

Sethi, Shri P. C.  
 Shah, Shri K. K.  
 Shah, Shri M. C.  
 Sharda Bhargava, Shrimati  
 Sherkhan, Shri  
 Shukla, Shri M. P.  
 Shyam Kumari Khan, Shrimati  
 Siddhantalankar, Prof. Satyavrata  
 Siddhu, Dr. M. M. S.  
 Singh, Dr. Anup  
 Singh, Thakur Bhanu Pratap  
 Singh, Dr. Gopal  
 Singh, Shri Mohan  
 Singh, Shri S. K.  
 Singh, Shri Santokh  
 Singh, Shri T. N.  
 Sinha, Shri Awadheshwar Prasad  
 Sinha, Shri R. B.  
 Sinha, Shri Rajendra Pratap  
 Sinha, Shri R. P. N.  
 Tankha, Pandit S. S. N.  
 Tapase, Shri G. D.  
 Tara Ramchandra Sathe, Shrimati  
 Tiwary, Pt. Bhawaniprasad  
 Tripathi, Shri H. V.  
 Vaishampayan, Shri S. K.  
 Varma, Shri B. B.  
 Varma, Shri C. L.  
 Vero, Shri M.  
 Vijaivargiya, Shri Gopikrishna  
 Wadia, Prof. A. R.

## NOES—18

Abdul Ghani, Shri  
 Ansari, Shri Faridul Haq  
 Chordia, Shri V. M.  
 Gupta, Shri Ramgopal  
 Jagat Narain, Shri  
 Khandekar, Shri R. S.  
 Lal, Prof. M. B.  
 Mani, Shri A. D.  
 Murahari, Shri G.

Ruthnaswamy, Shri M.  
 Sen Gupta, Shri D. L.  
 Shankuntala Paranjpye, Shrimati  
 Shishir Kumar, Shri  
 Singh, Shri Niranjana  
 Singh, Shri Ram  
 Sinha, Shri Ganga Sharan  
 Thengari, Shri D.  
 Vajpayee, Shri Atal Bihari.

*The motion was adopted.*

MR. CHAIRMAN: I shall now put the Motion, as amended, to vote. The question is:

"That the statement made by the Prime Minister in the Rajya Sabha on the 16th August, 1965, on the Indo-Pakistan Agreement of June, 1965, relating to Gujarat-West Pakistan border be taken into consideration, and having considered the same, this House approves the policy of the Government in relation to the Agreement."

*The motion was adopted.*

THE PRESS COUNCIL BILL, 1963—  
*continued.*

MR. CHAIRMAN: And now we pass on to the further consideration of the Press Council Bill. Mr. Bhupesh Gupta had not finished his speech and he may continue now.

SHRI BHUPESH GUPTA (West Bengal): Mr. Chairman, Sir, I am very grateful to the hon. the Prime Minister who is here for I should like to say a few words to him in this connection. I can well understand his anxiety to leave soon, after having secured a victory on the last voting.

In my unfinished speech, Mr. Chairman, I was dealing with the problem of the Press in India and I said the Press required two things for ensuring its independence and objectivity. One was the maintaining of democratic principles and the other a proper

standard in our public life, especially to be observed by the Government. And then I suggested that the Press should be saved from the hands of the Press barons. Mr. Chairman, in this connection I invited the attention of the House to a series of lectures delivered by the former Attorney-General of India, Mr. M. C. Setalvad, in Madras in the course of the Alladi Lectures. And I am very glad to say here that Mr. Setalvad, I understand, has been asked by the Ministry of Information and Broadcasting, to supply them with a copy of his lectures. I should like the Prime Minister and also, of course, the Minister of Information and Broadcasting and others, to read them very carefully. Mr. Setalvad has raised certain very fundamental issues of freedom and liberty and he has indicted the Defence of India Rules and the Emergency powers which are subverting the country's democratic principles, liberties and rights, along with the rights of the Press as well. Mr. Setalvad has pointed out that the country was having under the dispensation of such measures, what he called a constitutional dictatorship, namely, you have a Constitution and yet dictatorial trends continue to grow. Mr. Shastri who is a very affable person in many ways, mild mannered and so on, will be well advised to look into what Mr. Setalvad has said. I have never known in these seventeen years such a powerful indictment coming from so eminent a person as the former Attorney-General of India.

Mr. Chairman, in this connection, naturally I want to bring one point to the notice of the Prime Minister. The Prime Minister, I find, now and then is making appeals to the country for unity. We would like to be united on all issues that concern the nation and its paramount interests. But unity cannot be built up under the regime of the D.I.R. or by seeking to put behind the bars the leaders of the Opposition. In Bengal, in Maharashtra, in Bihar, in Uttar Pradesh and almost in Kerala, in every part of the country

today, the leaders of the Opposition belonging to the Communist Party and also to many other parties, have been whisked away into prisons. They are threatened and their leaders like Shri A. K. Gopalan, Dr. Ram Manohar Lohia, Members of Parliament in the Lok Sabha, and Shri Jyoti Basu in West Bengal, Shri Indra Deep Sinha, one of the leaders of our Party in the Bihar Council, and also Shri Sunil Mukherjee the leader of our Party in the Assembly there, are in jail. So also socialist leaders have been put in jail.

SHRI G. MURAHARI (Uttar Pradesh): Shri D. B. Desai of this House also.

SHRI BHUPESH GUPTA: Yes, Shri D. B. Desai of this House is also in jail. May I ask the Prime Minister, since when he has developed this idea of building up unity by putting his political opponents in jail? Unity cannot be built up under the threat of a gun or the D.I.R. You cannot make me unite with you when you put me in captivity, when you put Shri Gopalan and others into prison and when you chain us into captivity and servitude. Therefore, I say, if Mr. Shastri means what he says, if he is sincere about unity, he would release all the Opposition leaders, the political leaders who are detained without trial, leaders of the workers, of the mass organisations who are in prison, and let the unity call be matched by such a gesture today. Otherwise it will be assumed that you want unity and you are calling for unity only to get your things done, to suppress the legitimate movements of people for food and so on. Therefore, Mr. Chairman, I say your Press is under restriction. Therefore, I say the Prime Minister should please note this factor. I have never known in parliamentary history, the Prime Minister of a country appealing for unity on the one hand, and on the other coming down mercilessly and ruthlessly on the fundamental rights of his political opponents. That

[Shri Bhupesh Gupta.]  
 is what is happening in our country. The Socialist Party, the P.S.P., various other parties—Mr. Vajpayee's Party and other parties—are all under fire. Possibly the Prime Minister can show to the world, "I have united all the parties in the chains of bondage and they are united by the rod in my hand" But this disgraces, I tell you, the nation's posture in the situation. Mr. Chairman, therefore, I would like to say that if you want the freedom of the Press to be established in this country, the first thing is to respect the rule of law. Listen to what Mr. Setalvad has said. For what he has said the generations and generations of Indians, including those yet unborn, will be grateful to him. I think that counsel coming from a person in whom you reposed so great a confidence that you made him the Attorney-General for fifteen years, should be carefully considered. Take counsel from him if you like and see that democracy is restored, that freedom is respected and the Opposition is treated at least with the minimum respect that can be expected of a parliamentary democracy and from the Prime Minister of the country. Maybe I have spoken substantial things to Mr. Shastri. I think I have spoken some substantial things and not in hollowness. If your idea of things being substantial is something in the nature of a flattery, then I plead I have not spoken that. But I am sure he understands it because Mr. Shastri would have been a saint if he had not been a politician. Therefore, he will understand our feelings. Let him tell the Home Minister, Shri Gulzarilal Nanda that . . .

AN HON. MEMBER: He is already a saint.

SHRI BHUPESH GUPTA: No, if Mr. Gulzarilal Nanda is a saint, I am the Almighty. Therefore, I say this has to be stopped. Mr. Chairman, the freedom of the Press cannot be expected to grow when the Press and the lights of personal liberty are, as I

have said, being extinguished one after another. Can you have light in Delhi when the power station is undermined? No, you cannot have it. You may show the light for some time, but that will not be for long. Therefore, I say the Government here should view things properly.

Here I would like to address a few words to the hon. Minister of Information and Broadcasting as well. If she wants to do a good job of it, I think she will be fully gratified herself with her work if she restored the freedom of the Press and did her part in extending the freedom of the Press by enlarging it in the larger sphere of our social life. As an editor what freedom have I to write anything if outside I know there is standing a constable of the Government, truncheon in hand, to put me in detention whenever I displease a corrupt Minister? I have no freedom at all. Here you have seen what happened in the case of 'The Searchlight'. I don't know, but he is an editor of a Birla paper, holy of holies, but that gentleman has been put under detention simply because, we are told, he was writing against the present Chief Minister. Now, if for example, I am not so charitable or so polite and decent to my esteemed friend, Shrimati Indira Gandhi, what is the guarantee that her colleague, Shri Gulzarilal Nanda, will not seek her favour by putting me under detention? Is there any guarantee? None at all.

MR. CHAIRMAN: Mr. Gupta, how long will you continue?

SHRI BHUPESH GUPTA: Sir, I have to continue long.

MR. CHAIRMAN: Then the House stands adjourned till 2-30 p.m.

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at half-past two of the clock, THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) in the Chair.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, before we adjourned for lunch, I was pointing out to the House how it is of essential importance that we ensure democracy in the larger sphere of our public life to secure for the Press independence, freedom and objectivity. I do not wish to dilate on this point any more because I think the hon. Members will understand that unless we create a climate of democracy we cannot have democracy in the Press or freedom of the Press. Another obstacle in the way of achieving the objectives of the Bill, namely, the independence of the Press is the non-implementation fully of the recommendations of the Press Commission. It is of utmost importance that we fully implement the recommendations. So long as our Indian Press is in a state of siege in the hands of the press barons or the multi-millionaires it is an illusion to think that we can have independence or objectivity instead of servility and subservience. Now, Mr. Vice-Chairman, let us recall what the Press Commission said. The Press Commission, in its Report, in Chapter XVI, said that

" . . . taking the whole country and all the languages together, five owners control twenty-nine papers and 30.1 per cent. of the circulation, and fifteen owners control fifty-four papers and 50.1 per cent. of the circulation."

That was the summary of their conclusions. Then, they go on to say:

"There already exists in the Indian newspaper industry a considerable degree of concentration."

Even in 1954, the attention of the country was drawn to the considerable concentration in the matter of the newspaper industry. Naturally the

question arises as to how far we have gone in breaking that concentration. That was a solemn recommendation which was accepted also in theory though not in practice by the Government.

Now, Mr. Vice-Chairman, I should also like to point out the nature of the composition. The fifteen owners to control 50.1 per cent. of the circulation—that you will find in Table 19 of the Press Commission's Report—are connected with trade, industry, banking, insurance, etc., and control the I.E.N.S., the Audit Bureau of Circulation, the Press Trust of India Board, the newsprint business and some of the fifteen are among the nine families that operate the largest concentration of business and industrial enterprises in the country. Therefore, another aspect of the matter to which attention was invited was the control not only by the chain monopolists but by a certain small number of families of high finance.

DIWAN CHAMAN LALL (Punjab): Who are the nine families?

SHRI BHUPESH GUPTA: Nine families, the Navratna who are they? Mr. Birla, for example the great Goenka, Dalmia Jain—these are some of them. Then "The Hindu". "The Ananda Bazar Patrika". Well, families proliferate. I do not know. With the other restrictive measures working there, they are proliferating.

SHRI P. N. SAPRU (Uttar Pradesh): "The Amrit Bazar Patrika".

SHRI BHUPESH GUPTA: Yes, that is right.

DIWAN CHAMAN LALL: Who owns "The Statesman"?

SHRI BHUPESH GUPTA: Who owns "The Statesman" sometimes is a mystery. We are told that it is the British, sometimes also Tatas come in and I do not know the collaboration deal there, exactly where it stands but the family there will be Anglo-

[Shri Bhupesh Gupta.]

Indian perhaps, English and Indian both. At the time of the recommendation of the Press Commission perhaps the Tatas had not secured control of "The Statesman".

Let us see what they had to say about the Press.

"The objectionable features have been noticed in smaller sections of the Press. Nevertheless, large established newspapers suffer from certain weaknesses. Some of them are partisan in their presentation of news in respect of financial interests with which they are allied. There is a certain attempt to expose courageously the shortcomings of those who are in a position of power and authority. There is an element of arbitrariness in the publicity given or denied to individuals. There is a tendency to suppress facts which are unfavourable to their own interests or to the financial interests with which they are associated. These undesirable features are not singular to the Indian Press. Despite the shortcomings, we are of the opinion that the country possesses a number of newspapers of which any country may be proud."

One of the papers at that time was "Swadhinata" of which I had the honour to be the editor, in the better category. Therefore, Mr. Vice-Chairman, we get the picture here. The question now is, has the picture materially altered in all these years. I have not got before me the reports of the Press Registrar but if you have glanced through these reports you will find that there has been some **minor changes** here and there but the concentration of ownership basically remains unchanged. That is the position. That is to say, these chain papers controlled by the press barons in the country account for a greater part, by far the greater part of newspaper circulation. How can you, in a situation like that, expect independence or objectivity in our Indian newspapers? You cannot.

The dangerous thing today is that these chain newspapers which are under the control of the big financiers are acquiring a certain clearly pronounced political traits and characteristics and they are all in a reactionary direction. These newspapers generally do not favour the world-wide struggle for peace. They will publish, for example, a picture of a Deputy Minister together with his useless speech but if some hon. Members of the Peace Council, like Diwan Chaman Lall, speak for the cause of humanity and bring the message of world-wide struggle for peace, these newspapers will pass that over in discreet silence. Such is the position. When there is American howling or American braggadocio in the international sphere, you find that the newspapers produce a very attractive headline but when there is the voice of peace of the teeming suffering millions, who desire ardently that mankind should be relieved of a threat of thermo-nuclear war, these newspapers shut their eyes to such a magnificent posture of mankind and humanity. Such is the position.

Now, take the country. Here within the country did you not see, Mr. Vice-Chairman, that in 1962 some of the newspapers, in winter—especially the distinguished Ananda Bazar Patrika of Calcutta—launched a vicious attack on Pandit Jawaharlal Nehru and some had the temerity even to suggest his removal? One day I had an occasion to talk to Panditji in his room here in Parliament and I told him, 'Your Home Ministry does not send you the kind of report that should come to you apart from the reports against us. Would it not be advisable for Shri Lal Bahadur Shastri sometimes to send you some press clippings of what is said even about you simply because you stand for a reasonable policy of peace and amicable settlement of our problems with other countries'. When General Cariappa shouted in some meeting here in Delhi and wanted the Communist to be shot on the spot

that was splashed in the multimillionaire Press but when the Communists say that the country's food problems should be tackled in a particular way or take up the demands of the working journalists, even they are ignored; anybody taking it up is ignored. Therefore objectivity cannot come at all. Independence—of course I will come to that—is a fiction. Now, Mr. Vice-Chairman, we are passing through a society which is in a state of formation in the sense that we have set before us certain objectives in the Resolutions of Parliament, in our Five Year Plans, etc. In such a context of life, conflicts naturally grow among the contending classes. The haves and have-nots get involved in struggles and conflicts; it is the law of social development. Naturally we cannot be in control of such matters. Either we stand for the Birlas and Tatas, the British multimillionaires and others who exploit our country and their reactionary political representatives or we take up the cause of the workers, peasants and other sections of the toiling people and their democratic representatives. In that context you will see that always the dice is heavily loaded in favour of the possessing classes, the reactionary forces in the country and that is why I say that objectivity cannot come. In the country, every day the working people struggle in the factories and fields, in offices and other places, where the toiling humanity with their creative labour is taking part in the making of the nation that we are today and that we aspire to be. Here again we find that the Press under the control of the multimillionaires ignores the struggle, frowns upon them, distorts them and scandalises them whereas the machinations and the exploitation of the exploiting classes are highlighted in the newspapers. In the formation of public opinion . . .

(An hon. Member coughed).

What?

SOME HON. MEMBERS: Nothing; go on.

589 RSD—4.

SHRI BHUPESH GUPTA: Don't break my flow. It is utterly extempore. I do not know what I am going to say until I have spoken.

Now, Mr. Vice-Chairman, that is the position today in the country and therefore you cannot expect our Press to develop healthy, independent and objective trends with its distorted view of the life that flows around. Therefore I say that here again unless the monopoly control is broken, you cannot ensure the independence and objectivity of the Press.

Now, take a recent example. Take the example of the Calcutta Tramfare resistance movement. I was there for fifteen days participating in this. What was this? It was a movement of protest by the citizens of Calcutta against an unfair tramfare rise which has been brought about by the British Tramway Company.

AN HON. MEMBER: What about Bihar?

SHRI BHUPESH GUPTA: I will come to that; I am very conscious of that. Now, the public of Calcutta rejected this tramfare rise. It was not a partisan issue at all. The tramfare was increased in disregard of the findings of the tribunal; or without referring the matter to the tribunal the Congress Government met the Tramway owners and came to a deal and suddenly enhanced it. Naturally the great people of Calcutta and the tramway workers themselves came out against it. And what happened about the news? We found a systematic suppression of the news in the Press, in the section of the Press owned by the multimillionaires. Some of the newspapers like "Jugantar" and "Amrit Bazar Patrika" carried the news in the beginning but then the owners came down heavily upon the editors and the news editors and prevented publication of the popular protest, or of a case being made out against the Tramway Company. Well, the beloved son of Mr. Tushar Kanti Ghosh, who goes by the

[Shri Bhupesh Gupta.]  
name of Tarun Kanti Ghosh, although he is not so young as he looks, is a Minister of the Government. So that is the position and this is the recent example. If we are to follow the traditions of Bal Gangadhar Tilak and other people or even of our late Prime Minister when he was running the National Herald to which, when we were in England, he invited some of us to join—but we could not do so at that time—if we are to go by such traditions we will see that it is perversion that is going on in the name of objectivity. Suppression of truth and suggestion of falsehood has become the law of the Indian monopoly Press.

I now come to Bihar and the incidents that happened there. You read in the Press that it is all Communist violence or Socialist-cum-Communist violence; nothing but that. Such stories are built up and served through the columns of the multimillionaire Press although the "Searchlight" did not escape a severe blow to which I will come later because I have got some paper here about it. Now, why should this be so? Let objective reporting be done. Let the hunger of the millions be reflected in the columns of the Press. In Bihar, in the villages people are eating grass; the lines of hunger and destitution are lengthening every day to the everlasting shame of our people. Emaciated men and women flocked to the place in search of food, in quest of life but they were frowned upon by the powers that be. The students and others were in a state of ferment because before them was death and desperation. That is why that situation arose there and the Government failed completely to tackle the situation. Bihar, that land of glory and struggle, was plunged in agony and fear and when man is driven to such a position, desperation grows. In villages and towns and other places the people were in solemn resolve to look after their own interests, to see

that their children do not die of starvation, to secure a little morsel of food . . .

SHRI ABID ALI (Maharashtra): I want to know what we are discussing.

SHRI BHUPESH GUPTA: That he will never understand.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): We are discussing the Press Council Bill; you should know that.

SHRI ABID ALI: Are you sure?

SHRI BHUPESH GUPTA: It requires a little power of comprehension which is lacking in certain quarters. I can give a speech, some narration, some arguments but the power of comprehension is an intimately personal thing to be cultivated not by suddenly interrupting but in the course of one's life.

So, a distorted picture was given in the Press.

Now, perhaps you must have missed some good words which I wanted to say but for this interruption.

Take again, the case of Maharashtra; the whole thing there is being reported in a particular way. The sufferings of the masses and the failure of the Government are not reported properly in the newspapers. Why is that so? It is because today the Press is linked up not only with industrialists and multimillionaires—I have in mind the big Press—but some Congress leaders and politicians are also linked up with the multimillionaire Press. This trio in Indian public life is a menace, poses a great threat. The Press owned by the multimillionaires, the multimillionaires themselves and the multimillionaires lobbying in Parliament and Assemblies constitute the greatest threat to the future of our public life and parliamentary institutions. How can you have freedom of the Press in a situation of this kind? Therefore, I mention this thing because it is not so small a job to ensure the freedom of the Press. I would tell our esteemed friend, the

Minister of Information and Broadcasting, that nothing short of a big battle is required to break the monopoly control of the Press. Unless it is broken with determination by attacking it from all sides, you may talk about the freedom of the Press, but freedom of the Press will remain as distant a cry as ever. That is the position. Therefore, I say this monopoly concentration is the greatest evil today we are facing in the Indian Press. These people, the monopolists, are favoured with newsprint quotas, some of which are sold in the black-market in Calcutta and about which the Minister-in-charge should not be completely unaware and uninformed.

I know that they are giving patronage by way of lavish advertisements from the Government, even when they write against the declared and progressive policies of the Government. I have seen the "Ananda Bazar Patrika" carrying advertisements in 1962 from the Government, whereas it was writing scurrilous articles....

SHRI C. D. PANDE (Uttar Pradesh): That is freedom of the Press. Why not?

SHRI BHUPESH GUPTA: Mr. C. D. Pande may have understood the freedom of an oligarchy, but certainly not of the Indian Press.

SHRI C. D. PANDE: Do you want to bind the Press because they get advertisements? Is that your contention? Will that not be purchasing support through advertisement?

SHRI BHUPESH GUPTA: I will come to that. I wish there must be objectivity, but monopoly concentration is taking place, which is pushing through certain reactionary retrograde ideas trying to corrupt political life, which called the late Prime Minister by all names. Scandalous things they said about him. I gave a cutting to him. That very press should be favoured with advertisements goes against my culture and decency, let alone other political considerations.

SHRI M. RUTHNASWAMY (Madras): May I ask the hon. Member if he is opposed to State monopoly in Press?

SHRI BHUPESH GUPTA: Now, the hon. Member is living in his own sphere. Here I am not saying that advertisements should not be given...

SHRI C. D. PANDE: "New Age" monopoly.

SHRI BHUPESH GUPTA: But the smaller papers in the country suffer for lack of advertisements. Despite the recommendation of the Press Council that they should be helped and despite the assurance given by the late Prime Minister here that they would be helped, the monopolists are getting the lion's share in the matter of advertisements. This is what I am objecting to. They are being given advertisements even to encourage them to push their reactionary views, anti-people and anti-democratic ideas and views, and organise public opinion, in order to put the wheels of the country back. This is what I am saying. I hope, therefore, this aspect of the matter is very important when we are discussing the Press Council Bill.

Then, other advantages and benefits are also being given to them. I say, here the smaller papers should be supported. I am not suggesting, support the papers of my Party. There are many non-Party papers. Support the smaller papers, especially the language papers, in the country. They are starved of encouragement and nourishment and I think we cannot have an independent and fearless Press in the country unless we see that the language Press is developed in all parts of the country giving expression to the vibrant feelings of our people, carrying the urges that are the minds of our men and women for the remaking of the country and for remaking their future. Unless this is done, how can you have freedom of the Press? And this cannot be done in the face of the terrific,



[Shri Bhupesh Gupta]  
killing competition on the part of the multimillionaire Press, unless the policy is reoriented in the direction of curbing monopoly concentration, shifting favour from the bigger to the smaller newspaper. That is the need of the hour. How to do it is a matter for the Government to decide in consultation with the working journalists.

Now, another point I wish to make is independence of the editor. That is very important. How can you have independence of the editor when editors are made subservient put under constant pressure of the people who control the newspaper, when even sometimes we find newspaper-owners becoming editors in order to acquire status and prestige? For example, we have the editor of the 'Ananda Bazar Patrika' which is the most largely circulated paper in the country. Mr. Ashok Sarkar is the editor of the paper. I tell you he is the owner of the paper. I do not know whether he writes anything except letters to his wife and children, but certainly he does not write editorials.

DIWAN CHAMAN LALL: Why do you say that?

SHRI BHUPESH GUPTA: He does not write as far as we know from our intelligence source, which in some ways is better than that of Mr. Nanda. He never writes any editorials, cannot contemplate even writing an editorial. Perhaps he would have fever if he concentrated on the task of writing an editorial column. He is the editor of the most largely circulated newspaper perhaps in the country—not a chain paper, but one single paper. Secondly, this is the largest circulated paper in West Bengal. Why did he become an editor? The story is simple. He got a big fortune by a testament or will. Then, he thought that fortune, by and large, does not in these days bring status and prestige, therefore, become an editor of a paper, and he became the editor of a paper. Now, I find the

hon. Minister sanctioning him foreign exchange to go to the United States of America, for landing in Canada when the Prime Minister is there, molycoddling with big Ministers and others. I find this gentleman, the editor, who would not have been perhaps known at all in the country, landing in Buckingham Palace to have a good look at the present Queen of England. I find this editor trotting one country after another in Europe, although his name would have been forgotten immediately after he had left. Yet it was possible for him to get foreign exchange and do all these things for the simple reason that he went under the banner of the editor of a newspaper. This is the position. Now, therefore, I say the status of the real editor is lowered, whereas the status of fictitious editors, when they are owners, is increased and augmented, in order that they can get all the advantages that I have just described. I should like Mr. Ashoke Sarkar to appear one day before a kind of Press Commission or Press Council and if I were there I should like to be given an opportunity to ask him a few questions about journalism. I wonder what will be his answer. His answer will not be any better than my answer to questions relating to the theory of relativity. This is the position.

Now, here again, regarding independence of the editor, I would invite your attention to what has appeared in the "Searchlight" today. I heard that yesterday the case of the editor of "Searchlight", Mr. T. J. S. George, came up before the High Court of Bihar. Do you know who went there? It is Mr. Krishna Menon. It is a very good thing to see Mr. Krishna Menon, fighting there a right cause. The editor himself is in detention under the Defence of India Rules. Mr. George, who was arrested, is not a communist of any variety, but a pure, perfect man, a favoured man so long of the blue blood perhaps that way. Otherwise, perhaps he would not have been appointed as the editor of a paper like the "Searchlight".

Somehow or other, he became 3 P.M. *persona non grata* with Shri K B Sahay, the Chief Minister of Bihar. What happened to him? The D.I.R Indian border is to be defended by putting Mr George in prison because Mr Sahay did not like him. This is where you have come. I would not make any comment. But what has appeared in the newspapers I should like to read a few paragraphs from it, after all just for information and not for any comment or anything of that sort.

"George's arrest *mala fide* argues Menon. Mr Krishna Menon opened his arguments by saying that this was the first case of independent India when an editor's person had been restrained."

All that I would ask you to note is that it is the first case in independent India that is alleged here. No comment.

"Mr Krishna Menon argued that our Constitution was given to us by the people of India, not by the Chief Minister or a police constable."

Mr Krishna Menon happens incidentally to be the former Defence Minister of the country.

SHRI FARIDUL HAQ ANSARI (Uttar Pradesh): You ask him privately. He will tell you the reason.

SHRI BHUPESH GUPTA: I do not believe in private trade very much. I am a man of the public sector. In another place he said, just for information.

"Mr Krishna Menon said: 'We may have no fundamental rights now. The Press may not have been mentioned in our Constitution but it is a part of our constitutional system.'"

He further said

"Surely the D.I.R. was not devised to be used for putting pressure on editors."

Then Mr Menon made a very interesting remark. By all accounts he is a smart man full of jokes and humour not always rightly placed.

He said:

"Although the publishers and the owners of the paper were responsible, but no action had been taken against them."

His contention was that you have arrested the editor but the owner of the paper and the publishers were not put under detention because of publication of something.

SHRI ARJUN ARORA (Uttar Pradesh): It may be a case in which the editor has been given full freedom to edit the paper as he likes.

SHRI BHUPESH GUPTA: I know. Suppose you give me full freedom to say anything I like.

SHRI ARJUN ARORA: We give you more than full freedom.

SHRI BHUPESH GUPTA: You give it under the Constitution. Then it is said.

"Arguing that the arrest was *mala fide* Mr Krishna Menon said that every possible impediment was put in the way of justice to Mr. George. 'I cannot accept to go and see my client in the presence of a police official'."

It seems that the Chief Minister of Bihar was writing to the owner of the paper asking the owner to take some action against the editor of the paper Mr George. This was disclosed. Then it is said.

"The Chief Justice remarked that the Advocate-General had admitted the existence of letters and that he must produce them. When the Advocate-General objected to this burden, the Chief Justice said: 'We must have the letters'."

Advocate-General: I cannot give any undertaking.

Mr. Justice Bahadur: If they are not available, say so.

Advocate-General: I cannot say they are not available. We have to search for them . . ."

SHRI P. N. SAPRU: Sir, on a point of order. I do not wish to interrupt my friend, Mr. Bhupesh Gupta, with whom I have many points of contact, but I would like to point out to him that it is not right, it is not correct to comment on a case which is pending before a court. We are doing something which the articles in our Constitution do not allow.

SHRI BHUPESH GUPTA: Therefore, I am not commenting at all. I think in Parliament we can read what appears in the newspapers.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Sapru, there is no point of order.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, you are in the Chair and therefore we are also your bodyguards in this matter of rules and procedures and so on. Therefore, we will protect it with all our might. So I do it without any comment whatsoever. Many comments are passing in my mind but they are held in abeyance. The Advocate-General said:

"I cannot say they are not available. We have to search for them. They are not in the Secretariat. They are in the Chief Minister's private Secretariat."

Then Mr. Krishna Menon being a smart man said—some remark he made in the court I will read out without comment because I have my own sense of humour.

SHRI ARJUN ARORA: That is an exaggerated claim that you have a sense of humour.

SHRI BHUPESH GUPTA: Every time I speak you are the person who laughs most.

SHRI ARJUN ARORA: Not at what you say.

SHRI BHUPESH GUPTA: Then you laugh at me. The hon. Member must be a very vulgar person.

SHRI AKBAR ALI KHAN (Andhra Pradesh): If you have a good sense of humour, you better finish. You are wasting time.

SHRI BHUPESH GUPTA: You should know that you are wasting all your time because the Congress Party can go on without you, they have enough. We have a few and we cannot spare.

Then Mr. Krishna Menon said—just that part and I would finish:

"The Paper's name is 'Searchlight', but we are not allowed to search the light."

This is typical of Mr. Krishna Menon's style.

SHRI C. D. PANDE: Pun is a very bad form of figure of speech.

SHRI BHUPESH GUPTA: Are you a man of literature?

SHRI C. D. PANDE: I am saying pun is a very poor form of wit. Searching the light or lighting the search—this is not a very good expression.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Pande, please do not comment while sitting. If you have anything to say, please get up and say.

SHRI BHUPESH GUPTA: Mr. Pande has come from a province which was known for the Nawabs of Oudh. Therefore, he feels naturally like talking while sitting.

SHRI C. D. PANDE: What about Bengal?

SHRI BHUPESH GUPTA: We never had that type of Nawabs. The ones we had, they were very bad. We do not emulate them.

Therefore, I say the editors are attacked by the millionaire press-owners. I wish to invite the attention of the

House that apart from the case, Mr. Birla received a letter from the Chief Minister, Mr. Sahay, advising him to sack Mr. George, get rid of him.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Bhupesh Gupta, you cannot comment.

SHRI BHUPESH GUPTA: I am not commenting on that case.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): You cannot comment on any aspect of the case.

SHRI BHUPESH GUPTA: The case was forgotten . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Neither about what was written of Mr. George because it is *sub judice*.

SHRI BHUPESH GUPTA: I am not commenting on the case.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): What you say does reflect on the case.

SHRI BHUPESH GUPTA: I obey you, Sir. So that is the position. Therefore, forget Mr. George or somebody; how do you like it if the Chief Minister starts writing letters to the owners of a newspaper asking them to take action against the editor?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): That is a different matter.

SHRI BHUPESH GUPTA: That is happening in this country. Mr. Vice-Chairman, therefore, you cannot have independence. The editors are not free. How to make the editors free should be the task of the Press Council, and that is not possible until we make certain fundamental changes in the law and the structure of ownership of the newspapers. That is another point I should like to make here.

The other day I invited the attention of the Minister to a paper, a four-page paper, a very small paper indeed, but four pages filled with poison. It is called the "Daily Gana Raj"; in Bengali it is published. It is a Bengali

paper. It comes out from Agarthala and you will find it interesting. Such a thing has never happened with any other paper. It always announces about Shri Sukhamoy Sen Gupta. It is published by Shri Nanda Gopal Dey at the Manik Press on behalf of Shri Sukhamoy Sen Gupta. And who is that gentleman Sukhamoy Sen Gupta?

SHRI G. S. PATHAK (Uttar Pradesh): Is it mentioned there who he is?

SHRI BHUPESH GUPTA: It is not mentioned there. In the town of Agarthala, Shri Sukhamoy Sen Gupta is well known. He is the Development Minister of the Government of Tripura. And if you read this, from its pages you will know who this Sukhamoy Sen Gupta is. You will find from the top lead news here that the speech of the Development Minister, Shri Sukhamoy Sen Gupta, appears in the same paper.

AN HON. MEMBER: Naturally.

SHRI BHUPESH GUPTA: Everything is natural, nothing is unnatural in this regime! Here this paper is featuring it. I have been to Tripura many times. I made enquiries about this paper and I collected information in January this year, eight months ago, and kept it in my files looking for an opportunity to bring this matter up in this House. Therefore, it is there and I am in a position to invite your attention to it. I am inviting your attention to the paper of the 14th January. You will find that in this paper the speech of the Minister, as a Congress member, is reported, and in that speech he incites the people to violence. I am quoting from this paper, what he says in his anti-Communist speech. He says that if some people do anything to you, the Congress will do everything, we will protect everything. In other words, the incitement was, go against these people, beat them up, and if you are in trouble, turn round to us, the Congress people and the Government, and we shall help you.

SHRI AKBAR ALI KHAN: Is that written there?

SHRI BHUPESH GUPTA: I gave it to her, your Minister. You get it translated. I am not the official translator but if it is translated, by reading it, Mr. Akbar Ali Khan, I am sure that you will come to the same conclusion.

I am saying this thing, do not treat this as a minor paper . . .

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI C. R. PATTABHI RAMAN): It is better that he places it on the Table.

SHRI C. D. PANDE: I would just ask: What is wrong if a certain paper advises the people to stand up against the dictatorship or the over-bearing attitude of a certain party? In that case, the people should be taught to stand up against that party, and the editor has done very well.

SHRI C. R. PATTABHI RAMAN: He may indicate if it is a quotation from the paper.

SHRI BHUPESH GUPTA: I gave an English summary of it. (*Interruptions*).

SHRI A. D. MANI (Madhya Pradesh): On a point of order. Whatever Shri Bhupesh Gupta says is certainly very interesting but it has no connection with the Press Council Bill.

SHRI BHUPESH GUPTA: You will not understand it. There is a thing called independence and objectivity of the paper, freedom of the paper. Here is the editor . . .

SHRI CHANDRA SHEKHAR (Uttar Pradesh): On a point of order. I am very sorry to interrupt my friend, Shri Bhupesh Gupta. But the matter is not so simple. He has levelled certain charges against the Minister of a State, and he is duty bound to quote from the paper which he is reading in the House. Whether he is the official translator or not, he should give the definite paragraph and page from where he has quoted, and if he is quoting out of context, then it is against the rules, and he is trying to malign the Minister of a State. If he has been advising the people to stand up against saboteurs who are sabotag-

ing the interests of the country, there is nothing wrong in it.

(*Interruptions*)

SHRI BHUPESH GUPTA: Whatever conclusion you may come to. I sent it to the Government. I will again lay it on the Table of the House. (*Interruptions*) Not only that, I shall lay it on the Table of the House one hundred times. That is why I brought it. Now, I was surprised when Shri Mani's interruption came . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Bhupesh Gupta, you pass on the paper to the Minister so that your statement can be verified.

SHRI BHUPESH GUPTA: I will pass it on.

SHRI LOKANATH MISRA (Orissa): There has been a request from the Minister for placing it on the Table of the House.

SHRI VICE-CHAIRMAN (SHRI M. P. BHARGAVA): I do not allow it.

SHRI LOKANATH MISRA: I request you to kindly reconsider it

THE VICE-CHAIRMAN: (SHRI M. P. BHARGAVA): I will not allow it.

SHRI BHUPESH GUPTA: I am not interested in petty things. I do not bother whether I succeed in laying it on the Table of the House or not. As long as the Minister sees it, it is all right. The other day, I volunteered, I sent it to her. I myself went across to give it. Usually, I do not go there when the House is in session. I gave it. Again that will be done. I carry out the direction.

Mr. Vice-Chairman, I was a little surprised when Shri Mani made that interruption. If he looks at the Press Council Bill, he will find many of the objectives stated under clause 12.

SHRI LOKANATH MISRA: He is the owner-editor.

SHRI A. D. MANI: Not owner-editor.

SHRI BHUPESH GUPTA I do not know He is the elusive Pimpernal of the Indian Press I am here, I am not there I do not know what it has got to do with this I was thinking of suggesting his name for the Chairmanship of the Press Council but after his remark of this kind, I think I shall never dream of doing that thing

Therefore, if you read this thing, you will find certain things The Press Council is to advise the paper not to write certain things, not to encourage certain things And I was pointing out that such things should not be encouraged And the great editor of "The Hitavada" claiming to be experienced for the last thirty years, toppled over a simple statement that I made and came out with an interruption, fantastic for a journalist and un-understandable for a layman, and absolutely irrelevant to the issues that I made

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) You go on with your speech rather

SHRI BHUPESH GUPTA But Shri Mani shines in his own glory Sometimes when it gets dimmed, it is necessary to rekindle the light

These are the things that I have pointed out to you I say that these things have to be gone into Independence of the editor is of very great importance I stand for that independence being ensured by the Press Council But the Press Council cannot do so unless the Ministry and the Government come to grips with the concentration of ownership and disengage the multi-millionaire class and the monopoly capital from the ownership of newspapers and disengagement has to take place in that particular sphere in order that our editors may regain their dignity, the dignity which at one time Bal Gangadhar Tilak and many other editors enjoyed They rose in their own right, and they were free to say what they liked They were the messengers of progressive ideas in our society Today we have some press editor who goes and borrows money abroad, gets a

donation, say, of 45,000 franks or so, in the name of contributing it to the Prime Minister's Fund, and then we are told that he never informed the Prime Minister about it nor gave it, and there again, we find that certain foreign exchange rules have been violated For obvious reasons, I am not naming the person, the editor But such things are happening Either you sell your intellect at the altar of the multi-millionaire class and become editors of the Press losing your independence and integrity or, if you dare to raise your voice and function as an independent editor, you are treated with contempt, with all kinds of unfavourable things, on the part of the Government and of the owners We want to put a stop to this thing

Mr Vice-Chairman, the independence of the Press cannot be ensured unless the working journalists too are given freedom of expressing their views and other things and reporting objectively Take for example, what happened recently I tell you Newspapermen in our country are, by and large an excellent lot, enterprising men, with a robust mind, with a forward-looking mind, who want to serve the country and the Press and upgrade its stature But they function under all kinds of inhibitions, restrictions and regulations and sometimes they are subjected to ill-treatment and so on And how do things develop? Recently you know Mr Vice-Chairman that a controversy arose between me and Shri Satya Narayan Sinha over the attempted visit of Shri Satya Narayan Sinha to certain night clubs in Paris I thought that I should issue a statement and I should write a letter to the Prime Minister, and I released the letter to the Prime Minister to the Press also for public information

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) Mr Bhupesh Gupta you are wandering too far from the Bill

SHRI BHUPESH GUPTA I am coming to the Bill

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): You admit that you have wandered away from the Bill when you say that you are coming to the Bill.

SHRI BHUPESH GUPTA: It is like wandering in the Moghul Gardens. You do not stick anywhere. You pick up a flower from here and another from there and enjoy that thing. I am picking up the flowers from here and there. You see how the Press behaves. It is a very recent example in which you will be interested also for information, not for any other reason. A certain news agency—I will not name it—decided to release parts of my letter to the Prime Minister to the Press, circulate it. It was nearly ready. They telephoned me to verify as to whether this has been done correctly or not. After that the thing never appeared. Naturally, I became a little inquisitive. Why? I was informed—I can state on affirmation—by the owners—some people highly connected with that news agency—that telephones came from the hon. Minister of Parliamentary Affairs advising them not to publish or circulate such a thing. This is the position. Now, whether it is true or false I do not know. But the fact remains that it was not published.

SHRI C. D. PANDE: You must not circulate a false story.

SHRI BHUPESH GUPTA: This kind of pressure should not be brought, Mr. Vice-Chairman. Sometimes we find that certain companies also bring pressure on the editors of the papers not to publish certain news. If these things are indulged in that has got to be studied. I am not demanding that certain regulations should not be there. But this kind of thing should not be done.

SHRI C. D. PANDE: With your permission, Sir, I want to know for the enlightenment of the House that suppose there is a party which owns a chain of papers and that party has

got a doctrine where the freedom of the Press is tabooed. What is the remedy for the workers in that press and how far that press will have the objectivity for which Shri Gupta, stands, like the "New Age." If the "New Age" does not like something, may I know if it will publish it. Since you say others should have an objective mind to publish all things, you should not object it. I am sure your press will be forbidden from saying anything which you do not like. Is your editor free to do anything that he likes?

SHRI BHUPESH GUPTA: My Editor is free to do anything in the service of the toiling people.

SHRI LOKANATH MISRA: Would you accept Dr. Pande as the Editor of the "New Age?"

SHRI BHUPESH GUPTA: Dr. Pande might apply for being the Staff Editor of the "Indian Observer." (*Interruption by Shri A. D. Mani*) I do not know. I am told it is a good paper. He said he would not appear in the category of small papers. It might offer a post to our great friend.

SHRI ARJUN ARORA: Dr. Pande will not like to be the editor of "New Age." He is satisfied with being the editor and preserver of Old Age.

SHRI BHUPESH GUPTA: But the looks very young, very green as one can think of. There will be a little bias. I shall allow marks for that. I am not seeing papers in the hands of Mr. Mani which preach communist ideas. I am not asking for that. All I say is if the workers go on a strike, he should give an objective report of the strike and other things. That is what I demand. I want truth to be told in its entirety. That is all. And naturally, in a society like ours we have to have an open heart and mind to the problems of the people. You cannot develop a society, promote noble causes without having certain norms and ideas. Even in this

matter it is the task of the progressive newspaper industry in the country to promote ideas that help in making the nation culturally and materially advanced. That is what I say. Dr. C D Pande need not be apprehensive of that

I was speaking about the working journalists, Mr. Vice-Chairman. Their independence and dignity are also of very great importance from the point of view of protecting the independence of the Press at large. But today we find they are not in that position. Today they are subjected to humiliating conditions, pressures of all kinds, pressures of certain subservient editors, owners, government people and others. Sometimes we find that some newspaper people are sought to be placated by the Government by appointment as Ambassadors to certain countries. What do we see here? Some Ministers cultivate certain newspaper representatives of storywriters, columnists of certain newspapers, get a lot of publicity through them and they exert their influence in order to get them appointed as Ambassador to some country, although on their own writing these persons or journalists may be seen to be unfit to interpret the Indian policy, the Indian minds, the Indian ideas to the world at large and to an African country. Such things are happening. Therefore, I say that these working journalists must be treated with honour and dignity. They should be wedded to objectivity and truth, encouraged by the Government on the one hand and loyal to the owners of the newspapers on the other. But that cannot be possible until and unless we rescue our newspaper industry from the clutches of the big monopolist and also we persuade the Government to give up its policy of undue influences and unjustified pressures on the working journalists. Mr. Vice-Chairman, that is also another aspect of the matter to which I shall invite the attention of this House.

Now let me come to certain specific provisions of the Bill. The amendments I have given, I am sure, the Minister has studied them. I know that none of them will be accepted. I am a man ever so rejected. How can I hope to be accepted in the matter of amendments even to the Press Council Bill?

SHRI M. RUTHNASWAMY: You do not know how to propose.

SHRI BHUPESH GUPTA: That I am learning from you who has been always a failure.

Now, Mr. Vice-Chairman, I invite your attention to clause 4(2). It says

"The Chairman shall be a person nominated by the Chief Justice of India."

I do not mind it. But the Chief Justice should consult the organisations of the working journalists. I am not saying that the Chief Justice should be bound by their advice. But it would be good to lay down that in this matter, which is not a judicial matter, it should be approached from the point of view of public policy. Perhaps it would be profitable for the Chief Justice concerned to consult working journalists and seek their opinion in the matter.

Mr. Vice-Chairman, I should like five Members of Parliament to be represented on the Press Council. If it is three Members, the problem arises. The Congress Party will monopolise it. And perhaps an aspirant for position in such a party may be Mr. Mani, who, I am told, is an aspirant for Deputy Ministership.

SHRI C. D. PANDE: You are insulting him.

SHRI BHUPESH GUPTA: I am sure you are not, Mr. Mani. I would never like to see you in those benches. Can I have an assurance from you?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Bhupesh Gupta, please address the Chair.



SHRI BHUPESH GUPTA Mr Vice-Chairman, Mr Mani says he is never an aspirant

SHRI ARJUN ARORA He does not say so

SHRI BHUPESH GUPTA He says neither 'yes' nor 'no' Anyhow, if you have three people, it will not be possible Therefore, I think the number should be increased The Rajya Sabha should be adequately represented

SHRI A D MANI How many?

SHRI BHUPESH GUPTA We have given some amendments At least one or two should be from this side of the House If you say good things I have no objection in nominating you and taking a risk

SHRI C D PANDE This is bribing him

SHRI BHUPESH GUPTA Do not say that I am suggesting that from any selfish point of view I think Members of Parliament should not be there for the sake of an apology They should be representing broadly the opinion in Parliament And that is not possible to ensure unless you increase the number Here again, in regard to clause 12, I have given a whole number of amendments enlarging the scope of this particular clause I need not repeat it here The objective of this Council should be enlarged and it should function in a manner which makes the Press really independent and useful to the society I need not dilate on that

Clause 13 provides for censoring I say that censoring should not be provided for The Press Council should not be a punitive body It should not punish anyone Censoring is a kind of punishment and what I say is that the Council shall in such cases state in writing its disapproval of particular writings in the newspaper That should be done Here again, the legal

procedure that we get in the Court should not be brought in, otherwise it becomes a kind of a court of law and I would like the Press Council to avoid being a kind of a quasi-court of law because that will create complications and also bring it into conflict with very many newspapers in the country I would like that body to be a body of dignity, commanding the confidence and affection of the Indian journalists in the country

Then, with regard to clause 14 I have deleted that thing requiring the discovery and production of documents That provision should go The Press Council should not have the power to go in, under the ordinary law for discovery and production of documents That would mean persecution of the journalists The journalists should be free to collect things from whatever source they can and so long as they own up the responsibility in the matter of publication and the editor is responsible, they should be left free They should not be called upon to divulge sources If you keep this provision here, it would mean interference with the free functioning and effective functioning of the Press I do not see why the Press should not be given the freedom which they are enjoying in this matter today Therefore I say that this thing should completely go That should not be allowed.

I have a very serious objection to this particular sub-clause 2(b) of clause 14 The Minister will please consider again whether this should be retained in the face of almost universal opposition coming from the newspapers and publicmen in the country. Again, with regard to the various other things, the legal procedure should be, as far as possible, avoided The Press Council should be a corrective body an advisory body, a body that inspired people, educates the Press to move in the correct direction That should be the approach Therefore my series of amendments are to this end I hope the Minister will con-

sider them. I know that they will be inclined not to accept any because I undoubtedly qualitatively improve and enlarge the particular provision, and I do not see why when they have enumerated certain things, other things should not also be included. That is my suggestion.

With regard to various other matters, I do not like to say much but one thing I would say is—and I have given an amendment to this effect—that big business people should not be given much place in the Press Council at all. Editors who are either subservient or connected with the big business or who are otherwise undependable from that point of view, should not be appointed as members of the Press Council. Newspaper editors, unless they are really editors, should not be coming as benamdas, that is to say, no editor should be there on the Press Council who is not in fact an editor. For example, there are some editors who are in fact editors at all. The Government should see that some of these people do not find a place. Only those editors about whose integrity and views and other things—views in the broad sense of the term—people can have confidence, the journalists can have confidence, should be placed on the Board. The working journalists, not being editors, should be given preference because it is the men at the bottom, the men who are running the journals, should be more and more elevated to the high position and given a place of honour for service to the Council and to the country and also to the Indian Press. Here again my fear is—I declare here that the Press Council may be manned by people who are directly from the big business or people who are closely connected with the big business. They may sometimes come as editors, sometimes may be coming as representatives of the management, but together they must not be allowed to have anything like a decisive say in the Press Council at all. The voice that should be dominant in the Press Council should be the voice of the

journalists, real working journalists or others like Members of Parliament—I suppose good Members will go there—and other publicmen but certainly the press barons and their men should not be given a big position in this. That is my very important suggestion.

The composition of the Press Council is of very great importance and here again I would not like the Press Council to interfere with the day-to-day working of the Press. There are ordinary laws which would take their course and they should not come in. They should not even interfere with views so long as they are within the broad framework of progressive views. I am not saying about particular party views but suppose the Press preaches communalism or preaches imperialism, that should not be encouraged, just as even today if some press were to write for certain old things in our country, which we by passing social laws have given up, the Press Council or for that matter anybody would not encourage that. Similarly, today in a dynamic society, we should come to the conclusion that certain ideas and values of life have become out-of-date and retrograde, broadly speaking, and certain other things are progressive and forward-looking. We should give encouragement to progressive ideas and discourage socially retrograde ideas, etc. For example, casteism and other things should not be encouraged in newspapers or for that matter communalism of any kind. These are things not to be just prosecuted by law. For example, the Press Council can exert its influence by way of advice to the papers in our country not to encourage communalism in whatever form or similar other things which are detrimental to the larger national interests and our people. This is what I say. Subject to that limitation, they should be free to contend, to go into conflict of ideas, fight ideas which they do not like and carry on debates of ideas in the country and thereby en-

[Shri Bhupesh Gupta.]

lighten and inform the people so that they can make their choice.

Our editors should be men who are sensitive to the lives and living of the people. They should not only be patriotic, they should also be democrats. Today we have set before us the objective of socialism and therefore our editors and others should be encouraged to inculcate that spirit, imbibe those ideas and carry them through their columns as far as possible in the way they like best. There will be divergence of interpretation and expression of views but there nobody should be encouraged to speak for exploitation by foreigners or Princedom or for princely state of things, etc. We know that it is not done but similarly there are certain other things. For example, our editors should be people who are against monopolist exploitation in our country. That exploitation affects all of us, barring a few. Our editors should be people who promote communal harmony in the country and uphold the ideals of secularism in the country. Our editors should be such people who would impart to the newspaper reader the love and affection for the toiling people, for the starving millions of our country. Our editors should be such people who would bring from across the frontiers to our Press not retrograde writing, decadent ideas of the American way of life but the progressive, profound democratic ideas of the new mankind that is born in all parts of the world. Therefore we want such men, men who in their heads carry novel ideas and who in their hearts carry affection, enduring affection, abundant affection for the people, who need all our attention, sympathy, encouragement as well as enlightenment from our side. This is how I view this matter, Mr. Vice-Chairman.

Therefore I think, unless the policy is made clear along this line, policy in the sphere of organisation of the Press, policy in the matter of direc-

tion to the working of the Press Council, policy in relation to the working journalist, policy in regard to the question of ownership, policy in regard to the attitude towards the language paper, policy in the matter of preference between the press that is weak and the press that is strong, unless these basic and vital policies are effectively dealt with and settled in the interests of the nation and the working journalists of the country, however much we may have the Press Council, they will flounder on wrong policies, and will disappoint us, for they will not be in a position to deliver the goods they are expected to. Therefore, I think, the Ministry is called upon to take up this matter, not from a narrow angle but a larger angle, and in this matter, Mr. Vice-Chairman, the Ministry itself, because it is also a publication Ministry, the Information and Broadcasting Ministry has an important part to play. The All India Radio is there, and there are many publications and journals which they bring out. So the Ministry should set an example, should be a path-finder. But I do not think the present Government, even if my esteemed friend, Shrimati Indira Gandhi, happens to be a Member of that Government, would be in a position to rise above the petty prejudices of the Government, invasions of the Government, political affiliations of the Government, ideological narrowness of the Government, and to discharge this great responsibility. Nevertheless I should appeal to her that if she is really interested in doing a good service to the cause of the Press—and I do not see as to why she should not be interested in that—then it will be necessary for her, one thing, to take counsel with the working journalists time and again, repeatedly call them to informal meetings and conferences and take their opinion, the opinion of journalists who do not come in limousines but who come as ordinary correspondents and reporters, talk to them, listen to them, see what they have to say of

their difficulties in functioning as newspapermen and seek . . .

SHRI A. D. MANI: Even reporters have limousines; reporters are being paid so well that they are having limousines.

SHRI BHUPESH GUPTA: Yes, in our country something can be bought, I know, but I think the reporters are not a purchasable commodity. Mr. Mani, you are very well fed, I suppose.

SHRI A. D. MANI: No.

SHRI BHUPESH GUPTA: You are not. I do not know, anyway, but you cannot be bought that way. I can understand you being bought by some temptations from the treasury Benches, but certainly multi-millionaires will not buy you. This is the position. Therefore I say that they should be consulted. Well, it is for Mr. Mani to advise what sort of people should be consulted and the Minister should take this thing. Otherwise, all these things will be a failure. Mr. Vice-Chairman, today, after so many years, we are passing the Press Council Bill, which should have been passed in 1956. Mr. Mani has grown grey waiting and waiting for the Press Council to come. He wrote about it eleven years ago, even now it is not passed, but he hopes it will be passed and we too hope so. Such is the position.

Now, what about the other recommendations of the Press Commission? Many have been implemented. I think the time has come for reviewing the work of the Press again—I am not suggesting the appointment of a Press Commission although I should like one; in the new context of the situation it is necessary to appoint another Press Commission of a different type, with certain clear perspectives in mind, objectives in mind, with better directions for that Commission to make recommendations in order to improve our Press, to suggest concrete measures. Mr. Vice-Chairman, I think, I have made enough sugges-

tions for our esteemed friend, the Minister for Information and Broadcasting, and I should ask her not to give an opinion on it, on everything I have said, tomorrow or the day after. But I hope that she would at least consider them, look at them, study them, and after a study reflect upon them, and judge them in the light of our experience and of our known knowledge, and if she sees there is some validity in what I say, then I think she should have the courage to take adequate steps in order that what she considers to be valid becomes the law of the land and part of our life in the Indian Press.

Mr. Vice-Chairman, therefore, in conclusion all that I would like to say is that today we are concerned with our Press because it looks as though our Press, unless it is given orientations in better directions, may engulf and encircle our political life with wrong, retrograde ideas. It seems that unless we break the monopoly control in our Press, the Indian newspapers, controlled by a section of multi-millionaires, may launch a very severe and ruthless attack on our democratic and parliamentary institutions. It looks as though, Mr. Vice-Chairman, that unless the Press is saved from the hands of the monopolists, they may engineer all kinds of machinations in order to frustrate elections in our country in a proper way and see that a wrong type of people come to occupy positions of authority, positions in Parliament and in the Legislatures, and in the Treasury Benches. If the Press is not given orientation and saved from reactionary monopoly interests, it looks as though, Mr. Vice-Chairman, we may be facing a situation in the country where this Indian Press, under the control of monopolists and under the influence of and connected with reactionary political interests, may prove to be the most ruthless weapon of political struggle, not only against what we aspire to establish, but also against the gains of our freedom struggle, of

[Shri Bhupesh Gupta.]

our struggles in free-India. Therefore, danger looms ahead. Control this Press, this monopoly control, this monopolistic Press. If you want to save our democracy, decency in public life, fairness, objectivity, integrity in public life, courage among men who want to fight for noble causes, if you want to ensure that the Government does not fall under the spell of an evil influence, of a pressurizing reactionary Press, then it is the bounden duty of Members on this side of the House, and on that side of the House, to put their shoulders together and ensure, with all the efforts they can make, that the Indian Press is saved from such evil influences. The Press is a very powerful weapon in the hands of reaction, and once that weapon is allowed to become formidable, and is allowed to gather strength, I am sure what they will strike at is not merely this party or that, this idea or that, but they will strike down the very edifice on which our Constitution is based, the very edifice on which we want to re-build India in the image of our martyrs and leaders that are no more with us. Therefore, today the fight against monopoly Press is fight for the preservation of the heritage of our freedom struggle, and the cultural heritage of our people. This fight is the fight for the future against the forces of decay and destruction.

Therefore, Mr. Vice-Chairman, I would again appeal to this House and to the Government: Take care of this Press before it overwhelms you—reactionary monopoly Press I have in mind. Once you do that, you will find support and encouragement from every newspaper—they may hold divergent points of view but all the same contribute in their own way to justice; just as many streams flow into the sea, similarly you will find various newspapers with progressive ideas converging in the same way as the rivers from different directions flow into the sea. That will be the position. Let that situation be created, Mr. Vice-Chairman. Let the Press

of India not remain in a state of siege in the hands of the monopolists. Let the Press of India grow in the democratic, fighting traditions of our people. Let it bring the message of the future to our men and women. Let it mould their ideological, political and cultural values in such a way that this great nation, by the toil and efforts of our people, with the support of the Indian Press, can shine in still greater glory and in more majestic splendour. We want the Press in India to be so directed, encouraged and helped that it becomes the harbinger of that future that we dream of and which as yet has not been realised. That is how we should look at it. Therefore, I say, Mr. Vice-Chairman, that this is the real issue.

I say this because about the Press I feel very deeply emotionally. Speaking for myself, even in England when I was a student, I liked journalism and I used to write in newspapers. We had a students journal of which my departed friend, Mr. Feroze Gandhi, was the manager and I was the editor and we were running it. Together we did it. Similarly after coming to this country, I was also working as editor for many years in our Party journal, and also of the "New Age" which was mentioned. I also served as editor. Though I have done some little work in Parliament—I don't know for what purpose—though I have done something here, I have been always connected with newspapers, of a type you may say, in one way or the other. I have always cherished my friendship and association with journalists because I find they are informed and enlightened people. That is why I like them, and I like them even when they disagree with me. Maybe sometimes there is disagreement. But then out of disagreements and discussions in national life, better things come out. They arise from contending ideas and conflicting views. I always feel sympathetic towards all these people.

Yet, see the plight of these people. Young and enthusiastic informed men, see how they suffer. It is not money that matters. Today I think their intellect is always under some kind of suppression, some kind of a regulation and so on. Yet they struggle on and they fight on, and that goes to the glory of these people, Mr. Vice-Chairman. Therefore, I have spoken here. I am not an experienced journalist like my esteemed friend Mr. A. D. Mani, but I do have some little experience of it, in that particular field. I can tell you that I have been to some progressive newspaper offices in many countries in Europe and the socialist countries, and I have seen many things. Also I have some ideas and I can tell you that the orientation of the Press must be an orientation in favour of the people, must be an orientation in favour of progressive ideas that stir the imagination of mankind towards the glorious destiny of mankind today. And in this task I think our pressmen can play an important part. The only thing that remains for the Government is to discharge its own responsibility as it occupies a commanding position in our national life, by giving all encouragement and assistance that the development of a fearless and free Press demands in our country. Unless this is done, we will not be achieving the objective that we have set even in this particular Bill.

Mr. Vice-Chairman, once again I thank the Government for bringing this Bill, even though late. Better late than never. Since the hon. Minister of Information and Broadcasting is here, I should like to ask her to consider the problem in its entirety. Review the work that has been done and take credit for achievements, make a critical review of the failures and have the courage to rectify them. Go forward with all strength and with the co-operation of journalists, and the enlightened public. I think if she can fulfil this responsibility, she will have done a noble

service not only to the Press of India but to the people of India also. Thank you.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Would you take to intervene now at this stage?

THE MINISTER OF INFORMATION AND BROADCASTING (SHRIMATI INDIRA GANDHI): Mr. Vice-Chairman, I want to make it clear that I am not replying to the debate. Since the hon. the Deputy Minister is in charge of the Press in my Ministry, he will do so whenever he gets the chance, and I have no doubt that he will deal with all the amendments that have been tabled. However, I have got up now to direct the attention of the House to certain broad principles and objectives of this Bill, for unless we keep these in mind we may lose ourselves in a mass of details—as we have lost ourselves for a considerable time—which are of lesser significance.

First of all, let us remember that by sponsoring this Bill, the Government of India is breaking fresh ground in a new field and in a manner which has not been done so far anywhere else in the world. Both in Parliament and outside, this matter has been viewed from two differing points of view. On one side, it is strongly felt that the Press Council should be essentially a measure of self-regulation not only for the profession of journalism but also on the part of the newspaper industry. Considering the structure and the aims of our Indian democracy, and the character and composition of the Indian Press, hon. Members will agree that it is by no means easy to reconcile the interests and functions of the industry and the profession with our national objectives. On the other hand is the view that the Press Council should be constituted and used as an instrument for curing the industry as well as the profession of all inadequacies and weaknesses. In this context, it is expected that the

[SHRIMATI INDIRA GANDHI.]

Press Council should directly carry out many positive measures of reform, of improvement of and assistance to the industry and working journalists. There was even an amendment before the Joint Select Committee suggesting that the Press Council might deal with the question of newsprint. Now, it is obvious that the Press Council cannot be expected to take up and deal efficiently with such a wide range of administrative and executive duties. The measure before the House has inevitably to have a limited purpose. The Bill is thus a compromise, a practical compromise, between the idea of self-regulation by the profession and the industry and a desirable minimum element of regulation by way of assistance of a statutory character without which the self-regulation may not be effective, as the Deputy Minister and others have pointed out by citing the Gunn case in England. Had the industry and the profession been able to exercise the necessary self-regulation, there would have been no need to bring in this Bill before Parliament.

I am glad to find that, on the whole, there is a large measure of agreement expressed by all sections of the House. Many hon. Members have tabled amendments and we shall certainly look at them very carefully. Two similar bodies which have been mentioned here time and again are the Medical Council and the Bar Council. I am neither a lawyer nor a medical person but I have heard it said that the task of the lawyer is to get his client acquitted and to find loop-holes in the case against him, irrespective of whether the man is guilty or not, whether he had committed the crime or not. Similarly a medical man, it is said, may pronounce an operation to be successful even if the patient dies afterwards. Now, being a lay person, I see things from a slightly different angle. I must confess that while fully believing in the freedom of the Press, I do also believe in the

freedom of the individual, provided, of course, that he or she does not commit any anti-social or anti-national act.

While the general level of our newspapers is quite high, we all know that there are exceptions, that there have been and still are cases where innocent persons are harmed, where passions are inflamed and a tense atmosphere aggravated to the detriment of public interest. I should like to quote from a famous case which has been quoted in the Report of the Press Commission:

4 P.M.

"In *Gitlow v. New York*, 1925 S.C. 13, the Supreme Court had to pronounce—

'It is a fundamental principle long established that the freedom of speech and of the Press which is secured by the Constitution does not confer an absolute right to speak or publish without responsibility whatever one may choose, or an unrestricted and unbridled licence that gives immunity for every possible use of language, prevents the punishment of those who abuse this freedom'."

This has happened in our country time and again and that is the reason why the Government was so anxious to bring forward this Bill to the House and to have the proposed Press Council. Mr. Bhupesh Gupta has asked me to do many things which I think are beyond my power but not beyond the powers of the Press Council and the very reason for proposing that Council is that it would tackle some of the problems concerning the Press which are before the country. The Press suffers from many ills and monopoly ownership is certainly one of them and that is why if Mr. Bhupesh Gupta studies the Bill, he will see that this is one of the items brought within the purview of the Press Council. Mr.

Gupta has been objecting to our helping big papers. Now, we have certain rules and regulations and we try to follow them to the best of our ability. Advertisements to the papers are given according to the circulation of the newspapers. Now, it does happen that the bigger newspapers have a bigger circulation and from that point of view they get more advertisements, but may I point out, Sir, that Mr. Bhupesh Gupta himself is guilty of giving more publicity to the "Ananda Bazar Patrika" than I could ever do. I have hardly seen a day pass by when the name of this newspaper and its editor or the editor's father has not been mentioned.

**SHRI A. D. MANI:** The "Amrit Bazar Patrika" also, both.

**SHRIMATI INDIRA GANDHI:** Both big newspapers. I do agree with some of the points made by Mr. Bhupesh Gupta. One of them is regarding the basic purpose, namely, that our newspapers should put important issues before the public and try to explain all aspects of the problem, so that people get a fuller view—both sides of the question of what is happening. However, this cannot be forced upon newspapers; it can come only by public demand and I hope Mr. Bhupesh Gupta will create this demand in the people, not by decrying other people but by trying to build up good new editors and others concerned.

**SHRI BHUPESH GUPTA:** Only if you allow me a little immunity from the D.I.R.

**SHRIMATI INDIRA GANDHI:** As I said, I do not wish to go into the amendments as the Deputy Minister will deal with them at the end of the debate. The purpose of my getting up was merely to suggest that we should not forget the basic fact of

the situation in India today and the necessity for agreement on the broad policy of the Bill which is essentially to meet that situation and at the same time to maintain the unique measure of freedom which the Press enjoys in our country. I feel that some of the amendments, if accepted, would prove restrictive of this freedom and I am afraid that if the Press Council were to be charged with tasks far beyond its competence and its natural functioning, we would be defeating the very purpose of the measure before us. It is certainly not our claim that this is a perfect measure. In the present context and at this stage of the legislation, it would be difficult to seek perfection. I would merely suggest to the House to allow the Press Council to be constituted and to let it function for sometime within the framework of the Bill as amended by us. There will be time enough to consider, in the light of future experience, how best to remove any inadequacy that may be felt in the course of its working. Thank you.

**श्री जगत नारायण (पंजाब) :** वाइस-चेयरमैन महोदय, मैं उन अखबारात के मुताल्लिक जिक्र करना चाहता हूँ जिन अखबारात की इशाअत 5,000, 10,000 या 15,000 से कम है, जिनको स्माल न्यूजपेपर्स कहा जाता है। इस बिल के प्रीएम्बल को पढ़ कर यह मालूम हुआ था कि लिबर्टी के लिये यह प्रेस काउन्सिल बनाया जा रहा है। मगर वाइस चेयरमैन महोदय, मेरा भी इस बारे में तजुर्बा है क्योंकि मेरा भी ताल्लुक उन अखबारात के साथ है जिनकी इशाअत 15,000 से नीचे है। तो मैं यह अर्ज करना चाहता हूँ कि यह वे अखबार हैं जिनको सही मानों में ऐसे स्माल न्यूजपेपर्स कहना चाहिये जो असली में मोफत्सिल की, टाउन्स की, देहातों की सेवा करते हैं। तो जब मैंने इस प्रेस काउन्सिल बिल को पढ़ा, और मुझे भी प्रेस काउन्सिल में काम करने का मौका



[श्री जगत नारायण]

मिला है, आजादी मिलने के बाद पंजाब में प्रेस काउन्सिल थी उस में अलग काम करने का मौका मिला है उसको देखकर मैं यह कहना चाहता हूँ कि जिस ढंग पर वजीर महोदया ने कहा है कि यह यूनीक बिल वे ला रही हैं, और मेरे भाई मणिसाहब ने भी कहा था कि एशिया के लोग हमारे इस बिल की तरफ देख रहे हैं, यह इतना शानदार बिल है, मगर मैं यह समझता हूँ कि यह जो बिल है इसकी जद में—मुझे बड़े पेपर्स का तो इल्म नहीं कि वे इसकी जद में आएंगे कि नहीं—मगर जहां तक छोटे न्यूजपेपर्स का ताल्लुक है जिनको वास्ता सूबाई सरकारों से है, जो कि छोटे-छोटे शहरों में या राजधानियों में छप रहे हैं, सूबाजात अखबार हैं, तो मैं समझता हूँ कि उन के लिये यह बिल प्रोग्रेसिव नहीं है। मैं इसलिये कहता हूँ कि यह प्रोग्रेसिव नहीं है क्योंकि जितने इण्डियन पीनल कोड के लाज हैं वे उसके साथ-साथ कायम हैं, जितने लाज स्टेट्स ने बनाए हैं प्रेस को कंट्रोल करने के लिये वे भी सारे कायम हैं, उन पर यह जो प्रेस काउन्सिल है किसी तरह भी हावी नहीं हो सकता है। वह वहां मुकदमा भी चला सकते हैं, डीफेंसेशन के केसेज भी चला सकते हैं। पिछले चार पांच साल में हमारे अखबार में भी “मोर दैन डजन केसेज” हुए और एक डिफेंसेशन का केस सरकार की तरफ से हुआ। मुझे तो यह हदशा पैदा हुआ है कि एकतरफ तो सरकार के और सारे कानून लागू हैं और अब यह प्रेस काउन्सिल बना कर के ऐसे जो अखबारात हैं जो कि स्टेट्स के चीफ मिनिस्टर्स के साथ, या जो वजीर महोदय हैं उनके साथ “आई टू आई” नहीं देखते हैं या एक तरह से उनका क्तिदिसिज्म करते हैं, चाहे वह कन्स्ट्रिक्टिव हो, तब भी वे जो हमारे चीफ मिनिस्टर हैं या वजीर साहब हैं वे पसन्द नहीं करते, जब तक कि उनकी लाइन को “टो” न किया जाये

तब तक वे अखबारात के खिलाफ मुकदमे बनाए जाते हैं। अब यह पोजिशन हुई है कि एक तरफ सूबाई सरकारों के कानून हैं और वे कानून हैं जो इमरजेन्सी के वक्त बनाए गए हैं जैसे कि इमरजेन्सी के वक्त एक प्रेस कानून सरदार प्रताप सिंह कैरों ने बनाया था; उस कानून के तहत जिस वक्त वे चाहें किसी अखबार को बंद कर सकते हैं, अखबार के प्रेस को ताला लगा सकते हैं। मिनट नहीं लगता, कोई किस्म की पूछताछ नहीं हो सकती है, न वह सुप्रीम कोर्ट में जा सकता है, न हाई कोर्ट में जा सकता है, न कहीं जा सकता है। तो उस को एमरजेन्सी का नाम देकर उन्होंने पीनल लाज बनाए हुए हैं। अब क्या होगा? प्रेस काउन्सिल बना कर, एडीटर्स को सामने लाकर, अखबारवालों का केस कौन पेश करेगा? सरकार का डिसप्लीजर लेकर या जो कुछ भी समझिए, अगर उन को पेश करेंगे तो प्रेस काउन्सिल की पोजीशन बड़ी आकवर्ड हो जायेगी, मैं आकवर्ड इसलिये कहता हूँ कि जो सरकारें उन के खिलाफ केस बनाएंगी तो जो सरकारी वकील होगा वहां का, वह कहेगा कि प्रेस काउन्सिल उनको वार्निंग दे चुकी है एक नहीं पांच वार्निंग दे चुकी है, इसलिये इस अखबार ने वाकई गलती की है इस अखबार को सजा मिलनी चाहिये क्यों कि यह पांच वार्निंग, चार वार्निंग, तीन वार्निक प्रेस काउन्सिल से ले चुका है। तो एक तरह का एक दूसरा कोर्ट बन गया है उन अखबारात को सजा देने के लिए जो बड़े-बड़े अखबारात हैं या जो बड़े-बड़े चैन के अखबार हैं, न्यूजपेपर्स हैं, उस पर किसी ने हाथ नहीं डालना है। आखिर में यही होना है कि ये जो सूबाजात अखबार छप रहे हैं, जिनको छोटे अखबारात कहा जाता है, उन पर यह गवर्न-मेंट हाथ डालेगी उन पर ही केस चलाएगी और फिर इस प्रेस काउन्सिल के तहत वह वहां से वॉडिक्ट लेगी दूसरी तरफ उनके खिलाफ और मुकदमा चलेगा

और मुकदमा चलाने के बाद वे कहेंगे कि इनके साथ तो यह हो चुका है ।

मैं अर्ज करना चाहता हूँ कि मेरे अखबार ऊपर कई मुकदमे चले और सिर्फ दो मुकदमों में सजा मिली और बाकी में हमारी हो गयी । लेकिन अब यह पोजीशन नहीं होगी क्योंकि प्रेस काउन्सिल बिल अब पास हो जायेगा और उसके बाद जो प्रेस काउन्सिल बनेगी उसको बनाने वाले चीफ जस्टिस होंगे । इस प्रेस काउन्सिल का जो चेयरमैन होगा वह चीफ जस्टिस का नामिनी होगा । इस प्रेस काउन्सिल के जो मेम्बर होंगे उनको भी इस तरह से चीफ जस्टिस ही नामिनेट करेंगे । चीफ जस्टिस एडिटर्स की एक लिस्ट बनायेंगे और उसमें से वे प्रेस काउन्सिल के लिए मेम्बरों को छांटेंगे । इस तरह से प्रेक्टिकली चीफ जस्टिस ही प्रेस काउन्सिल के मेम्बरों को नामिनेट करेंगे । इस तरह से जो प्रेस काउन्सिल बनेगी उससे यह मुश्किल पैदा होगी कि उसके पास जो केस जायेंगे और जो फैसला वह देगी उसकी अपील नहीं हो सकेगी । इस तरह से किसी को वाकई में इंसाफ मिल सकेगा, इसमें मुझे शक है ।

मैं आप से यह भी अर्ज करना चाहता हूँ कि आजकल यह है कि अगर किसी अखबार के खिलाफ कोई डिफेमेशन का केस होता है । तो उसकी सुनवाई पहले मजिस्ट्रेट के यहां होती है और फैसला होता है । अगर उसमें वह आदमी हार जाता है या सजा मिल जाती है तो वह सेशन जज के यहां अपील कर सकता है । अगर वहां भी उसे न्याय नहीं मिलता है तो हाई कोर्ट में अपील कर सकता है । इसके बाद भी वह सुप्रीम कोर्ट में आखिरी अपील कर सकता है । मगर इस प्रेस काउन्सिल बिल से यह बात नहीं होगी और लोगों को इंसाफ नहीं मिल सकेगा क्योंकि चीफ जस्टिस ही सारे मेम्बरों को नामिनेट करेगा और किसी अखबार वाले को वॉनिंग मिलेगी तो उसका एडिटर सजा से बच नहीं सकता है । इसलिए मैं समझता हूँ कि जो यह कहा जा

रहा है कि यह प्रेस काउन्सिल बिल एक प्रोग्रेसिव बिल है, वैसा वह नहीं है ।

दूसरी बात मैं यह कहना चाहता हूँ कि इस प्रेस काउन्सिल को छोटे अखबारों के लिए कोई अख्तियार नहीं दिये गये हैं । मैंने यह बात जानने की बहुत कोशिश की कि इसके अख्तियार क्या हैं । मैंने यह देखा है कि जहां तक एडवर्टाइजमेंट मिलने का सवाल है, उसके मुताल्लिक यह प्रेस काउन्सिल कुछ नहीं कर सकती है । अभी मेरी बहिन ने कहा कि हमारी सरकार की यह पालिसी है कि जिन अखबारों की ज्यादा बिक्री है, ज्यादा सर्कुलेशन है, उनको इशतहार दिये जाते हैं । चाहे वे किसी भी पार्टी से ताल्लुक क्यों न रखते हों । उन्होंने यह भी कहा कि यही पालिसी प्रेस काउन्सिल की भी रहेगी । लेकिन मैं अपनी बहिन का ध्यान पंजाब के उन अखबारों की तरफ दिलाऊंगा जो ज्यादा तादाद में छपते हैं, लेकिन फिर भी सरकार उन्हें इशतहार नहीं देती है । यह जो सर्कुलेशन की बात कही गई है वह सेन्टर के बाबत होगी, मगर पंजाब में यह बात लागू नहीं होती है । मैं इस बारे में यह अर्ज करना चाहता हूँ कि पंजाब में जिन अखबारों का सर्कुलेशन ज्यादा है उनकी हालत यह है कि सरकार की ओर से उन्हें लाइब्रेरीज में लेना बन्द कर दिया गया है । इस तरह के अखबारों को रीडिंग रूम्स, सेमी आफिशियल्स रीडिंग्स रूम्स, जिलों में, ब्लाक समितियों में नहीं जाने दिया जाता है । इस तरह के अखबारों को स्कूल में भी नहीं जाने दिया जाता है । तो फिर यहां पर जो यह कहा जाता है कि सर्कुलेशन जिसका ज्यादा होगा उसको एडवर्टाइजमेंट दिया जायेगा, बिल्कुल गलत बात है । इस प्रेस काउन्सिल बिल में भी इस तरह का कोई क्लॉज नहीं है जो कि उसको इस तरह का अख्तियार देता हो । तो मैं यह अर्ज करना चाहता हूँ कि सरकार को इन तमाम बातों की ओर ध्यान देना चाहिये और जिन अखबारों के ऊपर इस तरह

[श्री जगत नारायण]

की ज्यादाती हो रही है, गवर्नमेंट की तवज्जो उनकी ओर दिलाना चाहता हूँ।

यह जो प्रेस काउन्सिल बिल बनाया गया है वह सिर्फ इसलिए बनाया गया है कि एडिटर्स का गला इसके जरिये दबोचा जा सके। एडिटर्स अगर किसी खबर को सुखी देना चाहते हैं तो अब नहीं दे सकेंगे, अगर वे इंडिपेंडेंट बात लिखना चाहें तो नहीं लिख सकेंगे। हमारा देश जब आजाद हुआ तो यहां के अखबारों की भी आजादी मिली। मैं उन लोगों में से हूँ जिन्होंने देश की आजादी और प्रेस के आजादी में थोड़ा हिस्सा लिया था। लेकिन मैं यह अर्ज करना चाहता हूँ कि अंग्रेजों के जमाने में जो आजादी अखबारों की थी, अंग्रेजों के साथ लड़ाई लड़ना में उन्होंने जो हिस्सा लिया, उस तरह की चीज अब नहीं रखी अगर कोई आदमी नया अखबार निकालना चाहता तो उसको इतनी परेशानी होती है कि वह हैरान हो जाता है। अंग्रेजों के जमाने में डिक्लेयेशन फार्म लेने में बहुत कम समय लगता था, लेकिन आजकल तीन चार महीने से भी ज्यादा लग जाते हैं। अंग्रेजों के जमाने में यह होता था कि डी० सी० के दफ्तर में चले गये, डिक्लेयेशन फार्म भरा और उसकी मंजूरी हो गई। इसके बाद कोई भी आदमी अखबार आसानी के साथ निकाल सकता था, लेकिन अब यह हालत नहीं है। अगर कोई अखबार निकालना चाहे तो पहले उसे डिक्लेयेशन फार्म भरकर डी० सी० दफ्तर में देना होगा जहां से वह पंजाब सरकार के पास जायेगा। इसके बाद पंजाब सरकार उसे सेन्टर में भेजेगी और सेन्टर की सरकार से प्रेस रजिस्ट्रार के यहां भेजेगी जहां से यह लिख कर आयेगा कि इसमें यह नहीं है, वह नहीं है। इस तरह से कई चिट्ठियां चलेंगी और उसके बाद मंजूरी होगी।

श्री लोकनाथ मिश्र : यह प्रोप्रेसिव गवर्नमेंट है।

श्री जगत नारायण : अंग्रेजों के जमाने में अखबारों ने आजादी लेने में मुल्क की बड़ी मदद की। उस वक़्त अखबारों की क्या हालत थी, वह मैं आपको बतलाना चाहता हूँ। उस वक़्त हालत यह थी कि अगर सरकार कोई अखबार बन्द कर देती थी तो हर एक आदमी पाच-पाच अखबारों के डिक्लेयेशन फार्म अपने पास लेकर रखता था। अगर एक अखबार बन्द हो गया तो दूसरे ही दिन उसी नाम से अखबार निकल जाता था। मगर आज यहां क्या हालत है? पंजाब सरकार ने मास्टर तारासिंह के अखबार "अकाली" को बन्द कर दिया। उन्होंने "अकाली" अखबार के नाम पर दूसरा अखबार निकालने की कोशिश की मगर उन्हें इस बात की इजाजत नहीं मिली और आखिर उन्हें अपने अखबार का नाम "जय्येदार" रखना पड़ा। लेकिन अंग्रेजों के जमाने में यह बात नहीं थी। उनके जमाने में यह होता था कि अगर मैंने कोई खिलाफ मजमून लिखा है तो मेरे खिलाफ मुकदमा चलाया जाता था। मैंने भी इस तरह के कई मजमून लिखे और मुझ पर मुकदमा चला। मैं मुकदमा लड़ा और कई कैसज में तो बरी हो गया लेकिन दो कैस में मुझे जेल भुगतनी पड़ी। उस जमाने में मुकदमा लड़ने की सहुलियत थी लेकिन मैं यह देखता हूँ कि इस प्रेस काउन्सिल बिल में इस तरह की कोई फौसिलिटी नहीं दी जा रही है। इस प्रेस काउन्सिल बिल में सिवाय इसके कि अखबारों का डेवलपमेंट किया जायेगा, उनकी लिबर्टी को कायम किया जायेगा, सरकार फ्रीडम आफ एक्सप्रेशन चाहती है, इन बातों के और कुछ नहीं है। आप जो फ्रीडम आफ एक्सप्रेशन की बात कहते हैं वह आप नहीं दे रहे हैं। अगर कोई कुछ लिखना चाहता है तो आप उसके खिलाफ कैस चलाते हैं और उसको अपील करने की भी इजाजत नहीं देते हैं। कोई आदमी अगर कुछ लिखना चाहता है तो आप उसको वॉनिंग दे देते हैं कि आपने इस तरह का क्या लिखा और उसके लिए फिर कोई अपील नहीं हो सकती है।

पहले अगर कोई मजबूत लिखता था और उसके खिलाफ केस चलाया जाता था तो वह हाई कोर्ट या सुप्रीम कोर्ट तक अपील कर सकता था यानी उसको अपील करने के लिए खुला रास्ता था। लेकिन आज इस प्रेस काउन्सिल बिल के बन जाने से आपने एक अलग कोर्ट बना दिया है और वह जो फैसला देगा उसकी कोई अपील नहीं हो सकेगी। इसमें जो अखबारनवीस मेम्बर होंगे वे ही कोर्ट बन गये हैं और वही फैसला देगे। मैं यह अर्ज करना चाहता हूँ कि इसमें जो वॉनिंग की बात है वह नहीं होनी चाहिये। अखबार वालों को पूरी आजादी लिखने की मिलनी चाहिये और अगर उन पर केस चलता है तो उन्हें अपील करने की इजाजत भी मिलनी चाहिये।

इसके साथ ही साथ मैं यह भी अर्ज करना चाहता हूँ कि इस प्रेस काउन्सिल को यह भी देखना चाहिये कि अखबार वालों को सहूलियतें मिलती हैं या नहीं? आज हालत क्या है? इस बिल में कहा लिखा है कि उन अखबारों को जिनको कागज का कोटा ठीक तरह से नहीं मिलता है, यह प्रेस काउन्सिल इस का बन्दोबस्त करेगी? वाइस चेयरमैन साहब, आज हालत यह है कि जिन अखबारों को तीन साल पहले जो कागज का कोटा मिलता था वही आज भी मिल रहा है। फर्ज कीजिये किसी अखबार का सर्कुलेशन 5000 है और अब उसका सर्कुलेशन 10000 हो गया है तो उसको 5000 सर्कुलेशन पर 10 परसेंट के हिसाब से अखबारी कागज का कोटा दे दिया जाता है और इस बात का ख्याल नहीं किया जाता है कि उसका सर्कुलेशन 10 हजार हो गया है। आप चाहें ए० बी० सी० का सर्टिफिकेट भी दिखला दीजिये जो कि बड़ी अहमियत वाला सर्टिफिकेट है, जिसे यूनियन सरकार मानती है और जो कि एक बड़ा जैन्डन सर्टिफिकेट है, इसके बावजूद भी अखबारी कागज का कोटा नहीं मिलता है। इसलिए मैं यह अर्ज करना चाहता हूँ कि

जिन अखबारों का सेल 5 हजार से 10 हजार हो गया है और उनको 5 हजार के सेल पर ही 10 परसेंट के हिसाब से अखबारी कागज का कोटा मिलता है तो इस प्रेस काउन्सिल का क्या फायदा हुआ? सरकार ने यह प्रेस काउन्सिल बिल सिर्फ अपने लिये बनाया है ताकि वह अखबारात को अच्छी तरह से अपने हाथ में दबोच सके। तो, वाइस चेयरमैन महोदय, मैं यह अर्ज करना चाहता हूँ कि अगर वाकई सरकार चाहती है कि एशिया में भी ऐसा बिल बने, अगर वह चाहती है कि एक यूनीक बिल बने, तो मैं अपनी बहन से कहूंगा कि वे यह देखें कि अमेरिटीज छोटे अखबारात को मिलें। जो चैन न्यूजपेपर्स है, जो बड़े बड़े अखबारात हैं, उनको एडवर्टाइजमेन्ट्स मिलते हैं, उनको कागज का कोटा मिलना है और उन पर प्रेस काउन्सिल भी हाथ नहीं डाल सकेगी। हाथ डाला जायेगा स्माल न्यूजपेपर्स पर, उन स्माल न्यूजपेपर्स पर जो कि सूबाजात में छाने हैं। और जो कि चोफ मिनिस्टर्स और मिनिस्टर्स के क्लिम के शिकार होते रहते हैं। जब इस प्रेस काउन्सिल की वर्किंग शुरू होगी तो आप देखेंगे कि बड़े-बड़े अखबारात पर हाथ नहीं डाला जायगा। आप के पास शिकायत आयेगी सूबाई हुकुमतों की तरफ से कि इस अखबार ने यह छापा है, इस अखबार ने हमारे खिलाफ यह छापा है। इस तरह की तमाम शिकायतें आपके पास आयेंगी और उन के हाथ में पैट्रोनेज है। आप चाहते हैं कि आप प्रेस को भी आजादी दिलायें लेकिन यह मुमकिन नहीं है जब तक आप उनके लिये एक कोड नहीं बनायेंगे।

आपने कहा कि सर्कुलेशन पर उनको एडवर्टाइजमेन्ट मिलना चाहिये, सर्कुलेशन पर उनको कागज का कोटा मिलना चाहिये, सर्कुलेशन पर उनको डूमरी सहूलियतें मिलनी चाहियें, लेकिन आप देखेंगे कि

## [श्री लोकनाथ मिश्र]

इस वक्त उनकी हालत क्या है। वजीर महोदया, जब जालंधर गई थीं, तो उनकी नोटिस में एक बात लाई गई थी कि जो छोटे अखबारात हैं उनको रील्स दी जाती हैं। जो छोटे अखबारात हैं, उनके पास छोटी मशीनें हैं और वह मशीनें ऐसी नहीं हैं जिन पर वह रील्स चढ़ सकें। फिर क्या होता है कि जो रील्स जाती हैं, उनको काटा जाता है क्योंकि वहां सूबाजात में, छोटे शहरों में, ऐसी मशीन नहीं हैं, जिन पर वे चढ़ सकें। उस के बाद वह अखबारात छपते हैं। इस के लिये बड़ी कोशिश की गई और उनकी नोटिस में भी लाया गया, मगर हालत यह है कि आज तक वही रील्स मिल रही हैं। हालांकि उनके पास प्लेट शीट्स देने के लिये हैं, मगर उन को नहीं दिया जाता है। तो मैं यह अर्ज कर रहा था कि प्रेस कौंसिल में ये तमाम बातें रखनी चाहियें जिस से छोटे अखबारात को सहायितें मिलें।

जहां तक स्माल न्यूजपेपर्स का सवाल है, ये तो वह अखबारात हैं जो कि सही माने में, जो लोग देहात में रहते हैं, कसबा-जात में रहते हैं, उनकी सेवा करते हैं। ये जो बड़े बड़े अंग्रेजी के अखबारात हैं ये तो शहरों में ही पढ़े जाते हैं। देहातों में तो लैंग्वेज न्यूजपेपर्स या स्माल न्यूजपेपर्स पढ़े जाते हैं। आज आपका खयाल है कि वह जो ब्लैक मेल करने वाले अखबारात हैं, उन पर हाथ डाला जायेगा। मेरा ऐसा खयाल है कि आप उन पर हाथ नहीं डाल सकेंगे। बदकिस्मती से यही होगा कि सूबाई सरकारें उन अखबारात के खिलाफ लिख कर के भेजेंगी, जिन अखबारात को वे आई टू आई नहीं देख सकती हैं और जिन अखबारात को वे अपना पैट्रोनेज हासिल करने के लिये नहीं खरीद सकती हैं। तो आप के पास ऐसे अखबारात की शिकायतें आयेंगी और वे बेचारे इस प्रेस कौंसिल के

शिकार होंगे और जब वे अपना केस लेकर के कोर्ट्स में जायेंगे, तो वहां से भी शायद उनको इंसाफ नहीं मिल सकेगा। इसी लिये मैं ये बात आपकी खिदमत में अर्ज करना चाहता था। मैं प्रेस काउन्सिल बनाने के हक में हूँ क्योंकि मुझे इसका पता है। जब आजादी मिली थी, तो पंजाब गवर्नमेंट ने एक प्रेस काउन्सिल बनाई थी और मुझे भी उसमें छः सात साल काम करने का मौका मिला था। मैं अर्ज करना चाहता हूँ कि उस प्रेस काउन्सिल में किस तरह से काम होता था। उन्होंने यह किया था कि पंजाब में जितने डेलीपेपर्स थे, उनका एक आदमी प्रेस काउन्सिल का मेम्बर हो गया था और जो हफ्तावार अखबार थे उनसे यह कह दिया गया था कि दो रेप्रिजेंटेटिव वे अपने दें। इस ढंग से वह प्रेस काउन्सिल बनी थी। उस प्रेस काउन्सिल में जब कोई केस अखबारात के मुतालिक पेश होता था, तो उस पर बहस होती थी और यह राय ली जाती थी कि हम किसी अखबार के खिलाफ मुकदमा बनायें या नहीं बनायें या इतना कह देना काफी समझें कि वह आइन्दा के लिए एह्तियात रखे। 99 पर सेंट केसेज में तो यही फैसला हो जाया करता था कि आइन्दा के लिये वे एह्तियात रखें। चार-पांच साल के अर्से में सिर्फ दो दफा यह एक्शन लेना पड़ा कि फलां अखबार के खिलाफ मुकदमा बनाया जाय। वैसे जब तक वह प्रेस काउन्सिल अपनी फाईन्डिंग देती थी, तब तक वह अखबारात जिस ढंग से छपते थे; उसी ढंग से छपते रहते थे। और सारी बातें होती रहती थीं। आप अखबारात को डबलेप करना चाहते हैं और उनको लिखने की आजादी देना चाहते हैं। लेकिन यह तब हो सकता है जब यह जो पैट्रोनेज सूबाई सरकारों का है उसके लिये आ कुछ खास नियम बनायें और इस प्रेस काउन्सिल को ऐसे अख्तियारात दे दें

कि वह जो नियम बनें, उनको यह सुबाई सरकारों से फालो करायें । इसके साथ-साथ अखबारात को इस ढंग से एड-वर्टिजमेन्ट्स मिले, इस ढंग से कागज का कोटा मिले, इस ढंग से लाइब्रेरीज और पंचायतों में अखबारात भेजे जायें कि किसी के साथ कोई बेइसाफी न हो । आज हालत यह है कि वही अखबारात पंचायतों में जा रहे हैं, लाइब्रेरीज में जा रहे हैं, जिन अखबारात की इशाअत सिर्फ लाइब्रेरीज और पंचायत तक है और बाकी पब्लिक उन अखबारों को पढ़ती नहीं है । उनमें होता क्या है कि उन में वजीरों की तारीफ होती है । पिछले दिनों एक एड-वर्टिजमेंट दिया पंजाब सरकार ने और मैं वजीर महोदया को बताना चाहता हूँ कि पिछले इंडिपेंडेंस डे पर जब वह इशतहार दिया गया तो इस लिये दिया गया कि वहाँ के एक मिनिस्टर की स्पीच भी छाप दी जाय । शायद उन्होंने एक पेज का इशतहार भेजा था अखबारात को और उनसे यह कहा गया था कि अगर आप मिनिस्टर की स्पीच छापेंगे, तब हम आपको एक पेज का इशतहार रेलीज करेंगे । अगर यही तरीका है एडवर्टिजमेंट देने का, अगर यही है तरीका अखबारात की पैट्रोनेज हासिल करने का और अगर इसी तरह से अखबारात को खरीदा जायेगा जिससे वे वजीरों का ढोल पीटें, तब तो फिर अखबारात अपने खयालात का इजहार आजादी के साथ नहीं कर सकेंगे । वाइस-चेयरमैन महोदय, मैं ये बातें आपके सामने रखना चाहता था ।

एक बात मैं और कहना चाहता हूँ । इसमें एक क्लोज ऐसा है, जिस में यह रखा गया है, कि प्रेस कौंसिल में जरूरत होने पर किसी भी एडिटर को बुला कर के यह पूछा जा सकता है कि यह न्यूज आपको कहां से मिली है ? मैं बड़े अदब से कहना चाहता हूँ कि कि अंग्रेजों के जमाने में भी और आजादी मिलने के बाद भी आज तक अखबारात का

यह कोड आफ कांडक्ट रहा है, अखबारात के मालिकान का, अखबारात के एडिटर साहेबान का यह कोड आफ कांडक्ट रहा है कि कभी भी वे अपना सोर्स नहीं बताते थे कि किस सोर्स से हमें यह खबर मिली है । फर्ज कीजिये कि पंजाब के किसी वजीर के मृतालिक कोई खबर वहां के किसी आला आफिसर के जरिये मिलती है, तो अखबार वालों से यह पूछा जायगा कि आप ने यह खबर कहां से ली है । इस बिल में यह दिया है कि प्रेस काउंसिल में बुला कर के अखबारात के मालिकान या एडिटर्स से पूछा जायेगा तो उनको बतलाना पड़ेगा कि उनका सोर्स क्या है ? इस तरह से अंग्रेजों के जमाने में भी जो एक कोड आफ कांडक्ट था कि अखबारात अपना सोर्स नहीं बताया करते थे, उस कोड आफ कांडक्ट को भी आप खत्म कर रहे हैं । ऐसी हालत में अगर अखबारात के एडिटर्स या मालिकान को अपना सोर्स बताना पड़ेगा तब तो न ठीक खबरे छप सकती हैं और न गवर्नमेंटों में जो स्कैंडल होते हैं, उनकी खबरें अखबार वालों को छापने के लिये मिल सकती हैं । क्या इस प्रेस काउंसिल को इसीलिये बनाया जा रहा है कि आजकल वजीरों के खिलाफ जो स्कैंडल छपते रहते हैं, वे न छपें ? अगर इस का यहीं मकसद है, तो इससे कोई फायदा होने वाला नहीं है । वजीर महोदया, अगर आप वाकई चाहती हैं कि प्रेस सही मानो में लोगों की खिदमत करे, तो उसको पूरी आजादी मिलनी चाहिये । समाज में वे न्यूजपेपर एक ताकत रखते हैं जो देहात में जाते हैं, जो कसबाजात में जाते हैं । अगर वाकई आप यह चाहती हैं कि गवर्नमेंट की सही खबरें लोगों तक पहुंचें और सही हालात लोगों तक पहुंचें, तो आपको इस प्रेस कौंसिल को वह अख्तियारात भी देने होंगे जिनसे तमाम अखबारात के साथ एक जैसा सलूक हो सके और ऐसा नहीं हो कि जो अखबारात वजीरों की और सरकार की बाहवाही करें उन्हीं को कागज का कोटा मिले, एडवर्टिजमेंट्स मिलें

## [श्री लोकनाथ मिश्र]

और दूसरी सहलियते मिले। वैसे जैसा कि आगे कहा कि ये तमाम चीजे सन्तुलेशन की बेसिस परदे जाय और अगर वाकई यह उलू सेंटर में लागू है, तो इस प्रेस काउन्सिल को यह ताकत दी जाय कि वह सुवाई सरकारों से इस पर अमल करवा सके। फिर इसमें जो तरमीम की गई थी सिलेक्ट कमेटी में, उसके बारे में हमारे डिप्टी मिनिस्टर साहब ने कहा कि उन्होंने उस तरमीम को कबू नही किया क्योंकि उन्होंने कहा कि कमेटी के रूबरू वजोरो को नही बुलाया जा सकता। और यह कमेटी वजोरो के खिलाफ कुछ नही कह सकती। तो फिर अगर इस कमेटी की यह ताकत भी नही कि एक अखबारनवीस अगर कहता है कि इस वजोरे ने यह चीज की और मेरे पास सबूत है, अगर उस वजोरे को नही बुला सकते, अगर सरकार को यह कमेटी अपना व्यू नही दे सकती कि यह वजोरे की गलती है, तो फिर लिबर्टी आफ प्रेस क्या रह जाती है और प्रेस काउन्सिल जो बनेगी वह किस तरह से फंक्शन कर सकेगी? यह कहा जाता है कि इस प्रेस काउन्सिल को—नाम तो लिया जा रहा है लिबर्टी का—लिबर्टी दी जा रही है। बजाय इसके इस प्रेस काउन्सिल की लिबर्टी महदूद की जा रही है कि यहा तक जा सकते हैं, आगे नही जा सकते हैं। मैं अर्ज करू वाइन-चेयरमैन महोदय, अगर वाकई यह चाहते हैं कि प्रेस आजाद हो तो यह रवैया बदलना होगा।

अप्रेजो के जमाने में प्रेम इतना आजाद नही था, मगर इसके बावजूद एक एडिटर जाता था तो दूसरा होता था, तीसरा होता था, चौथा होता था। एक अखबार ने सात सात एडिटर कैद कराए, लेकिन यह नही होता था कि अखबार आज छाया है, कल नही छपेगा। आपके यहा कानून बन गया है कि एक एडिटर है, अगर वह जेल में चला जाता है तो उसका प्रिन्टर, पब्लिशर का राइट नही रह सकता है। अप्रेजो के जमाने में दो-दो साल तक जेल में

रहने के बाद प्रिन्टर भी रहता था, पब्लिशर भी रहता था। ओवरसीज चले गए तो भी प्रिन्टर, पब्लिशर का राइट चला जाता है। अप्रेजो के जमाने में बाहर जाने पर भी प्रिन्टर, पब्लिशर का राइट रहता था। आज हालत यह है कि बाहर जाने पर डेजिगनेशन चेज करना पड़ता है। अगर जेल में चला जाता है तो अखबार बन्द हो जाता है। इन तमाम बातों के लिए जो प्रेस काउन्सिल है उनको अख्तियार मिलना चाहिए अगर आप वाकई में फ्रीडम आफ प्रेस चाहते हैं।

मैं इससे ज्यादा कुछ नही कहना चाहता। मैं चाहूंगा कि वजोरे महोदय मेरी इन बातों की तरफ भी ध्यान रखेंगे। अगर वह यह चाहती है कि स्माल न्यूजपेपरो को तरक्की मिले—जैसा कि उन्होंने एक दफा कहा था कि स्माल न्यूजपेपर तरक्की करे क्योंकि सही माने में स्माल न्यूजपेपर ही जनता के अखबार है—तो उन्हें उनकी तकलीफों की तरफ भी देखना होगा। उनकी तमाम तकलीफों को दूर करने के अख्तियार प्रेस काउन्सिल को मिलने चाहिए। जब वे खबरे छापने में सुखिया देने में सरकार की मदद करते हैं तो उनको भी यह उम्मीद हो कि यह प्रेस काउन्सिल उनको एडवर्टाइजमेंट ले कर देने में, पचायतो में जाने में तमाम और जगहों में भी उनकी मदद करे, यह भी देखे कि वजोरे खासखुबि पेटर्नेज न दे। वह इस बात का ध्यान रखे कि अखबारों को इतिहास में मिलने चाहिए। यकीन रखिए कि जब तक ये अख्तियारात प्रेस काउन्सिल को नही मिलेंगे, यह प्रेस काउन्सिल सिर्फ एक सजा देने वाली काउन्सिल बन जायगी और एक नया अदारा बन जायगा अखबारों को सजा देने के लिए। इसकी तरफ बरूर ध्यान रखें।

SHRI P. C. MITRA (Bihar): Mr. Vice-Chairman, I rise to support the Bill including the amendments as moved by the Deputy Minister of Information and Broadcasting the other day. I am happy that the Gov-

ernment did not follow the usual procedure of placing the Bill as modified by the Joint Select Committee but introduced a few amendments also to remove certain objectionable features in the Bill as has come out from the Select Committee.

I submit, Sir, that the Press is a mass communication medium and is a very potential force to create healthy public opinion. It has capacity of great mischief as well specially in a country where a large number of people even among the educated class believe everything that appears in print, particularly when the item goes against the established authority. This attitude is a legacy of the past. We were under a foreign Government that did not allow the Press to function freely. There were too many restrictions and the editors and publishers of all truly nationalist papers were in constant threat of arrest or prosecution. After we became free and got a democratic Government, the Press was given full freedom, and people from many parts of the world came and openly admitted that the Press was free in India. By and large the Press in India maintains a high standard of journalism but unfortunately black sheep are there in the journalistic profession as well just as in other professions. As I said earlier, the Press has got a great capacity to do mischief as well. By their writings they are capable of provoking people to commit acts of violence and sabotage. Our Government as well as our Constitution are wedded to democracy. For the proper functioning of democracy a Press which may freely criticise the acts of omission or commission on the part of the Government, if any, is essential. But no Government worth the name can be a silent spectator whom any misguided journalist uses his pen to excite the people with false or exaggerated versions of news particularly when there has been a disturbance just as happened the other day in Patna. My friends of the Communist

Party, Shri Bhupesh Gupta and Shri Govindan Nair, were very eloquent about the freedom of the Press. They who belong to the Communist Party, who always seem to be in favour of regimentation of the Press, were speaking about the freedom of the Press, and they objected to the arrest and detention of one of the editors of one daily paper and attacked the State Chief Minister of Bihar. I would like to quote certain writings of the paper, the "Searchlight" of Patna of the 10th August just a day after the disturbances occurred in Patna. It is given under a bold eight-column headline:

**"Patna Bund Turns Bloody:  
Students Fired on: Looting and  
Arson: Police provoke people: Some  
rumoured dead:**

August Nine, a memorable day in Indian history, was re-lived in Patna on Monday as a great mass of people rose in protest against the Government of the day and turned the town upside down.

The Martyrs Memorial, perpetuating the memory of students who fell to police bullets in August, 1942, was a mute witness as police opened fire on a student-dominated crowd this August afternoon of 1965."

Sir, August 9th, 1942 is a memorable day. On that day of 9th August, 1942, the young students faced bullets for unfurling the Congress flag. They are comparing these people with those heroes. What did these people do?

Mr. Bhupesh Gupta was telling that the capitalist Press give broad headlines to some false statements or exaggerated statements and in some corner they give really important items in small print and headline. This same paper also in regard to mob violence gave small headlines and said:

**"The mob smashed the Yarpur railway crossing gate, uprooted a number of young roadside plants,**



[Shri P. C. Mitra.]

damaged window glass panes of offices and set the Pay Revision Committee's office on fire.

The furious crowd then turned to other objects. A police officer who was buying fuel at a petrol depot near Digha crossing was chased. The officer escaped after leaving his motor cycle to the tender mercies of the miscreants.

The bike was set on fire on the middle of the road. The crowd later set the oil depot on fire. Several barrels of lubricating oil were drained out which flowed like water on the road."

My hon. friend, Shri Bhupesh Gupta, said that the people who came out for bread, who wanted bread, got bullets. This is the action of the mob which Shri Bhupesh Gupta eulogised so much. Even Shri Jaya Prakash Narayan said that no death occurred in the firing and the only death that occurred thereafter in the hospital was that of a police constable.

AN HON. MEMBER: Who is the owner of the paper?

SHRI P. C. MITRA: The owner of the paper is Shri Birla. Shri Bhupesh Gupta said that the Birla paper published false reports. But this Birla paper has influenced Shri Bhupesh Gupta also. So, he came out and made so many comments in support of the editor of this capitalist paper. But another editor was also arrested the same day at Patna. But he was a poor man. A report here says that Mr. Moin Ansari, Editor, "Voice of Indian Muslim," was also arrested the same day. But nobody shed any tears over it. But when it is about Birla's paper, whose editor was arrested, there is a hue and cry. What further does it say? It says:—

"The authorities refused to admit that there were any deaths, but unofficial estimates spoke of at least five to ten on-the-spot deaths."

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Mr. Mitra, please do not comment on a case which is *sub judice*.

SHRI P. C. MITRA: I am not commenting.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): You are commenting. That is why I have to intervene. You are commenting. You can read from the paper, but do not comment.

SHRI G. MURAHARI: You quote a little more from the "Searchlight" so that we may know what has actually happened in Patna.

SHRI P. C. MITRA: This is a paper which has a large circulation in Bihar. It puts it up in such bold headlines. And also the place of occurrence was not at half a mile distance from the office of the paper but they deliberately put up these false reports. There was no other way except to arrest the editor. I do not know if a case will be instituted against him or not. These disturbances could not be checked so early if such writings had to be allowed freely, and it would not have been possible to suppress the disturbances within three days.

Sir, I submit that there are other reports also. They say:

"Was anybody killed in Monday's firing? The District Magistrate and other officials have said, no. But there were many on the premises of the Assembly to say that there were deaths.

"Some agitated NGOs vouched that a khalassi of theirs, Daroga Rai by name, had been killed. There was a merciless beating by policemen in the Assembly canteen following which there were strong rumours that a couple of dead bodies were seen in the bathroom attached to the canteen.

"Hatred was writ large on the faces of NGOs and others as they spoke about the Ministers and the police. There were wild rumours about the way in which dead bodies were hidden.

"A notable feature of Black Monday's demonstration was the determination of the people. The crowd was so defiant that even 56 rounds of teargas shells could not scare them away. They did not withdraw even after 11 rounds of actual firing. In fact, they only grew more determined—and more angry."

Sir, I ask whether such provocative writings should be allowed to go on freely. I think that Shri Bhupesh Gupta did not perhaps care to read the paper and perhaps he never reads the "Searchlight" of Patna, and yet he came out in support of the editor of that paper, who has been arrested.

I maintain, Sir, that when the Press Commission recommended the establishment of a Press Council, the Government did not think of arming itself with the DIR or any other emergency powers to bring the Press on to the right path. Their object in forming the Press Council was this—though the great majority of Press is responsible, yet there are some in the Press who are going astray and they should be regulated. So the Government wanted to form this Council so that it can form its own code of conduct and persuade these pressmen who are going astray to come to a reasonable frame of mind and not do anything which will harm the morale of the citizens or the interests of the public or provoke any acts of violence. So, I think that this Press Council is a good thing.

I am happy that the Government has thought that the Press Council should not be made just like a court, asking even the Government to explain its conduct if it has to take any action. The hon. Shri Jagat Narain said that if the Government

does anything wrong, it cannot express even its opinion. I do not think that the Government's purpose is so. Government's amendment objects to that provision, in which the Government has to explain its conduct before the Council. If the Government interferes with the Press and puts certain restrictions, it can express its opinion, and there is no bar to it. But at the same time the authority should not be asked to explain as to why action has been or going to be taken.

The Select Committee has introduced a new provision about the foreign resources from where any paper is getting its funds and to make an enquiry about that. I agree with the Minister that that information can be had only through the Government machinery and that this Press Council should not be entrusted with this work.

I would submit that I have full confidence in the Chief Justice of the Supreme Court but, Sir, why are we burdening him so much? I think that practically the Chairman of the Council will be the real man who will nominate all the others. What will the Chief Justice of the Supreme Court do? He will only nominate the Chairman, and the Chairman shall nominate all the members of the Press Council. Of course, there are certain provisions, certain checks also and those recommendations also will be taken into consideration. But I think that nomination could be an *ad hoc* arrangement and some other procedure should have been found out and it would be better if recognised institutions send the representatives by election after one year or two years or one term of three years. This procedure of nominating the Chairman and his having some voice in selecting other members of the Council, I think, is not a healthy procedure. Ultimately it will be a group affair. At many other places, such a thing has been the result. Even in the Bar Council, there is no question

[Shri P. C. Mitra.]

of nomination; there is election. In the Medical Council also, there is provision of election. Why not the same procedure be introduced in regard to this Council also? Therefore, Government should revise its opinion and should not entrust it to one man, the Chairman. He may be a big man; he may be a High Court Judge or anybody. But we know the weakness of our society. If you do not amend this, then my amendment in regard to this should be accepted. I have given notice of an amendment that one member from each State should be nominated. Otherwise it may be that the Chairman may nominate all from his own region. There is nothing that can stop that being done.

Then, in regard to the Press Council's jurisdiction. Why has Kashmir been left out? This is not a Penal Bill. It is just like an association. Why should even the Press Association of Kashmir not be allowed to take part, when we are thinking of many amendments to remove present restriction on the way of complete integration of Kashmir?

SHRI C. R. PATTABHI RAMAN: I can straightway answer this. One or two other Members also referred to this. Actually this is a question of legislative competence. Now the Union List extends to the State so far as legal and medical professions only are concerned. As soon as the relevant Entry is made applicable, Kashmir will immediately come here in principle.

SHRI P. C. MITRA: So it can be taken up. I am glad that he is willing to accept that amendment.

I agree with Mr. Bhupesh Gupta that this Council should have power only to disapprove, not the power to censor; otherwise this will give too much power to this Council. It will not be good to the Press and for the development of the Press. Disapproval is sufficient. So the amend-

ment given notice of by Mr. Gupta in this regard may be taken into account by the Government.

श्री गोडे मुराहरि : उपसभाध्यक्ष जी, कई साल के बाद हमारे सामने यह प्रेस काउन्सिल बिल लाया गया है। वैसे तो इसका स्वागत करना चाहिये, लेकिन इसको देखने पर कभी कभी मुझे यह डर लगता है कि शायद यह भी सरकार का एक हथियार बन सकता है और उस डर का कारण भी है। जिस ढंग से हमारे सामने कुछ नरमी सरकार की ओर से लाई गई है उससे भी यही प्रतीत होता है कि शायद सरकार के मन में इस प्रेस काउन्सिल को भी अपना एक अंग बनाने का इरादा है। एक तो इस का जो कांस्टीट्यूशन है, इसको जो बनाने का तरीका है, उसी पर हमें कुछ जो आपत्तिजनक बातें हैं वह कहनी हैं। एक तो चीफ जस्टिस आफ इण्डिया जिनको नामिनेट करेंगे वह सारी काउन्सिल को बनाएंगे, सिर्फ जो पार्लियामेंट के मेम्बरान होंगे उनको छोड़ कर ....

श्री अकबर अली खान : 3 आदमी।

श्री गोडे मुराहरि : 3 आदमियों को छोड़ कर। मैं चाहता था कि कोई एक तरीका अख्तियार किया जाता जिससे कि जो आजकल ऐडिटर्स की संस्था बनी है, जर्नेलिस्ट्स की संस्था बनी है, उनकी ओर से कुछ नुमाइन्दों को लिया जाता तो शायद यह डर नहीं होता क्योंकि अभी जिस ढंग से यह बनेगा उससे तो चीफ जस्टिस की ही एक काउन्सिल बन रही समझ लीजिये। उनका जो नामिनेशन होगा, उनके जो नुमाइन्दे होंगे वह और चीफ जस्टिस बैठ कर फिर दूसरे मेम्बरों को भी मुकर्रर करेंगे। तो अगर सरकार कुछ आल इण्डिया वर्किंग जर्नेलिस्ट्स फेडरेशन के नुमाइन्दों को लेती और कुछ आल इण्डिया न्यूजपेपर्स ऐडिटर्स के लेती, कुछ जो

लैंग्वेज ऐडिटर्स कांफरन्स है उनके नुमाइन्दों को लेती...

SHRI AKBAR ALI KHAN: Even the journalists wanted that the Chief Justice should nominate. That was their view also.

श्री गोडे मुराहरि : लेकिन मेरी आपत्ति इससे है कि पूरी कमेटी, पूरी काउन्सिल जो बनेगी वह इन दोनों की नुमाइन्दगी करेगी। यह होना नहीं चाहिये था। कुछ इसमें ऐसे नुमाइन्द भी होते जो संस्था की ओर से सीधे आ जाते तो फिर इस तरीके का एक डर हमारे मन में नहीं होता कि दो-तीन आदमियों की पूरी काउन्सिल बनेगी, दो-तीन आदमियों की जो कमेटी बनेगी उन्हीं के नुमाइन्द काउन्सिल में होंगे। एक दूसरी चीज इसमें यह है कि हमारे दिमाग में जो पहले से अंग्रेजी का ...

SHRI AKBAR ALI KHAN: From journalists and from all sections they are bound to select.

श्री गोडे मुराहरि : "सेलेक्ट"। इसमें इलेक्शन की कोई बात नहीं है।

PROF. A. R. WADIA (Nominated): Who is going to nominate?

SHRI AKBAR ALI KHAN: The Chief Justice, the Chairman and the nominee of the President.

श्री गोडे मुराहरि : The three people, who are also nominees of the Chief Justice, will nominate the rest of the people. तो इसमें मेरी आपत्ति है।

दूसरी चीज यह है कि जो आज हमारे दिमाग में एक अंग्रेजी की गुलामी बनी हुई है उसका एक प्रतीक यह पूरा प्रेस काउन्सिल बिल है क्योंकि इसमें हम देखते हैं कि सिर्फ तीन ऐसे नुमाइन्द होंगे जो लैंग्वेज

पेपर्स के होंगे। असल में होना चाहिये था उल्टा। इसमें ऐसा रहना चाहिये था कि तीन नुमाइन्द ऐसे हों जो अंग्रेजी अखबारों से लिये जायें—ऐसा उल्टा होना चाहिये था—लेकिन हम देखते हैं कि इसमें सारा जो उनका सोचने का ढंग है वह इस तरीके का है कि ये सारे जितने भी नुमाइन्द होंगे वे अंग्रेजी अखबारों के होंगे लेकिन तीन ऐसे जरूर हों जो लैंग्वेज पेपर्स के होंगे। इसमें यह लिखते हैं कि :

"The number of editors of newspapers published in the Indian language newspapers shall not be less than three."

यह यहां पर जो दिया गया है असल में इसका उल्टा होना चाहिये था कि :

"The number of editors of newspapers published in English shall not be less than three."

असल में हमारे दिमाग में जो पहले से चली आ रही है अंग्रेजों की गुलामी, तो यह उसका नमूना है। क्लॉज 4 (3) (बी) में दिया है :

"Six members from among persons who own or carry on the business of management of newspapers."

समझ में नहीं आता कि उनके लिये छः नुमाइन्दों का रिजर्वेशन करने की क्या जरूरत पड़ेगी ? असल में होना यह चाहिये था, आपत्ति करते, कि तीन से ज्यादा नहीं होना चाहिये। ऐसी आपत्ति करने के बजाय उसमें हम उन लोगों को एक रिजर्वेशन दे रहे हैं कि जो मालिक हैं और जो अखबार के ऐडिटर बन कर बैठ जाते हैं, जिनका ऐडिटिंग से कोई ताल्लुक नहीं होता है, उनको हम छः जगह मुररर करके दे रहे हैं इस बिल के अनुसार। यह उल्टा सोचने का तरीका है। इसमें मुझ

[श्री गोडे मुराहरि]

आपत्ति है और मैं तो यह चाहूंगा यह क्लॉज पूरा हट जाये तो अच्छा हो। क्लॉज 13 (2) (ए) में कहा गया है कि :

"in the case of any interference by the Government or any officer or authority under the control of the Government, the Council may forward the report of the inquiry to the Government;"

उपसभाध्यक्ष (श्री महाबीर प्रसाद भार्गव):  
मुराहरि जी, इसकी चर्चा कल कीजिएगा।

The House stands adjourned till 11 a.m. tomorrow.

The House then adjourned at five of the clock till eleven of the clock on Wednesday, the 25th August, 1965.