खिलाफ जायेगा ।

SHRI K. K. SHAH: I have already given interpretation. Since the time is short, my friend will forgive me . . .

श्री गोडे मुराहरी : आप चाहे जो भी इंटरप्रिटेशन दें, वह डाइरेक्टर के खिलाफ जाता है ।

SHRI K. K. SHAH: Even Mr. Rajnarain has said "किसी को मीठी लगती है, किसी को बुरी लगती है, किसी को अच्छी लगती है । एक ही स्पीच किसी को अच्छी, किसी को बुरी लगती है, किसी को खट्टी लगती है ।" He himself has admitted that different people can interpret different things in different ways. That itself shows . . .

SHRI G. MURAHARI: You cannot change the meaning of the word.

SHRI K. K. SHAH: There is no question of changing the meaning. If you read the sentence, Shri Rajnarain himself admitted . . .

श्री गोडे नुराहरि : कति के माने हले आप जान लोजिये और उसके बाद आप अपना भाषण दीजिये ।

SHRI K. K. SHAH: Take the simple question, the sentence about the judiciary having lost its independence during the Congress regime. Indirectly it means that the judiciary allows itself to lose its independence. Of course there can be no other interpretation. *(Interruption)*. My friend was giving me the Constitution and asking me for the freedom of speech. Yes, of course there is freedom of speech. But there is no freedom of speech in the sense of anybody going to any place and speaking from that place. That freedom of speech is not given to them.

(Interruption)

श्री गोडे नुराहरि : चेयरमैन सहाब माननीय मंत्री का जो अभी बयान हुआ है कि किसी और प्लेटफार्म पर जा कर के बोलें तो आल इंडिया रेडियो इनके दादा की सम्पत्ति नहीं है ।

SHRI K. K. SHAH: Ma, I be permitted to speak. I did not interfere with any one of them. I do appeal to the House that I should not be interrupted by anybody. When it is not convenient to you, you do not want to hear me. This is not proper. I have heard you patiently.

SHRI G. MURAHARI: What are you saying?

SHRI K. K. SHAH: I am saying correctly.

SHRI G. MURAHARI: All India Radio is not your grandfather's property.

SHRI K. K. SHAH: If every man is to speak on the All India Radio, he may not have freedom of speech . . .

(Interruption)

SHRI BHUPESH GUPTA: Who is that Director to do that?

MR. CHAIRMAN: I have given you enough opportunity. You have stated your point of view.

SHRI BHUPESH GUPTA: The Minister of a popular Government on behalf of the people went there to say something. Is that a federal principle . . .

SHRI K. K. SHAH: The media through which you are making a speech are regulated by certain principles. Those principles have got to be upheld.

श्री राजनरायण : मैं यह जानना चाहता हूँ कि क्या यह मंत्री जी का स्पष्टीकरण है । क्या सरकार और पार्टी एक है ।

MR. CHAIRMAN: Sit down, sit down.

SHRI RAJNARAIN: What sit down, sit down? हम लोग यहाँ सुनने के लिये आये हैं मंत्री जी का एक्सप्लेन ।

MR. CHAIRMAN: You have got to hear what he has to say.

SHRI G. MURAHARI: All India Radio is nobody's property.

SHRI BHUPESH GUPTA: He did not infringe any letter of the law.

श्री गोडे नुराहरि : अगर यही रवैया रहा तो हिन्दुस्तान में हर रेडियो स्टेशन राज्य सरकारें ले लेगी और फिर देखा जायगा ।

MR. CHAIRMAN: Sit down, hear him.

SHRI K. K. SHAH: I have therefore made it clear that this medium belongs to the whole country, but some, wholesome rules will have to be observed. *(Interruption)*.

(interruptions.)

MR. CHAIRMAN: I am very sorry that we are conducting this in such a way that nobody is heard. Ten people want to speak at the same time. I could not hear what you are saying; he could not hear what you are saying. Let him say about it. If there is any particular point after his speech, I shall try and see if I can give you a minute or more.

श्री गोडे मुराहरि : चेयरमैन साहब, मैं एक प्रिविलेज का सवाल उठाता हूँ। इसी लिये मैं आप को प्रिविलेज का नोटिस दे रहा हूँ। यह मिनिस्टर साहब आल इंडिया रेडियो को अपनी सम्पत्ति बता रहे हैं। यह इस सदन इस देश की जनता के प्रति घोर प्रिविलेज का इशू होता है। इस लिये मैं इसकी नोटिस देता हूँ।

SHRI K. K. SHAH: I have made it abundantly clear that this Radio is subject to the two rules that no party's name should be mentioned—I have not yielded.

SHRI BHUPESH GUPTA: On a point of order. He is misleading the House. I request you to ask him to produce the scripts for the last six months or so in which you will see that not only the parties have been mentioned but the parties have been criticised by speakers who spoke for the Government, directly or indirectly. We have given Mr. Nanda's speech. Still he is saying all these things.

SHRI NIREN GHOSH: It was for the Government of India first to apologize to this House for Mr. G. L. Nanda's speech and then he could have talked of anything.

SHRI A. P. CHATTERJEE: Sir, on a point of order. The Minister was saying just now that if every man or every citizen comes to take advantage of the platform of the All India Radio, he may not have any freedom of speech. He may have freedom of speech outside but he may not have any freedom of speech here. My point

of order is this. Can he in this fashion equate an ordinary citizen with the Minister of a State who wants to broadcast as a Minister of Labour through the local Calcutta Station of All India Radio? I submit before you, Mr. Chairman, that to refer to the Minister in this fashion has been a gross violation of an orderly speech that was expected from the Minister.

MR. CHAIRMAN: Mr. Minister now go on.

SHRI K. K. SHAH: I hold the Minister in the highest respect, he should know that. I continue to hold him in the highest respect irrespective of our differences because he also is a representative of the people. Sir, I have replied to all the points to the best of my ability. I am grateful to my friends for the interest they have taken in the matter. I am sure ultimately after this discussion they will realise that what I have said is in the interests of the country.

2 P.M.

MR. CHAIRMAN: Mr. Bhupesh Gupta, you can answer this outside the House. (Interruptions) Papers to be laid on the Table.

PAPERS LAID ON THE TABLE

I. THE ECONOMIC SURVEY, 1968-67

II. ANNUAL REPORT (1966-67) OF THE PERMANENT INDUS COMMISSION.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. C. PANT): Sir, I beg to lay on the Table "The Economic Survey, 1966-67". [Placed in Library. See No. LT-336/67].

Sir, on behalf of Dr. K. L. Rao, I beg to lay on the Table a copy of the Annual Report of the Permanent Indus Commission for the year ended the 31st March, 1967. [Placed in Library. See No. LT-368/67].