

**THE PRESS COUNCIL BILL, 1963—
continued**

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): I have got a big list of hon. Members who want to take part in this debate. Therefore, I would request the Members to limit their remarks to fifteen minutes.

SHRI ABID ALI: While speaking before lunch, I was mentioning about the criticism levelled against the various State Governments and the party in power of which I am a humble but proud Member. It is my privilege and duty to place the point of view of the Party and what we feel to be correct. I was asking friends opposite their justification for burning godowns containing foodstuffs, burning property which belongs to the country even if for the time being it is owned by a European company or an Indian company or by an individual or a company belonging to the public sector or private sector. Whatever exists in the country belongs to the citizens of the country and no good Indian, no sensible Indian will think of damaging Indian property. Even food godowns are being destroyed by fire and violent demonstrations take place. I was therefore advising Government not only not to be bullied and blackmailed by the speeches of the Members of the opposition or by the editors of the papers or what appears in the papers but to do its duty to the country. It should not commit the crime of remaining silent when these criminal and anti-national acts are committed.

Something was said about what is happening in other countries and the example of the United Kingdom was mentioned. True there the people have sufficient sense of responsibility but the friends who quote the United Kingdom consider mostly Russia and the Communist countries as their fatherland. Take, for instance, Russia. There are only two papers. Should our Government follow that step?

No. It should be democratic and there should be a sufficient number of newspapers. Anybody can have a newspaper and anyone has got the right to oppose Government but people should not forget national interests and when an individual or an editor or anybody starts damaging national interests then the Government has to act whoever may be the person and whatever may be the position he may be holding. About that there can be no compromise. Yesterday, mention was made about Mr. Krishna Menon defending the editor in Patna who has been arrested. Some words were made use of by him with regard to the particular gentleman. I appreciate Mr. Menon who has gone there to return a debt he was owing to that editor who wrote all that was mentioned in that. Mr. Menon is not a person to keep back anybody's debt. He has gone, repaid it by paying compliments to the Editor and appearing on his behalf before the High Court. So much was mentioned about the 'Ananda Bazar Patrika' yesterday and during the Question Hour also we hear about this paper. Some of us felt as to why this paper was being mentioned like this by the spokesman of the Communist Party. On enquiry we find that this "Ananda Bazar Patrika" was the only paper in West Bengal which exposed the tactics of the Communists, how many communists went to China, how they were trained to behave here, what methods they should adopt here and so on. This is the only paper that has been writing so many articles about the true facts as transpired and as told by the members of the Communist Party themselves. Therefore, these people are so much angered that they say all this. Naturally they should be angry with this paper opposing them. I am mentioning this only to request Government not to take cognisance of the charges of the Communist Party against those who do their duty to the country.

SHRI M. N. GOVINDAN NAIR
(Kerala): Can I ask one question?

Mr. N. Govindan Nair.] What did Mr. George write to be arrested under the D.I.R.?

THE VICE-CHAIRMAN (SHRI M. P. BHARCAVA): I do not allow that question. You need not reply, Mr. Abid Ali.

SHRI ABID ALI: Yesterday mention was made about some Bengali paper and he said that a Minister had written to the owner about something. About whom, he did not say. The Minister has written to the Editor who had complained about the Communists behaving in such a way that it had become very difficult for the paper to be published. The Minister had written to him, "Don't be afraid. Don't be bullied, don't be blackmailed by the Communists. In case they do anything, any unconstitutional act, then the law will take its own course and the owners of the newspapers will be helped as much as the Government could help them according to the law." What is wrong in that? What is what was published in the papers. And he was mentioning that a Government Minister has written to a Bengali newspaper. What is wrong in that? That is how an attempt is made to mislead hon. Members here and when he was told to read it out he did not read. But if he had read it out he might perhaps have read out different things than what was actually mentioned. My appeal to the Press Council which is going to be set up is that it should make an honest and earnest effort to ensure responsible journalism in the country, patriotic journalism in the country and to take all necessary steps to see that the sort of indiscipline which is prevalent and what is being done to the detriment of the country is checked. It should not be that a person goes and purchases a treadle and brings out a few sheets in the name of a newspaper and he becomes an editor, he should have all the protection because he is a newspaper editor. As I said earlier, Sir, owning a newspaper, big or small,

should not be a licence to misbehave. However, under no circumstances whatever, whether it be big or *small* paper, should any facility be given either in the shape of advertisements or newsprint or other kind of protection if a newspaper is anti-social or sexy. I have not seen anywhere this kind of sexy weekly like the one which is being published in Delhi. It is all rubbish and I do not know why the Government is taking no action against it. If they take action there may be shouting and howling; but at least stop newsprint; at least do not give it advertisements and bring a few selected articles from it before the present organisation if you do not want to take action yourself. Of course there should be no fear when it is a question of responsibility. As long as there is no sense of responsibility, certainly there should be fear. Of course, it should be a good Government but a good Government does not mean a frightened Government; a good Government does not mean always succumbing to the bullyism of the Opposition, particularly of the Communist Party. An hon. Member opposite was telling yesterday that so many people have been arrested; but how many more people have not been arrested in the country, those who are opposed to Government? Were all those people arrested because they were opposed to Government? No; a very large number of people are opposed to Government but they are not arrested because they are not behaving against the interests of the country. The very fact that there is division of the Communist Party of India—some of them are opposed to China while some others are pro-China—that itself proves that there are some people among them who are in favour of China and those among them who have organised or were about to organise sabotage and the like have been put in jail so that they may not break your bridges, burn your aeroplanes or derail your trains. The very fact that there is this rift in the Communist party (Time *h<*ll rings*). Sir, you said fifteen minutes.

شہی عبدالغنی (پنجاب) : انہوں
نے جو ادھا کھلتے لہا وہ کسی شمار
میں نہیں ہے -

†[श्री अब्दुल सती (पंजाब) : उन्होंने जो
आधा घंटा लिया वह किसी शुमार में
नहीं है]

श्री आबिद अली : नहीं भाई, दो
घंटे चाहिए ।

There should be a Federal Press Code and it should be properly observed and we should be able to check this habit of engineering opposition and exciting the minds of people for no reason.

Sir, I am winding up. Yesterday it was mentioned that Shastriji is appealing for unity but still the Defence of India Rules are there. Shastriji is, of course, earnest when he appeals for unity but it does not mean that he should allow people, as I said earlier, to go on removing railway lines and derailing the trains. Some of those arrested have been released because they said that they were not in the gang of those who were doing acts of treason. Their word has been accepted and they have been released but in case they do not behave as promised, certainly the Government should do its duty. I hope that the Government with the help of this new Press Council will be able to achieve all that it is attempting so that India may have a decent, patriotic and good Press.

Thank you.

SHEI UMASHANKAR DIKSHIT (Uttar Pradesh) : Mr. Vice-Chairman, Sir, I propose to confine my remark? as far as possible strictly to the clauses of the Press Council Bill only. To begin with I should like very much to express my puzzlement at the great amount of repetition and emphasis on the provisions of the Defence of India Rules while discussing the various provisions and clauses of the Bill before the House. I am not able to understand this. There may be

t[] Hindi transliteration.

some subconscious or unconscious or vague connection in the minds of the speakers between the Defence of India Rules and the Press Council Bill but one is not able to see any direct connection. Is it meant that because the Defence of India Rules are in operation therefore the Press Council Bill in the form in which it has come from the Joint Committee and in the form in which the House may approve it should not be put on the Statute Book? There is a demand to strengthen the Bill in some respects as if any changes in this Bill would have any effect against the provisions of the Defence of India Rules. The Defence of India Rules are there to meet extraordinary situations, emergencies created by war or conditions near to war or extraordinary situations of an internal character. It is meant for such purposes and unluckily for the country the situation internally, and particularly externally, has been developing from time to time in a manner that I presume that the Government has found it difficult to review the question of the Defence of India Rules. I fail to understand how all this talk about the arrests made here or there under the Defence of India Rules affects the unbiased and cool consideration of the various provisions of the Bill or the objects of the Bill or the basic principles on which it is based. My hon. friend, Mr. Abid Ali, has dealt with this question in his own inimitable manner so effectively. I do not want to go further into it except to point out that he has tried to show. I am of the opinion convincingly, that the action against certain individuals taken under the D.I.R. recording to Jiim was thoroughly justified I would put it differently. Even if there are exceptions—supposing for the sake of argument we concede that in a particular case there has been misuse and I am not here to defend misuse of the Defence of India Rules—maybe in a wide country as ours in some particular case some error has taken place. Even then, is it possible for that reason to change the properly considered scheme for self-regulation of the

[Shri Umashankar Dikshit.] Press with a certain amount of statutory encouragement and assistance? In my opinion, all that, particularly what Mr Bhupesh Gupta tried to say over a long part of his speech, was entirely irrelevant. It may be good politics, it may be good political propaganda to say all these things, but certainly it is not good logic or good argument. Anyway, as I said in the beginning, I shall deal with the various provisions of the Bill before the House.

I shall briefly deal first with clause 4 of the Bill. Clause 4(2) says: —

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

The Press Commission recommended that the Chairman of the Press Council should be a person of high judicial experience and personally I hold strongly the view that this clause would have been preferable to the present arrangement. When this question was raised during the discussion of the Bill in the Select Committee, certain other possibilities or practical difficulties came up for consideration. The question was whether in a given situation if it is not possible to get a person of high judicial experience, if from among the retired gentlemen from the High Courts or elsewhere we are not able to get a person, or there is somebody else who is quite suitable for that important post considering the purposes and the objects of the Bill, it would be desirable to confine the selection to one particular category. Therefore, it was felt that the best way to solve this problem was to entrust the responsibility to the holder of the high office of the Chief Justice of India, who is non-controversial and who commands great respect and reputation in the country, not only in judicial circles, not only among the general public and also particularly among the journalists, editors and the newspaper industry. In fact, there were repeated suggestions that the approach to the Press

Council Bill should be of a judicial character. There is an amendment—I do not know who has tabled it—saying that certain direction should be given in the Bill for the Chief Justice to follow in making his selection of the Chairman of the Council. In my opinion it is most undesirable to give any such directions. It would be improper, in my opinion, to fetter the discretion of the Chief Justice in particular ways. If you say that the working journalists should be consulted, well, you will have to say that certain other people might have to be consulted and so on. So, the Chief Justice should be left free to exercise his discretion according to his best lights. He should also be free to formulate his own procedure for the selection of a suitable person as the Chairman of the Press Council. I think if we go into it in greater detail so as to suggest the various categories or various precautions to be taken by the Chief Justice, it would make it embarrassing and it would make it awkward and perhaps it would be difficult for him to perform this very-important function.

Then, the other clause to which I would like to refer while making a few other observations is clause 12. I would like to draw the attention of hon. Members of this House and all those who are interested in a proper Press Council coming into existence to clause 12 (2) (a). It says:—

"to help newspaper[^] to maintain their independence;"

In my opinion, the fears and suspicions that have been expressed here by certain Members from the Opposition are not really well-founded, because the Press Council is charged with the task of helping newspapers to maintain their independence. Whether there is any other specific provision of that kind or not, the Press Council cannot be divested of this duty. It is bound to feel its responsibility for doing everything to prevent any adverse effect upon the maintenance of independence of newspaper*

in India. In fact, in the first stage of formation of the Press Council, if you go into detailed suggestions as to how the Council should function, again I say it will not be very helpful for the Council because there is not much precedence in this matter. Of course, there are other professional councils like the Bar Council and the Medical Council, but there is no other instance of such a combination of a profession, an industry and a public utility service as the Press is. Therefore, there are no precedents for the Press Council to follow. But I advance this argument more particularly in connection with the next clause, i.e. sub-clauses (1) and (2) of clause 13. The point has been made by eminent speakers earlier that in an essentially professional body of this kind how can we "take within its purview cases affecting outsiders, people who have nothing to do with the Press. Some of us are very much influenced by the possibility of governmental authority interfering here and there. Such interferences, it is stated, are taking place.

SHRI ATAL BIHARI VAJPAYEE: How to prevent that?

SHRI UMASHANKAR DIKSHIT: I will tell you. My point is this. This evil is not a serious evil at all. My own experience is that the Indian Press has stood up for its rights so successfully that little aberrations and irregularities of this kind have not made any effective impact upon their independence and freedom. I agree with Mr. Abid Ali when he says that officers, local authorities and even men of influence are more afraid of the Press than the Press is afraid of them. I have been connected with a newspaper for some time. We have had differences with the authorities. Action has been taken against us more than once. We have stood our ground and finally our position has been understood. We have had financial difficulties as a result of such pressure. I am sure, but there are certain ways in which Governments react, certain ways in which the Press must

insist on reacting. But if you want to go and bring in a kind of straight jacket in which either the Press or other individuals have to function, it will be very difficult for us to really make a success of the Press Council. Because let us remember one central fact in this connection. The Press Council is not going to function like, shall I say, an Inspector General of Police of the Government of India or some army authority and call somebody, shoot him, punish him, or finish with him. No, Sir. While Mr. Mani tried to put emphasis on the fact that censure is a penal measure, Mr. Bhupesh Gupta was trying to say as if the censure is so serious a penalty that it will really frighten everybody out of his wits. Nothing of the kind. I would say that all this "kind of suspicion and apprehension about the freedom of the Press or the authority of the Press, being adversely affected by interference is not well based. Let us not read too much into the functions of the Press Council.

There is reference in clause 14(2) to the Code of Civil Procedure in respect of certain matters, giving certain rights to the Press Council in the matter of enquiries. By and large I believe, and I think the Select Committee was unanimous on this point, that unless there is some authority, or some manner of at least ensuring attendance for calling a person to give answers to questions and to give the necessary information, which is an essential part of the minimum equipment necessary without which the Press Council would not be able to function, we would make it an instrument which would stultify itself. Although it need not be too effective an instrument, certainly it must be able to command respect. Therefore* these provisions in my opinion are necessary.

There is, however, one point which in my opinion has some force, and that is, whether it is desirable to have the sub-clause about the discovery and production of documents. I do

[Shri Umashankar Dikshit.] not know what exactly is intended. The fear in some minds is, as it was in my mind also, that supposing a reporter or a correspondent has given some particular news and the editor does not want to disclose the source of the news or does not want to disclose even the fact that a particular sub-editor or reporter has given the information or published the item in the Press, then I submit that even under the Press Council Bill he will be free to refuse to give the information. Nothing in the Press Council Bill prevents him from taking the same kind of stand which the respected editors have been taking all the time throughout the history of the Press in India and elsewhere. What happens in cases of defamation?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): YOU will have to wind up now.

SHRI UMASHANKAR DIKSHIT: I know Sir, but such a long time has been given . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): There was no rationing of time until yesterday. Today it has been rationed. I announced at the beginning that every Member will limit his remarks to 15 minutes. You have taken 19 minutes already.

SHRI UMASHANKAR DIKSHIT: I will conclude quickly.

SHRI G. RAMACHANDRAN (Nominated): Make it a round figure of 20 minutes.

SHRI UMASHANKAR DIKSHIT: I was saying that this is not going to create that kind of difficulty which newspaper editors or some working journalists seem to imagine. In any case the Press Council should keep such matters carefully under review, and if it sees that the freedom of the editor to be able to take a stand in regard to the disclosure of certain information is affected, then the matter should be reported to Government,

and Parliament can reconsider the matter when the time comes for amending the Act, the enactment that will take place now.

Mr. Bhupesh Gupta has tabled a large number of amendments and it is not that I have any quarrel with the views he holds or expresses, but he tries to take the stand, I mean he has consistently maintained the stand that he stands for the freedom and independence of the Press in India, but the amendments that he has proposed are a negation of Press freedom. If half of them were included in the Press Council Bill, I am afraid the Press in India would lose all its freedom.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : We will come to the amendments. If you have anything against the amendments, you can speak at that stage.

SHRI UMASHANKAR DIKSHIT: Sir, I hardly intervene in debates except when I feel very strongly and in a matter in which a public sense I am interested. If you will kindly accept my assurance, I do not want to take the time of the House one moment longer than is possible, but I am afraid that some points may not be made at all. Now what I was saying was this. One of his amendments says—help the working class struggle to be carried on by the Press. He wants the Press to be encouraged, in a particular manner. He wants the Press to be discouraged from doing certain things. He wants the Press to be inspired; he wants that the Press should be controlled in a particular manner, according to him, in the public interest. This is not the way to deal with a free Press. You cannot do it. What is public interest is one thing in one mind and it is quite a different thing in another mind. In the name of public interest if Mr. Bhupesh Gupta wants or anybody or any other party wants to guide the Press in any particular line, it will be disastrous for the existence of free Press in India.

In the end, I was rather shocked at the way one friend on the other side, I think Mr. Jagat Narain, was mentioning as to how things stood at the time of the British regime—he remembered the British regime with a kind of feeling which gave one a certain amount of sympathy with him—but the pity of it is that it is not possible to help the situation now. He has evidently completely missed the context in which the British Government functioned. It had no public base, no mass base in the country, and certain kind of appearances the British Government had to maintain. Does the hon. friend want that in the context of a welfare state—I do not plead for it, there may be mistakes, weaknesses, and so on—but under the Constitution does he want the press to go in the old way? He says that newspapers should be free to give publicity to slanders. I do not know what he meant.

SHRI JAGAT NARAIN (Punjab): I did not say that.

SHRI UMASHANKAR DIKSHIT: He said scandals.

SHRI JAGAT NARAIN: Scandal about Ministers.

SHRI UMASHANKAR DIKSHIT: But not about others? We have to take a responsible line in giving careful consideration to this Bill. This is a new Bill. As the Minister of Information and Broadcasting yesterday rightly pointed out, it is new ground being broken and we must give it our whole-hearted support, and we hope that it will be able to build up a climate in the country in which the newspapers—apart from any penal action taken under the law, apart from all that—will not do anything by which they would be afraid of losing their respect in the country, they would function with self-restraint and with a greater measure of discipline.

Thank you.

श्री अटल बिहारी वाजपेयी : महोदय, मैं इस विधेयक का स्वागत करता हूँ। इसके अनुसार देश में एक प्रेस परिषद् की स्थापना होने जा रही है। देर से सही, यह ठीक दिशा में एक कदम है और समाचारपत्रों की स्वाधीनता को बनाये रखने में और उनका स्तर उठाने में यह परिषद् जरूर सहायक होगी।

हमारे देश में समाचार पत्रों की बड़ी पुरानी परंपरा है। स्वाधीनता के संघर्ष में पत्रों ने महत्वपूर्ण योगदान दिया। हमारे राष्ट्रीय नेता समाचार पत्रों से किसी न किसी रूप में सम्बन्धित रहे। तब पत्र में काम करना एक मिशन समझा जाता था। अब तो जमाना बदल रहा है और यह एक प्रोफेशन बन गया है, एक फैशन बनता जा रहा है।

मुझे खेद है कि संयुक्त प्रवर समिति ने मूल विधेयक में जो एक महत्वपूर्ण संशोधन किया था, उसे रद्द करने के लिये सरकार की ओर से एक संशोधन आया है। यह तो स्पष्ट है कि हमारे मंत्री महोदय संयुक्त प्रवर समिति से अपनी बात नहीं मनवा सके, संयुक्त प्रवर समिति को अपनी बात मानने के लिये तैयार नहीं कर सके और इसलिये वे एक संशोधन सदन में ला रहे हैं। उन्हें यह करने का अधिकार है और सदन अगर चाहे तो संयुक्त प्रवर समिति के मत को अस्वीकार कर सकता है। लेकिन मैं जानना चाहता हूँ कि जो बात संयुक्त प्रवर समिति के गले के नीचे नहीं उतरी, वह सदन के गले के नीचे कैसे उतरेगी? पत्रों की स्वाधीनता की रक्षा होनी चाहिये और उनका स्तर भी बढ़ना चाहिये। लेकिन समाचार पत्रों की स्वाधीनता को जो अनेक संकट हैं, उनमें एक संकट सरकार की ओर से है या सरकार में जो व्यक्ति हैं उनकी ओर से है, सरकार की नीतियों की ओर से भी है। क्या प्रेस परिषद् इस सम्बन्ध में कुछ नहीं

[श्री अटल बिहारी वाजपेयी]
कर सकेगी ? कुछ अंशों में नियंत्रण आवश्यक है और आत्म नियंत्रण सब से अच्छा नियंत्रण होता है । काली भेड़ें सभी जगह हैं । केवल समाचार पत्रों में ही नहीं, राजनीतियों में भी काली भेड़ें हैं । उन्हें एकाकी किया जाना चाहिये, उनके विरुद्ध जनमत बनाना चाहिये । लेकिन अगर समाचार पत्रों की स्वाधीनता में सरकार की कुछ नीतियां बाधक होंगी, तो क्या प्रेस काउंसिल हाथ पर हाथ रखे बैठी रहेगी, क्या वह सूक दर्शक बन जायगी और क्या वह सत्ताधीशों के खिलाफ आवाज नहीं उठा सकेगी ? अगर नहीं उठा सकेगी, तो प्रेस काउंसिल समाचार पत्रों का सम्मान प्राप्त नहीं कर सकेगी, फिर वह समाचार पत्रों में विश्वास जगा नहीं सकेगी ।

SHRI AKBAR ALI KHAN: The Press Council is a responsible body. If the hon. Member sees the Bill, it can influence or control the Press against these things.

श्री अटल बिहारी वाजपेयी : महोदय, संयुक्त प्रवर समिति ने, ज्वाइन्ट सिलेक्ट कमेटी ने, एक संशोधन किया था कि अगर हस्तक्षेप की शिकायतें सरकार की तरफ से आयें, अगर समाचार पत्र यह शिकायतें करें कि सरकार या अथॉरिटी या प्रभावी लोग समाचार पत्रों में दखल-न्दाजी कर रहे हैं, उनकी आजादी को रोक रहे हैं, तो प्रेस काउंसिल ऐसी शिकायतों पर भी विचार कर सकेगी ।

شری اکبر علی خان :
پریس کونسل نہیں دہی سم تہنگ
ایس ہے -

†[श्री अकबर अली खान : फिर वह प्रेस काउंसिल नहीं रही, समथिंग एल्स है ।]

† [] Hindi transliteration.

श्री अटल बिहारी वाजपेयी : मैं नहीं जानता कि "समथिंग एल्स" का क्या मतलब है । आखिर संयुक्त प्रवर समिति ने यही सिफारिश की थी और यही मैं सवाल पूछ रहा हूँ कि क्या प्रेस काउंसिल जब सरकार की ओर से हस्तक्षेप होगा, तो चुपचाप बैठी देखती रहेगी ? यह कहना आपका ठीक है कि हम प्रेस काउंसिल को एक अदालत नहीं बनाना चाहते और हमने यह भी माना है कि यदि यह स्टैटुटरी नहीं होगी और ब्रिटिश प्रेस काउंसिल जैसी हमारी प्रेस काउंसिल होगी, तब भी देश में इसका चलना मुश्किल होगा । इसके लिये हमने बीच का रास्ता रखा है । मगर क्या प्रेस काउंसिल सरकार की निन्दा कर सकेगी ? क्या प्रेस काउंसिल ऐसे मामलों में जिनमें सरकार की ओर से हस्तक्षेप होता है अपनी राय प्रगट कर सकेगी ? क्या मंत्री महोदय के संशोधन का यही अर्थ नहीं है कि संयुक्त प्रवर समिति ने जो सिफारिश की थी, उस पर अब पानी फेरा जा रहा है ?

यह ठीक है कि हमारे देश के समाचार-पत्रों को काफी स्वाधीनता है और इसके लिये हमें गर्व है, अभिमान है । यह हमारे लोकतंत्र का एक उज्ज्वल पहलू है । और मैंने जैसा निवेदन किया, कुछ पत्र ऐसे हैं जिनमें सुधार की गुंजाइश है और इसके लिये जनमत बने और समाचार पत्रों का संगठन हो जो उनके विरुद्ध अपनी राय प्रगट करे । लेकिन सरकार जो कुछ कर रही है उसकी ओर से भी आंखें बन्द कर के नहीं चला जा सकता है । मैं दो उदाहरण देना चाहता हूँ । मैंने अपनी जो विमति टिप्पणी दी है उसमें लिखा है कि समाचार पत्रों पर नियंत्रण करने का एक तरीका आजकल न्यूजप्रिन्ट का वितरण है । किसे न्यूजप्रिन्ट दिया जाय और किसे न दिया जाये,

यह सरकार तय करती है। कहने के लिये नियम बना दिये गये हैं, लेकिन उनका पालन नहीं होता। मैं एक ऐसा उदाहरण जानता हूँ कि दो समाचारपत्र साथ साथ निकले, उनमें एक पत्र को न्यूजप्रिन्ट दिया गया और दूसरे को नहीं दिया गया। मैं मंत्री महोदय की नोटिस में यह उदाहरण ला चुका हूँ। 'रांची एक्सप्रेस' एक पत्र प्रकाशित हुआ सन् 1963 में। वह कोई पूँजीपति का पत्र नहीं है। कुछ स्वतंत्र व्यक्ति उसको चला रहे हैं। उन्हीं दिनों 'भारत मेल' एक पत्र प्रकाशित किया गया जो बिहार कांग्रेस के किसी गुट से संबंधित है। 'भारत मेल' को न्यूजप्रिन्ट दे दिया गया, लेकिन 'रांची एक्सप्रेस' को नहीं दिया गया और मंत्री महोदय कहते हैं कि न्यूजप्रिन्ट देने की जो हमने नीति बनाई है, उसी के अनुसार यह किया गया है। यह सरासर गलत है। क्या न्यूजप्रिन्ट के वितरण में मनमानी कर के सरकार प्रेस की स्वाधीनता का किसी न किसी रूप में हनन नहीं कर रही है? न्यूजप्रिन्ट की ऐसी व्यवस्था क्यों नहीं बनाई जाती कि जिस पर कोई उंगली न उठा सके, जिस में किसी अधिकारी को, किसी कर्मचारी को, किसी के साथ अन्याय करने का मौका न मिले। क्या न्यूजप्रिन्ट के वितरण के सम्बन्ध में प्रेस कौंसिल कुछ कह सकेगी? अभी जो प्रेस कौंसिल का रूप है, उसमें न्यूजप्रिन्ट के वितरण में यह पक्षपात, यह भेदभाव, प्रेस कौंसिल के अधिकार क्षेत्र में नहीं आयेगा।

एक दूसरी बात है विज्ञापनों की। कल सदन में सूचना मंत्री महोदय ने कहा कि विज्ञापन बिक्री के हिसाब से दिये जाते हैं, सकलेशन के हिसाब से दिये जाते हैं। यह बात ठीक नहीं है। यह बात अगर ठीक होती, तो मुझे बड़ा आनन्द होता। उनकी नोटिस में भी ऐसे मामले लाये जा चुके हैं और

उन्हें यह जानना चाहिये कि बिक्री के हिसाब से विज्ञापन नहीं मिलते हैं। विज्ञापन देने में पत्रों की विचारधारा देखी जाती है; विचारधारा सही है या गलत है, यह निर्णय करने का अधिकार सरकार को नहीं दिया जा सकता। अगर विचारधारा से लड़ना है, तो आप दूसरे पत्र निकालिये, जनता में प्रचार करिये, विचारधारा का खंडन करिये। मगर जो सरकार का पैसा है, वह जनता का पैसा है और विज्ञापन इसलिये दिये जाते हैं कि वे अधिक से अधिक लोगों तक पहुँचें। जो पत्र अधिक से अधिक लोगों तक पहुँचते हैं, उन्हीं को विज्ञापन दे कर विज्ञापन देने का उद्देश्य पूरा हो सकता है। मगर ऐसे उदाहरण हैं जिन में समाचारपत्रों को काली सूची में रख दिया गया है। गृह मंत्रालय एक काली सूची तैयार करता है। वह काली सूची है, इसलिये प्रकाश में नहीं आती क्यों कि प्रकाश में आयेगी, तो फिर वह काली नहीं रहेगी और इसलिये उसको अंधरे में रखा जाता है और गुप्त रूप से उसे मंत्रालयों को भेजा जाता है। जब कभी समाचारपत्रों के संचालक, सम्पादक विभिन्न मंत्रालयों में, विभागों में जाते हैं तो उनसे कहा जाता है कि गृह मंत्रालय ने काली सूची बनाई है, आप उसमें से अपना नाम निकलवाइये। यह काली सूची किस आधार पर बनती है? समाचारपत्रों की बिक्री देखी जानी चाहिए, उनकी विचारधारा नहीं। विज्ञापन देने में अगर सरकार भेदभाव करे तो क्या प्रेस कौंसिल के सामने यह बात लाई जा सकती है? क्या प्रेस कौंसिल इस पर अपनी राय प्रगट कर सकती है? क्या प्रेस कौंसिल सरकार को यह निर्देश दे सकती है कि विज्ञापन देने में किसी प्रकार की गड़बड़ी नहीं होनी चाहिए? मुझे लगता है कि प्रेस कौंसिल को इसका अधिकार नहीं होगा। अगर सरकार प्रेस कौंसिल को यह अधिकार नहीं दे सकती,

[श्री अटल बिहारी वाजपेयी]

तो कोई वैकल्पिक व्यवस्था करनी चाहिए, जिसमें न्यूजप्रीट के वितरण के सम्बन्ध में, विज्ञापन देने के सम्बन्ध में लोगों को, समाचार-पत्रों को, किसी तरह की शिकायत न हो। महोदय, मैं ऐसे समाचारपत्र जानता हूँ जिनको पहले प्रक में ही सरकारी विज्ञापन मिल गया है, बिक्री का सवाल ही नहीं है वे निकले ही नहीं हैं, वे बिके ही नहीं हैं। प्रक छपना बाकी है कि सरकार ने उन्हें विज्ञापन देकर अनुपूरीत कर दिया। यह नीति ठीक नहीं है। इससे पत्रों की स्वाधीनता पर आघात होता है। अगर हम पत्रों की स्वाधीनता सच्चे अर्थों में सुरक्षित रखना चाहते हैं, तो विज्ञापन के वितरण में जो भेदभाव चल रहा है, उसे समाप्त करना होगा।

महोदय, यहां चर्चा हुई है पत्रों के स्वामित्व की, और यह एक बड़ी गम्भीर बात है। जिस तरह से हमारे यहां समाचारपत्र उद्योग का विकास हो रहा है वह भविष्य के लिये एक आशंका पैदा करता है। वे पूंजीपति जो उद्योगों में हावी हैं, समाचारपत्र निकालते हैं। वे राजनीतिक दलों की बड़ी मात्रा में खपता देकर उन पर असर डालते हैं और इस तरह धीरे-धीरे सही जनमत बनाने का काम हमारे देश में कठिन होता जा रहा है। संयुक्त प्रवर समिति ने विचार किया था कि प्रेस कौंसिल को पत्रों के स्वामित्व के सम्बन्ध में देश में यह प्रवृत्तियाँ बल पकड़ रही हैं उन पर ध्यान रखना होगा। स्पष्ट है कि प्रेस कौंसिल इस बारे में कोई बड़ी क्रान्तिकारी कदम नहीं उठा सकती, लेकिन एक बात अगर हम सोचें तो स्पष्ट हो जायेगी कि ये पत्रों की शृंखलाएँ चल रही हैं क्या उनको शासन और शासनाखंड व्यक्ति प्रोत्साहन नहीं देते। सदन में उनका निन्दा करना ठीक है, मगर किन दलों का, किन धन कुबेरों के साथ सम्बन्ध है यह छिपा हुआ नहीं है। सत्ताखंड दल में ही किस गुट का समर्थन कौन पूंजीपति कर रहे हैं यह भी अब रहस्य की

बात नहीं है। यहां तक कि मंत्रिमंडल के सदस्यों ने अपने अपने समाचारपत्र बांट लिए हैं या यह कहना चाहिए कि पूंजीपतियों ने मंत्रिमंडल के सदस्यों को छांट लिया है। कोई किसी के साथ लगे हुए हैं, कोई किसी के साथ लगे हुए हैं। एक दूसरे से बल प्राप्त करते हैं, एक दूसरे का प्रचार करते हैं क्योंकि एक शस्त्र है उनके हाथ में। एक बात और है।

अगर सही माने में यह सर्कुलेशन वाली बात ही विज्ञापन पर लगती है तो छोटे समाचारपत्रों को विज्ञापन नहीं मिलेंगे। जो जिले में चलते हैं, मुफ़सिल में चलते हैं, जिनके पीछे कोई बड़े पूंजीपति का बल नहीं है, उनकी संख्या रहेगी, बिक्री कम रहेगी, वे बड़े पत्रों की तुलना में, प्रतियोगिता में कैसे टिकेंगे? महोदय, अगर राजनीति को पूंजी के प्रभाव से मुक्त किया जा सके और राजनीतिक नेता धन-कुबेरों के आश्रय पर जीना छोड़ें तो पत्रों की शृंखला से जो विकृतियाँ उत्पन्न हो गई हैं उनको अगर मिटाया नहीं जा सकता तो कम तो भवश्यक किया जा सकता है। लेकिन हम शृंखलाबद्ध समाचारपत्रों का समर्थन प्राप्त करते हैं और इस कारण उनका प्रभाव बढ़ता है।

मैं एक बात कह कर समाप्त कर दूंगा। प्रेस कौंसिल को निन्दा करने का अधिकार होना चाहिए। प्रेस कौंसिल अदालत नहीं है, लेकिन अगर हमने उसे निन्दा करने का भी अधिकार नहीं दिया तो प्रेस कौंसिल बनाने का कोई मतलब नहीं है। हमारे मित्र श्री मणि कहते हैं कि प्रेस कौंसिल केवल अपनी राय लिखे और उस राय को सेंस्योर न कहा जाय, केवल यह कहा जाये कि अपनी राय लिखते हैं। लेकिन अगर राय खराब होगी तो वह निन्दा न कहते हुए भी निन्दा हो जायेगी। इसलिए सेंस्योर नाम देने में ऐतराज नहीं होना चाहिए। मुझे यह आशंका है कि ऐसे समाचारपत्र हो सकते हैं जिनकी एक बार निन्दा की जाय, दो बार निन्दा की जाय, तीन बार निन्दा की जाय तो भी उन पर कोई प्रभाव नहीं पड़ेगा।

श्री अकबर अली खान : उनको प्रोत्साहित करने के लिए ।

श्री अटल बिहारी वाजपेयी : तो स्थिति बही रहेगी । इसके सम्बन्ध में सरकार को सोचना होगा । फिर अगर प्रेस काउंसिल सरकार की ओर से होने वाले हस्तक्षेप पर रोक नहीं लगा सकेगी और प्रेस काउंसिल की निन्दा पर सरकार कार्यवाही करेगी तो प्रेस काउंसिल समाचारपत्रों का विश्वास नहीं बनाए रख सकेगी । और इसलिए समाचारपत्रों की स्वाधीनता में हस्तक्षेप कहीं से भी हो, प्रेस काउंसिल को उसके सम्बन्ध में बोलने का, अपनी राय निर्भीकता से प्रकट करने का, अधिकार होना चाहिए ।

महोदय, बम्बई से निकलने वाले एक साप्ताहिक पत्र की निन्दा लोक सभा ने की, उसके सम्पादक को बुला कर लोक सभा के सदन में उसकी भर्त्सना की गई, लेकिन जो सत्तारूढ़ हैं उन्होंने उस लोक सभा की निन्दा को ध्यान में नहीं लिया । उस पत्र को सम्मान देकर उसके सम्पादक को सम्मान देकर लोक सभा की भर्त्सना पर पानी फेर दिया गया । जिनके हाथों में अधिकार है, शासन सत्ता है वे अगर प्रेस काउंसिल की निन्दा के बाद भी प्रेस काउंसिल के विपरीत राय के बाद भी अपने स्वार्थ के लिए दलगत या व्यक्तिगत सस्ती प्रसिद्धि प्राप्त करने के लिए गलत समाचारपत्रों को चरित्र की हत्या करने वाले समाचारपत्रों को भी प्रोत्साहन देंगे तो प्रेस काउंसिल पत्रों का स्तर नहीं बनाए रख सकती है । चरित्रों की हत्या तो आजकल राजनीतिज्ञ भी कर रहे हैं—प्रेस को उसके लिए क्या दोष देना है । उत्तर प्रदेश में जो कुछ हो रहा है उसके लिए राजनीतिज्ञों का सिर शर्म से झुक जाना चाहिए । दिल्ली से निकलने वाले 'आन्ध्रवर्ष' के लिए हम क्या कहें जब वहाँ एक महिला मुख्य मंत्री के खिलाफ गन्दे पर्चे छापे जाते हैं और दूसरे मंत्री पर चरित्रहीनता के आरोप लगाए जाते हैं । जो आरोप-

प्रत्यारोप एक दल के लोग अपने दल के ही व्यक्तियों पर लगाते हैं अगर वे भी छाप दिये जायें तो भी दुनिया के सामने हम गर्व से सिर उठा कर नहीं देख सकते । समाचारपत्र सारे समाज से शासन से अलग रह कर नहीं चल सकते । अगर उनका स्तर बनाए रखना है तो हर एक क्षेत्र में स्तर बनाए रखना होगा । इसलिए प्रेस का स्तर बनाए रखने के साथ सरकार को भी अपना स्तर बनाए रखने का ध्यान रखना होगा । स्वयं को ठीक रखिए, तभी प्रेस की स्वाधीनता सुरक्षित रहेगी और राष्ट्र के निर्माण में वह अपना योगदान दे सकेगा ।

SHMMATTU LAJTHA RAJAGOPA-LAN (Madras): Mr. Vice-Chairman, the Press Council Bill as reported by the Joint Committee of both the Houses has been moved in this Upper House by the hon'ble Deputy Minister. It has been so far analysed thoroughly clause by clause and criticised by some of them also. Hence I am not going into the details of the Bill as such. But I would like to state only two points in general. I would also like to envisage what the Press Council could do if and when constituted.

Mr. Vice-Chairman, the Press Council is to be set up with the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers in India. In this connection I would like to say about the freedom of the Press. Some of the Opposition Members expressed their doubt in this regard. Nowhere in the world the Press enjoys so much of freedom as in our country. If some of the Members feel that this freedom is not enough, let them look at the neighbouring countries, Pakistan and China and some other countries of the world. There the Press is run by the Government and for the Government but on the contrary, in our country, the Government, I should say, follows a lenient policy. Only when certain newspapers transgress the limit and try to jeopardise the security of the

[Shrimati Lalitha (Rajagopalan). nation by misrepresentation of facts or by inciting the public in an anti-national manner the Government has no other go but to utilise the Defence of India Rules. No country in the world would tolerate such anti-national activities and in some countries severe punishment is meted out. When the anti-national activities of the Pro-Peking group were unearthed some time ago in our country and when at the Tenali conference the lame group displayed the portrait of Mao Tse Tung, what did the Government of India do? Thanks to the lenient policy of the Government, these people are only in jails and are still surviving. Can we imagine the name kind of treatment meted out to people who indulge in such activities in any other part of the world?

I would like to state that in our democratic set-up of Government, the Press, with the support of the Council, should exercise its freedom within its purview with restraint and caution. Freedom of the Press should be in the largest interest of the nation as a whole. To be an effective media the Press can ill-afford to ignore the Government and the people. As earlier pointed out by the hon. Minister, freedom of the individual is as important as the freedom of the Press. If this point is borne in mind, there never will arise an occasion to curb the freedom of the Press at any stage.

Secondly, about improving the standard of the newspapers, this task not only lies with the Press Council but also with the newspapers. The Press Council if and when constituted, with the co-operation of these newspapers, should try to take effective steps to curb yellow journalism and also the ever-increasing obscene literature and other matters which degrade the standards of newspapers in India. In this connection, I would like to state that an English daily in my State carried an advertisement for a movie in an obscene manner. The advertisements and captions were

singularly vulgar. The posters for this particular picture were equally obscene. The same picture had a different caption in the capital. The Press Council should take up this matter seriously and see that such advertisements are not given space in the newspapers. This measure only enhances the prestige of the newspapers.

As for the obscene literature, posters and advertisements, I feel, that though public opinion has to be mobilised, the Government with the help of the Press Council and within the purview of the Council, can bring some measure to put an end to the same. I am sure if these measures are evolved, they will undoubtedly gain popularity and public support.

Before I conclude I would like to refer to the amendments moved by Shri Bhupesh Gupta. I would not like to go into details but I would like to refer to one or two points. He says in his amendment to clause 4:

"Provided further that no official or retired official of the Government shall be eligible for such nomination."

As far as the official part is concerned, it is out of question. As far as the retired officials of the Government are concerned, it does not mean that a retired official is not efficient. He can handle things. If he has qualification in that sphere and if he is an experienced man, age, experience and qualifications count. When there are many retired officials working as Ambassadors, Parliamentarians, etc. one cannot see why there cannot be retired officials. So I do not agree with the amendment. He says further:

"Provided also that before making his nomination the Chief Justice shall ask for advice in the matter from the organisations of Working Journalists."

That is illogical. When we request the Chief Justice to nominate the Chairman we are entrusting the work

with full confidence in him. "Where does the organisation of Working Journalists come in? Perhaps Mr. Gupta thinks otherwise.

About the other amendments I am «ot going into details because they contain ail the English alphabets^ from (k) to (y) . . .

SHRI AKBAR ALI KHAN; You are taking Mr. Bhupesh Gupta very seriously.

SHRTMATI LALITHA (RAJAGOPA-LAN): I have to. As far as the other amendments are concerned, some of them are really very good but they are to be put before the Press Council. Some of them—from (k) to (p) —are code of conduct to be observed by the Press.

- About the last one (q) I would say a few things. It says:

"to discourage any tendency on the part of the bigger newspapers asd journals to discriminate against the news concerning the movements and problems of the workers, peasants and other sections of the working peple."

I am sure Mr. Gupta, in framing this particular amendment, reflects his loyalty to his Party.

About amendment (r), it says:

"to prevent any special patronage to the big newspapers by the Government in the form of an advertisement and otherwise." The hon. Minister hag already pointed out that advertisements are allotted according to the circulation of the newspapers. She has already pointed out to Mr. Gupta that this matter is not beyond the purview of the Press Council. So Mr. Gupta can put the suggestion to the Press Council.

About the other things, I would suggest to Mr. Bhupesh Gupta, if I am permitted to do so, to compile these amendments and place them before the Press Council if and when it is constituted.

Lastly, I would like to state that the witnesses who appeared before the Joint Select Committee were

keen that the Chairman of the Press Council should be a person of "udi-cial experience. This should be borne in mind when the Press Council is constituted. The composition of the Council should also be an impartial body. I hope these suggestions will be taken into consideration when the Council is constituted.

I thank you for giving me an opportunity to speak on this Bill and I whole-heartedly support the Bill.

SHRI M. RUTHNASWAMY (Madras): Mr. Vice-Chairman, at this Third Reading stage of the Bill . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): It is the First Reading.

SHRI BHUPESH GUPTA: In this matter the Swatantra Party seems to be very progressive.

SHRI M. RUTHNASWAMY: After the report of the Joint Select Committee we have another opportunity of examining the clauses of the Bill with reference to the objectives of the Bill that have been stated in the preamble. One is the freedom of the Press and the other is maintaining and improving the standards. By freedom of the Press is not meant the legal and constitutional freedom of the Press because the protection of that freedom is in the hands of the Constitution and of the courts. What I think is meant by the freedom of the Press is freedom of the Press within itself, in relation to itself and in relation to the fellowships of the newspapers. Freedom of the Press therefore would involve that readers should have free access to news as well as views, news of all kinds impartially got, impartially obtained, independently obtained and impartially and independently displayed in the papers. It should be news of all kinds. Especially in a developing country like ours, this news should be not merely political but also economical and cultural. Freedom of the Press also involves a proper use of space available to the newspapers. The space should not go by favour, favour either actually given or expected. If too much

[Shri M. Ruthnaswamy.] apace is given for instance to the speeches and activities of Ministers, -not all ministerial speeches—I speak without any offence to the Ministers present in the House at the moment and they are not conspicuous offenders in this matter—are worth reporting at great length. I would suggest in this connection that full reports of speeches be confined to Government Gazetteers. They can be printed there in full and the newspapers could make available the space thus saved for more profitable purposes. And there is no special privilege attached to the Press by this right, by this constitutional legal right of 'freedom of the Press' as it is called. They have the same rights as any citizen to 'freedom of expression'. If journalists are called upon in a court of law on oath to reveal information with regard to sources of their information, not in all matters but specially where the security

of the country is concerned, they should not enjoy any special privilege of withholding such information. There was a recent case in England where two journalists were sentenced to imprisonment for refusal to give the sources of their information in regard to security matters connected with the work of the Admiralty.

With regard to this freedom of the Press, among others much has been said by the Leader of the Communist Group on monopolies in the Indian Press. As I understand it, Mr. Vice-Chairman, a monopoly is the concentration of all capital and of all industrial work in the hands of one person or a group of related persons. Now we had no such monopoly in India. No doubt there are great proprietors of newspapers; there are even proprietors who own a chain of newspapers, but as long as these newspapers divide themselves into groups competing against one another, you do not have a monopoly in the Press. The only countries where monopolies in the Press obtain are the totalitarian countries, the Communist countries, where the only Press

allowed is the Government Press; the only newspaper allowed is the Government newspaper, and the official newspapers in Russia are the 'Izvestia' and the 'Pravda'. No private group of people can bring out a newspaper in Russia. So it is only in Communist countries that really Press monopolies obtain.

The second objective of this Bill is the maintenance and improvement of standards. For this of course independence of the Press is required, and they can take shelter under this right of the 'freedom of the Press' guaranteed to them by the Constitution if we have newspapers in India—as there have been on occasions—like the newspapers in the United States of America, which at the time of the Cuban crisis accused the Government of lying to the people, of distributing information which was false.

Similarly, in West Germany there were journalists who went to jail because they criticised the policy of the Foreign Minister, and so also we have seen in England in the case that I referred to recently. This maintenance of high standards in our newspapers involves also a duty to inform the people not only of what is going wrong, but of all that is going on in the country. As I said, specially in a developing country like ours, newspaper-readers have a right of access to information of all kinds, of all useful kinds, so that their knowledge, their information on public affairs may be as extensive as possible and so the newspapers in our country especially should be such as may be looked upon as having the real power to set right things by their impartial criticism of men and affairs. In our country now, on account of the weakness of the opposition parties in our legislatures, it is to the Press that we must look for effective criticism. Let us see how these objectives are realised in the constitution of the Press Council.

Is the constitution of the Press Council suitable for the purpose for which the Press Council is set up? So

far as the general composition of the Council is concerned, it seems to be suitable for the purpose although I do not know how the independence of the Press Council can be maintained when the period of their office is only so short as three years. In order to get a good Chairman, he has to be paid, but I hope the Chairman selected by the Chief Justice will not be one who has been living in an ivory tower. He may be a retired Judge of the High Court, or of the Supreme Court, but he should have had intimate contact with public affairs and had been in touch with all the developments in the country. Fees and allowances are paid to the ordinary members of the Council but the fees, I hope, will not be so attractive as to cloud the judgment of the member of the Council. I must repeat what I said before, that I am not happy about the judicial character of the Council. As I said when the first discussion took place, I would prefer the Press Council to be a court of honour rather than a court of law, because it is only then that the decisions of the Council would be looked up to by the newspaper world and by the general public. Especially I am not very happy about sub-clause 12(2) (e) which calls upon the Council—

"to keep under review any assistance received by any newspaper or news agency in India from foreign sources:"

What does this phrase "keep under review" mean? Does it mean that the Press Council will periodically receive information from the Government as to the assistance received by any newspaper or news agency in India from foreign sources? Or what do they do? Do they go out in order to find out information about the assistance received by any newspaper or news agency? And what do they do after receipt of this information? What does "keep under review" mean? Does it mean publishing in their annual reports the number of news agencies and newspapers that receive assistance from foreign coun-

tries. And after all, the judicial procedure followed by the Press Council—summoning of witnesses and putting them on oath—what does it all end in? Just a censure. Now a censure proceeding from a judicial court, from a court of law, it seems to be something ridiculous, as ridiculous as the mountain which brought forth the mouse. A censure coming from a court of honour would really mean something, because it means that people, who want to maintain high standards of behaviour among the newspaper Press, out of their independent judgment, administer a censure, but a court of law delivering a judgment of censure, unless a court of law delivers a sentence of imprisonment or fine, it seems to be ridiculous that it should end up in a mere censure.

And then with regard to the funds of the Council. Now the funds of the Council, if the Press Council is to serve any useful purpose, namely, of maintaining the standards of our newspaper Press, must be large enough for the staff and equipment to act as a sort of information and research centre on behalf of the Press. It must also be able to serve as a facility for recruitment and training of journalists. Everything will depend upon the funds available to the Press Council. Is the Government prepared to make a sufficiently large contribution to the funds of this Council? The British Press Council, for instance, gets about £ 115,000 a year from the newspaper industry. No doubt the Government will expect that this Council also should get funds from the newspaper industry and the Government will grant subsidies in order to supplement the funds raised by the newspaper industry. But unless the funds are of a large order and the Government is generous in contributing to its fund, the Press Council will not be able to achieve any of the objectives especially the objective of maintaining and raising the standard of our newspaper Press.

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It is not so much censuring that should be the objective of the Press Council; but by its work for the newspaper Press, for the newspaper, it ought to serve as the maintainer and improver of the standards of performance of the newspaper Press. In this connection I hope and trust that the Press Council can do something about newsprint distribution. Reference was made to the difficulties which certain newspapers are experiencing in getting newsprint. I do hope that the Press Council will enable all newspapers, however small they may be, whatever may be the financial backing they may have, to get the newsprint that they need. If the Press Council is able to do this one service to the newspaper world, if it prevents certain newspapers from getting a monopoly of the newsprint, if it is able to distribute newsprint equitably among all newspapers, large and small, then it would have done a great service to the newspaper world. It would have justified its existence by this one single service.

Therefore, Mr. Vice-chairman, in conclusion, I would say that the utility of the Press Council will depend on the service that it performs to the Press and to the newspaper world. If it is able to make newspapers a real source of information to the people, if it succeeds in making newspapers publish views of an independent and impartial character, to serve the best and the lasting interests of the country, if it is able to perform this service for the newspaper world and to the general public, then the Press Council, in spite of the defects which have occurred in the framing of the Bill, will justify its existence and the Ministers who have taken so much trouble in order to pilot the Bill in this House, would have done a good thing.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Shri Vaishampayan.

BHRI S. K. VAISHAMPAYEN
(Maharashtra): Mr. Vice-Chairman,

I rise to support the Bill presented by the Joint Select Committee, and I also support the amendments suggested by the hon. Deputy Minister. The Bill certainly is a welcome measure, though a belated one. It is well known that the Press is certainly a powerful instrument for creating a healthy and responsible public opinion. It occupies a pivotal position in our democratic life. But if it is to play this part, the Press must be free and at the same time responsible. The present Bill tries to achieve such a consummation. It is expected, therefore, that the Press Council will act as a trustee and guide for a healthy and responsible public opinion.

Mr. Vice-Chairman, before I proceed further and give my views on some of the provisions of the Bill, I would like to invite the attention of the Government to one matter. The Press Commission prepared its recommendations on the basis of the condition* that existed prior to 1954 and the Government has come forward with this measure today, after ten years. What existed when the Press Commission formulated its recommendations has to a great extent undergone a change. The world of the Press has enlarged and enlarged horizontally but not vertically. At the time of the Press Commission, the growth was, from my point of view, proportionate. But now due to the large expansion that has taken place, the quality has been diluted. Today one sees a whole spectrum of papers. The phase of weeklies in the districts is gone. Districts are coming out with dailies. Thus in each district, you will find at least three language papers. There is a "daily" in the regional language and there are at least two "weeklies" in Hindi and in English. The three language formula though it may not work in the field of education, it certainly works in the field of the Press. And then there are views and political party papers. Over and above all these there are the magazines and other cheap literature which flood the readers. All these papers and magazines require a flight of report-

era, correspondents, editors and writers. What must be happening to the maturity and objectivity of views need not be described by me. What appears in a number of cases is not the image of a press which is a vehicle of public opinion but a half-mature expression of new entrants without having a record of probationary period in the field. And all this material today comes before the large body of our masses. I leave it to hon. Members to imagine what must be happening to the public opinion and how it must be shaping. So before we pass the present Bill we should pause and understand this cosmic phenomenon in the Press world in our country. To be brief, the sponsors of the freedom of the Press and the Press Council must look down rather than look up. We must think more of responsibilities and duties rather than of more powers and rights for the Press Council.

Now I will turn to the recommendations of the Joint Select Committee. The Joint Committee has made certain improvements in the original Bill. Particularly I am happy that a person with special knowledge in the field of science is to be included in this Council. This realisation is certainly important, as it is a scientist who will ultimately give a rational and scientific bias to the present day problems. The second change that is to be welcomed is about limiting the number of representatives of chain papers to one. This will break down the monopoly about which there is a tear in the minds of many.

There are a few other changes also "which certainly improve the character of the Press Council I am not referring to those as many hon. Members have already given their observations about them. But I am sorry I have to submit that some of the modifications of the Joint Committee are not well-advised. They are either in the nature of assuming more power by the Council or taking to itself the role of a super-body. The hon. Minister and the hon. Deputy Minister have

done well in moving further modifications to clause 12, sub-clause (2) (e) and also to clause 13, sub-clause (2). I need not add to what the hon. the Deputy Minister has said in this respect I congratulate the hon. Ministers for showing alertness in bringing forward these amendments. I do hope the House will agree to accept the amendments suggested by the Government.

Secondly, I do not agree, Mr. Vice-Chairman, to the deletions made by the Joint Select Committee. I will not go into all those details now and would only refer to the deletion made by the Joint Committee with regard to the provision for preventing the use of information for blackmail, in clause 12(b), also to clause 12(d) which refers to the sense of responsibility and public service and to the provision under clause 12(e) which refers to the reproduction of material obtained from outside. These have been deleted as the Committee considered these provisions unnecessary and as having been covered by other clauses. I have studied all these clauses and after reconstructing these provisions of the Bill I have not found in the present Bill what was there in the original Bill. If those provisions were unnecessary, then where 'as the need to make the other statement? I may point out that the Press Commission in its Report has elaborately dealt with and stressed their importance. However, I would not insist on incorporating all these provisions into this Bill. But I would like to draw attention to the deletion of clause 13(2) wherein it was proposed that the case of a journalist censured more than once be referred to the Government for action. This should continue to form a part of the Bill. I think action in such cases is necessary. If left to the Press Council, it would be difficult for it to take action and hence the continuation of the provision is needed and would be

[Shri S. K. Vaishampayan.] a deterrent to irresponsible 'or yellow journalism, i therefore, support Prof. Wadia's amendment.

Now, I would like to make a few suggestions of my own. I had described earlier how the press has grown. Taking that into consideration, it is necessary that two of the recommendations of the Commission should find place in the present Bill. The first is the proposal to establish a Press Institute for continuing study of the contents and performance of the Press. The second important suggestion is the establishment of State or Zonal units of the Press Council. I hope the hon. Minister and the Deputy Minister will give their earnest consideration to these suggestions and see that the modifications suggested by them and the suggestions of Prof. Wadia are incorporated in the Bill and a right type of Press Council conscious of its responsibilities to the people and to the nation is constituted.

شری عبدالغنی (پنجاب) : وائس

چور مہن صاحب - پریس کا مقام آج کی دنیا میں سب سے اونچا ہے - اس لئے پریس کے سہلہ مہن کسی مل کا آنا اور اتنے بڑے مقاصد کے ساتھ آنا قابل مبارک باد ہے - مجھے اچھے بھائی مل بھادر شامروی کی چادوگری پر بھی بوا فخر ہے کہ انہوں نے ایک ہی نشانہ مہن ٹیموکریسی کی سب سے بڑی دلداری اندراجی کے کندھوں پر ٹیموکریسی کا جنازہ اٹھانے کا جتن کیا - مجھے اس بات کی بھی خوشی ہے کہ انہوں نے مسئلہ - قی - قی جو کبھی پریس کی ایک بڑی آرگنائزیشن کے چہرہ مہن رہے - ان کے منہ سے بھی یہ نکلوا لیا کہ پریس کونسل کا

چہرہ مہن کوئی ہائی کورٹ کا جج ہونا چاہئے - انہوں نے بھی اس پابندی کو مان لیا - اس کے بعد انہوں نے ایک ہی نشانہ سے ہندوستان میں ایسا ہو سکتا تھا کہ کوئی اس بل کو چیلنج کرتا عدالت میں تو عدالت کے سب سے بڑے چوہ جسے اس کو اس میں گھسیٹ لیا کہ وہ ٹیموکریسی کے جنازہ کو مضبوطی کے ساتھ کندھا دینے کے لئے نام زدگی کریں - مہری سمجھ میں نہیں آیا کہ بھارت ورش میں جہاں ایک سے ایک قابل اور ایک سے ایک ایسا دار لوگ موجود ہیں وہاں ایسا کھوں کہا گیا -

یہ ماننا پڑے گا کہ پریس کو چار حصوں میں بانٹا جا سکتا ہے - ایک حصہ وہ ہے جس کو صرف دیہ سے بھار ہے دیہ واسیوں سے بھار ہے اور اس کا نہ کوئی مقصد ہے اور نہ اس کی کوئی فرض ہے - ایک وہ حصہ ہے جس کو دیہ سے بھار ہے لیکن اس سے ادھیک اس کو اپنی پارٹی کی انڈیالوجی سے بھار ہے - اور اس کو اپنی پارٹی کے خداندان سے بھار ہے - خواہ وہ غیر مسالک میں رہے ہیں - ایک حصہ وہ ہے جس کو صرف اچھے سے بھار ہے اور ایک حصہ وہ ہے جو صرف بلیک میل کرنا جانتا ہے - اس کے لئے پریس کونسل کا ہونا اوشیہ ضروری تھا - مجھے بڑی خوشی ہے کہ میری بہن ایسے نازک موقع پر ایسا بل لائیں - لیکن کیا

پریس جس کا ہوا ہی اونچا دوجہ
 ہے اور جس نے آزادی میں ایک
 ہوا حصہ ادا کیا ہے - جسے ملک کو
 بلانا ہے اور جس کو ملک میں ایکتا
 لانے کے لئے دنیا میں ایکتا کے لئے
 بہت ہوا کام کرنا ہے - اس کی
 آرگنائزیشنیں جتنی تھیں وہ سب
 اتنی بے سود ہو گئیں اتنی نکمی ہو گئیں
 کہ ان کو یہ ادھکار نہیں
 دیا جا سکتا تھا کہ وہ اپنے
 نمائندے بھیجیں اور اس میں
 گورنمنٹ بھی اپنی طرف سے کچھ زیادہ
 ان کو سپورٹ دے اور پھر ایک
 زبردست پریس کونسل بن سکے -
 لیکن ہماری سرکار نے اور ہماری بہن
 نے ایسا مناسب نہیں سمجھا اور
 انہوں نے جاننے ہوئے یا نہ جاننے ہوئے
 ایک اتنی بڑی بھول کی ہے جس کو
 شاید اتنا ہی معاف نہیں کرے
 - ۱۱ -

دوسری بات وائس چیرمین
 صاحب — میں یہ کہنا چاہتا ہوں
 کہ کونسل بنے لیکن اس کے بلے میں
 شریع سے ہی ایسی ترتیاں نہ رہ جائیں
 کہ جس سے اس کا جو بلند مقصد
 ہے کہ پریس کو انہماک چاہئے ہیں
 وہ پورا نہ ہو سکے - میں مانتا ہوں
 کہ پریس میں ملوثی بھی ہوگی -
 میں یہ بھی مانتا ہوں کہ پریس
 میں کئی طرح کی ترتیاں ہوں گی -
 لیکن اس سے انکار نہیں کیا جا سکتا
 کہ جب تک انسان انسان ہے اس

سے بھول ہوتی رہے گی - ہماری سرکار
 جو انفارمیشن بیورو کی سرکار ہے اس
 نے کچھ فلمیں دکھائیں سلیمز میں -
 انہوں نے اپنی گورنمنٹ کی نہوز
 بھیجیں اور اس میں پاکستانیوں کے
 ہاتھوں غریب بلکالوں کا ایمان دکھایا
 گیا تھا - جو انہوں نے وحشی پن کہا
 تھا جو درندگی کی تھی اس کا نظارہ اس
 میں بھی دکھایا گیا تھا - ٹھیک ہے
 کمپونلزم کے بہوت کو آپ دکھائیں یہ
 بری بات نہیں ہے لیکن گورنمنٹ کا
 فرض ہوتا ہے کہ ایسے مقام پر جب
 وہ بھوت دکھاتی ہے کمپونلزم کا تو وہ
 ایک ہی سائیڈ نہ لے بلکہ ہیکچر کی
 دوسری سائیڈ بھی لے کہوں کہ اسی
 وقت اس ساتھ ساتھ اپنے دیس میں
 کچھ بستیاں تھیں جن میں مسلمان
 بھگتے تھے - وہ بستیاں رات میں بستی
 تھیں لیکن صبح نہیں رہی - اور پھر
 وہاں نہ انسان تھے نہ حیوان تھے نہ
 مکتب تھے اور اگر وہاں کوئی نشان تھے
 تو وہ صرف آگ کے انکاروں کے تھے - تو
 جب گورنمنٹ نے کمپونلزم کا ایک
 بھوت دکھایا تھا تو اسے یہ بھوت بھی
 دکھانا چاہئے تھا - اس طرح اگر
 گورنمنٹ بھول کر سکتی ہے تو پریس
 سے بھی اگر بھول ہو جائے تو اس کو
 بھلا دینا چاہئے - اس لئے میری
 موڈبانہ درخواست سرکار سے اور خاص
 طور پر اپنی اس بہن سے جو بڑے باپ
 کی بڑی بھتیجی ہیں کہ پریس کی ان
 تمام آرگنائزیشنوں کو اور ان تمام جماعتوں

(شری عبدالغنی)

کو اس طرح سے اگلور نہ کہا جائے۔ ہمارے چیف جسٹس جہاں پر ہیں اس پر ہمیں کڑو ہے لیکن ان کو اس میں کہوں گھسیٹا جائے اور اس میں کہوں لیا جائے۔ ان کو اپنی یدوی پر ہی رکھا جائے کہوں کہ وہ انصاف کے سب سے بڑے دیلے والے ہوں۔ اگر کہی ہوئی اس بل کے خلاف کوئی رائے سوریہ کورٹ میں جائے تو وہی ہوں سرکار کے خلاف کوئی فتویٰ دے سکتے ہیں، اس لئے ان کو اس میں کہوں گھسیٹا جائے۔ وہ چھرمون کی نامزدگی کریں اور پریذیڈنٹ صاحب ایک مسبر ہڈانیں اور پھر اس کے بعد کونسل نامزد کی جائے تو یہ ساری نامزدگیاں مہری مسجہ میں نہیں آئیں۔ اور اندرا جی نے جو یقیناً قیام کریسی کی بڑی علم بردار ہیں انہوں نے کہے یہ برداشت کیں لیکن میں شاستری جی کو مبارک باد دیتا ہوں کہ وہ جب چاہتے ہیں جادو کر دیتے ہیں۔

اب رہا یہ کہ اس کونسل کو کیا ادھیکار ہو۔ جو کونسل سرکار خواہ بدلتی ہے اگر اس کو وہ کوئی ادھیکار نہیں دیتی تو وہ پریس کی کیا بھلائی کر سکے گی۔ وائس چیرمین صاحب آپ جانتے ہیں۔ آپ کے علم میں ہے کہ جس طرح سے یہ کنٹرول کوٹہ پرمٹ اور یہ لائسنس اخباروں پر

لاگو ہے یا کسی وجہ سے لاگو ہے۔ آج چالہس لوب رویہ بلیک میں ہے۔ جس کا بہت حصہ باہر کے ملکوں میں چلا گیا ہے۔ تو یہ کوٹہ کی لعنت جو نفوز پرنٹ میں بھی آگئی ہے جیسا کہ بھائی عابد علی نے کہا۔ جن کو اس بات پر فضا آتا ہے کہ ہر روز ایوزیمن والوں کو پریس میں اہمیت ملتی ہے۔ اگرچہ ہم نے کوئی اخبار ایسا نہیں دیکھا جس میں جب سے شاستری جی پردھان منتری بنے ہیں پہلے ہی پیج پر چہ لائن کی یا پانچ لائن کی کوئی سرخی شاستری جی کے متعلق نہ ہو۔ پھر بھی عابد علی صاحب کو گلہ ہو تو ہو۔ لیکن ان کے اس کہنے سے کوئی انکار نہیں کرے گا کہ کوٹہ بہت زیادہ دیا جاتا ہے ان اخباروں کو جو بلیک میں بوجھتے ہیں۔ مسجہ کوئی شکایت نہیں ہے اور شاستری جی کے بارے میں اخباروں میں آنا چاہئے اور ان کا پورا مان ہونا چاہئے۔ ان کی تصویر بھی اگر روز آئے تو مسجہ کوئی اعتراض نہیں ہے۔ وہ بڑے سندر ہیں بڑے خوب صورت ہیں۔ لیکن اس میں بھی کوئی شک نہیں گورنمنٹ نے بہت سے پرچوں کے ساتھ مناسپ برتاؤ نہیں کیا۔ جیسا کہ باجھٹی جی نے بھی کہا۔ مسجہ یاد ہے کہ ہلد ساہار جسکے ایڈیٹر ہیں لالہ چکمت نرائن جلدھوں نے ایک جوان ی زندگی کے برابر لہد کاٹی ہے جو

گورنمنٹ کے بڑے بازو بھی تھے اور کانگریس کے سب سے بڑے ملتظم ہیں ایک ملتظم بھی رہے لیکن ان کا اخبار آج بھی ہلک لسٹ پر ہے۔ اس کے لئے لائبریریوں میں پہنچ نہیں رہے اور گورنمنٹ کی طرف سے جو ایڈورٹائزمنٹ وغیرہ دوسرے پیپرس کو دئے جاتے ہیں وہ بھی نصیب نہیں ہیں۔ اس میں مجھے کوئی جھگڑا نہیں ہے آپ نہ دیں لیکن پریس کونسل سے اگر آپ اس سلسلہ میں انصاف نہیں دلا سکے پریس کونسل اگر کسی کی آواز کو ٹھیک نہیں اٹھا سکی اور پریس کونسل اگر گورنمنٹ کو مجبور نہیں کر سکی کہ وہ اخباروں کا کوئی صحیح قہنگ سے دلوا سکے اور اخباروں کی جو گنتی ہے اس کے مطابق ان کو کفڈ کا کوئی دیا جا سکے اور اس کے مطابق ایڈورٹائزمنٹ ان کو مل سکے۔ تو میں سمجھتا ہوں کہ یہ ایک ترقی ہوئی اور جب وہ اخباروں کو چاہتے ہیں کہ اخبار اونچے اٹھیں اور اپنی پارٹی پالیٹکس کے لئے اپنے دیہے کے مفاد کو پیچھے نہ پھینکیں۔ تو میں سمجھتا ہوں کہ یہ ایک کمی رہ جائے گی۔ آج جو گورنمنٹ ہے اس کو سب سے زیادہ سہیوگ حاصل رہا انگریز سے لڑائی کے زمانہ میں۔ پھر اس پارٹی کا بہت بڑا حصہ اگرچہ کچھ

کمونسٹوں میں چلا گیا کچھ ہی۔ ایس۔ ایس۔ پی۔ میں چلا گیا کچھ ایس۔ ایس۔ پی۔ میں چلا گیا کچھ سوشلزم میں چلا گیا کچھ جن سنگھ میں چلا گیا۔ کچھ اکالیوں میں گیا۔ کچھ انڈیپنڈنٹ رہے۔ پر میں مانتا ہوں کہ اس کی سب سے بڑی اکثریت کانگریس میں ہے۔ پھر وائس چیرمین۔ مہری سمجھ میں نہیں آتا کہ گورنمنٹ کا کوئی اخبار ایسا پاپولر کہوں نہیں ہو پایا کہوں وہ ایسے پرچہ نہیں نکال پائی۔" مجھے خوشی ہوئی جب پاکیزہ ارادہ سے نیشنل ہیئرلڈ جاری ہوا۔ قومی آواز اس کی دوسری شکل تھی لیکن ان دنوں کو پاپولرٹی کہوں حاصل نہیں ہوئی۔ اگر صرف یہی کہیں کہ لوگ چت پتی خبریں چاہتے ہیں۔ تو میں نہیں مانتا۔ ہندوستان میں بڑے بڑے اچھے لوگ موجود ہیں اور وہ اچھی بات کی قدر کر سکتے ہیں۔ تو اس میں کہیں نہ کہیں کمی ہے۔ تو وائس چیرمین صاحب۔ کمی یہ ہے کہ لڑبوں روپیہ پیدا ہوتا ہے کس کے حکم سے پیدا ہوتا ہے۔ سرکار کے حکم سے پیدا ہوتا ہے۔ تو جب لوگ کہتے ہیں پریس والے کہتے ہیں کہ یہ سرکار نے پرمٹ یا کوئلہ والے کو سلک کا ایک لوہار کو کھانڈ کا تو نہجری دنیا والے بڑے شوق سے

(شری عبدالغنی)

پوچھتے ہیں اور جب ان کو پتہ چلتا ہے کہ سرکار آج قلم کی نوک سے، مجھے معاف فرمایا جائے وائس چھرمین صاحب - مدراس میں گورنمنٹ اینڈ اخبار کیوں نہیں چلا سکی - جو اصل میں ملک کے نمائندے ہیں کہوں کہ کانگریس نے ملک کی بہت بڑی خدمت کی - پھر بھی کہوں نہیں چلا - ساوتھ میں ایک چھوٹا سا سہم دستوریت ہے اس میں کلکٹری ایک چھوٹا سا قصبہ ہے اور دو تین اور چھوٹے چھوٹے قصبے ہیں وہاں دو کروڑ ملک آرٹ کا امپورٹ لائسنس دیا گیا - مجھے کوئی چھکوا نہیں کہ چھوٹی جگہ دو کروڑ کا لائسنس دیں - مجھے اس پر کوئی اعتراض نہیں کوئی آہتی نہیں لیکن جب یہ لم میں آتا ہے کہ اس سے پیشتر کہ گورنمنٹ نے کوئی پبلک کلیریٹس سارٹیفیکٹ لیا ہوتا اس سے پیشتر کہ یقین کر لیا ہوتا کہ فورن ایکسچینج آجائے گا - گورنمنٹ نے یہ امپورٹ لائسنس دے دیا جو ہماری بڑے بڑے مل مالکوں نے خرید لیا - روپیہ چھب میں چلا گیا بلکہ گا - جب یہ خبر دوسرے اخبار دیتے ہیں تو لوگ کہتے ہیں کہ یہ سرکار جو گاندھی بابا کی سرکار تھی آج بالکل ہم راہ کی سرکار ہو گئی ہے - اس میں میں نہیں کہتا کروں -

اگر آپ چاہتے ہیں کہ دیہی میں پریس واقعی اٹھے - دیہی میں پریس کی حالت اچھی ہو تو تھوڑا آپ کو بھی آپ کو بدلنا ہوگا - گھونکہ آج میری ایمان داری ہے یہ رائے ہے کہ وائس چھرمین صاحب - پریس میں شاید یہ ہمت آجائے کہ یہ بات کہہ پائے - کہ چالیس ارب کے لئے سب سے زیادہ ذمہ داری - ٹی - کے اور ملو بھائی شاہ ہیں - جو اس طرح سے بے ہنگم لائسنس دیتے ہیں نو نو آرڈر روپے کے ۶۶ ع میں انہوں نے امپورٹ لائسنس دیتے ایسی حالت میں جب کہ ہمارے ملک پر وقتی آئی ہوئی تھی - چھن نے ہم پر حملہ کیا تھا - ایسی باتیں جب آشکارا ہوتی ہیں تو آپ یہ نہوڑ اور رہوڑ پر پابندی لگانا چاہتے ہیں - اس کے معنی یہ ہیں کہ آپ یہ چاہتے ہیں کہ جتنی خرابیاں سرکار دارا ہوتی ہیں یا یہ آئے دن رہوڑ بلکہ کے قصے چلتے ہیں اور دوسرے ملکوں میں بلکہ ملی کے قصے چلتے ہیں ان پر کوئی ٹھک ٹھلی نہ کرے - اگر یہ مقصد ہے تو میں سمجھتا ہوں کہ میری بہن کے ہاتھوں یہ سرکار اور یہ سرکاری پارٹی ایک اور انصاف کا خون کروانے جا رہی ہے - مجھے امید ہے کہ اس وقت جب دیہی کو ضرورت ہے شاستری جی چاہتے ہیں کہ سب پارٹیاں ان کی پشت پر ہوں سارا دیہی ان

کی پشت پر ہو تاکہ پاکستان کی جارحیت کا مل کر جواب دے سکیں تو ان کو بھی اپنے اندر ایک اسپرٹ لانی ہوگی۔ یہ نہیں کہ ایذا اخبار دو گزی کا اخبار ہو یہ بھی اس کو کوٹہ بھی قبل ملتا ہے۔ اس کو اشتہار بھی قبل ملتے ہیں۔ پھدا ہونے سے پہلے ہی اشتہار ملنا شروع ہو جاتے ہیں۔ یہ باتیں چل نہیں پاتیں گی۔ (وقت کی کھلتی) میں تو وائس چورمہن صاحب آپ کا حکم ماننا ہی ہوں۔ آج سرکار چاہتی ہے، شاستری جی یہ کہتے ہیں کہ نہ صرف یہ کہو۔ یہ بھی کہو کہ ہماری کشمیر کی سرکار بڑی ہی قابل مبارکباد ہے۔ ارے بھائی۔۔۔ کاہے کے لئے مبارکباد کے لئے قابل ہے۔ وہ اس لئے کہ وہ آج بڑی ہمت سے لو رہے ہیں۔ میں بھی مبارکباد دیتا ہوں لیکن یہ آئے کہے۔ کہا سرکار نے جان بوجھ کر آنکھیں بند کر لیں تھیں۔ کہ پاکستانی اندر آئیں اور ہم ان کا قلع قمع کریں۔ اگر ان کی ریجھلہلس اتلی ناکام ہے اتلی اندھی ہے تو اس میں پریس ان کی کیا مدد کرے گا۔ اس پر پریس کیا لکھے گا کہ کس طرح! یہ وہ لوگ آ گئے؟ اس طرح کی حقائق یہ سرکار کرتی ہے اور پھر ریوز اور نیوز کی پابندیاں یہ لگاتی ہے۔ پندرہ دن پہلے تو سرکار ٹیٹوریل آر سی کو توڑ دیتی ہے اور

پندرہ دن کے بعد کچھ کے دن پر حملہ ہو جاتا ہے۔ جس کی دور پہلی اتلی بھی نہ ہو کہ وہ نگاہ کر سکے تو پریس اس کی کیا مدد کر سکے گا۔ توڑ دیتے ہیں اور پندرہ دن کے بعد پھر بلا لیتے ہیں اور کشمیر میں ڈوبو ہونے سے پہلے پھر سوچتے ہیں کہ اس کو توڑ دیا جائے۔ جس سرکار کی عقل کا دیوالہ اتنا نکل جائے اگر وہ پریس کو ریوز اور نیوز کے پردہ میں دبانا چاہتی ہے تو وائس چورمہن صاحب۔ مہری نظر میں بے انصافی ہوگی۔ جو پریس گندا ہے اس کو کوئی پوچھتا نہیں ابھی ابھی باجپئی جی نے کہا کہ اس پریس نے مہری بہن اندرا جی کے خلاف دوسری بہنوں کے خلاف غری ستھ نرائی جی سلہا کے خلاف اور بڑے بڑے لوگوں کے خلاف گند اچھالی۔ قی۔ آر۔ لوہا جی کے لئے ہے۔ میں نہیں کہتا کہ لوہا جی کو نہ پکرو۔ عبدالغنی کو نہ پکرو جس کو چاہو پکرو لیکن اس اخبار کے خلاف آپ کے کوئی ہتھیار نہیں ہے، کوئی قانون نہیں ہے۔ میں نے اسٹیٹ ہوم منسٹر جی سے عرض کیا وہ کہتے ہیں کہ ہمارے پاس ابھی کوئی سادھن نہیں ہے کوئی امپلٹ لائٹ جس سے ہم اس اخبار پر اپنے قی۔ آئی۔ آر۔ کا کلہارا چلا سکیں اور اس کی گردن سرور سکھیں کہ یہ روز آئے دن

(شری عبدالغنی)

ملک کے وقار کو، ملک کی شان کو، ملک کی عزت کو، ملک کی عصمت کو تکتے تکتے نہ بیچ سکے ایک اخبار کے روپ میں۔ تو اس کو روکنے کا ہمارے پاس کوئی سادھن نہیں ہے۔ ایسا سادھن ہوگا پریس کونسل کے پاس میں نہیں جانتا۔ مہری بہن اس بارے میں دیکھیں گی۔ لیکن مجھے پتہ بھی مبارکباد دینی ہے۔ آخر یہ ایک نیک قدم ہے جو اٹھایا گیا ہے۔ اس میں ترٹیاں ہو سکتی ہیں۔ کل شاید مہری بہن احساس کریں۔ اور اس میں جو ترٹیاں ہیں جو ڈیموکریسی کا جنازہ ہے اس کو شاید وہ ٹھیک کر سکیں۔

†[श्री अब्दुल गनी (पंजाब) : वाइस चेरमैन साहब, प्रेस का मुकाम आज की दुनिया में सब से ऊंचा है। इसलिए प्रेस के सम्बन्ध में किसी बिल का आना और इतने बड़े मकसद के साथ आना काबले मुबारकवाद है। मुझे अपने भाई लाल बहादुर शास्त्री की जादूगिरी पर भी बड़ा फखर है कि उन्होंने एक ही निशाने में डेमोक्रेसी की सब से बड़ी दिलदादा इन्द्रा जी के कन्धों पर डेमोक्रेसी का जनाजा उठाने का यत्न किया। मुझे इस बात की भी खुशी है कि उन्होंने मिस्टर ए० डी० मणि जो कभी प्रेस की एक बड़ी आर्गेनाइजेशन के चेरमैन रहे, उनके मुंह से भी यह निकलवा लिया कि प्रेस कौंसिल का चेरमैन कोई हाई कोर्ट का जज होना चाहिये। उन्होंने भी इस पाबन्दी को मान लिया। इसके बाद उन्होंने एक ही निशाने से हिन्दुस्तान में ऐसा हो सकता था कि कोई इस बिल को चैलेंज करता अदालत में तो

†[] Hindi transliteration.

अदालत के सब से बड़े चीफ जस्टिस को इसमें घसीट लिया कि वह डेमोक्रेसी के जनाजा को मजबूती के साथ कंधा देने के लिए नाम-जदगी करें। मेरी समझ में नहीं आया कि भारतवर्ष में जहां एक से एक काबिल और एक से एक ईमानदार लोग मौजूद हैं वहां ऐसा क्यों किया गया।

यह मानना पड़ेगा कि प्रेस को चार हिस्सों में बांटा जा सकता है। एक हिस्सा वह है जिसको सिर्फ देश से प्यार है, देशवासियों से प्यार है और उसका न कोई मकसद है और न उसकी कोई गज्र है। एक वह हिस्सा है जिसको देश से प्यार है लेकिन उससे अधिक उसको अपनी पार्टी की आइडियालाजी से प्यार है। और उसको अपनी पार्टी के खुदा-बन्दों से प्यार है। ख्वाह वह गैरमुमालक में रहते हैं। एक हिस्सा वह है जिसको सिर्फ अपने से प्यार है और एक हिस्सा वह है जो सिर्फ ब्लेकमेल करना जानता है। इसके लिए प्रेस कौंसिल का होना अवश्य जरूरी था। मुझे बड़ी खुशी है कि मेरी बहन ऐसे नाजुक मौके पर ऐसा बिल लाई। लेकिन क्या प्रेस जिसका बड़ा ही ऊंचा दर्जा है और जिसने आजादी में एक बड़ा हिस्सा भूदा किया है, जिसे मुल्क को बनाना है और जिसको मुल्क में एकता लाने के लिये दुनिया में एकता ही के लिए बहुत बड़ा काम करना है, इसकी आर्गेनाइजेशन जितनी थी वे सब इतनी बेसूद हो गई, इतनी निकम्मी हो गई कि उनको यह अधिकार नहीं दिया जा सकता था कि वह अपने नुमाइन्दे भेजें और उसमें गवर्नमेंट भी अपनी तरफ से कुछ ज्यादा उनको सहयोग दे और फिर एक जबरदस्त प्रेस कौंसिल बन सके। लेकिन हमारी सरकार ने और हमारी बहन ने ऐसा मुनासिब नहीं समझा और उन्होंने जानते हुए या न जानते हुए एक इतनी बड़ी भूल की है जिसको शायद इतिहास कभी माफ नहीं करेगा।

दूसरी बात वाइस चेरमैन साहब, मैं यह कहना चाहता हूं कि कौंसिल बने

लेकिन उसके बनने में शुरू से ही ऐसी त्रुटियां न रह जायें कि जिससे उसका जो बुलन्द मकसद है कि प्रेस को हम उठाना चाहते हैं, वह पूरा न हो सके। मैं मानता हूँ कि प्रेस में मोनोपोली भी होगी। मैं यह भी मानता हूँ कि प्रेस में कई तरह की त्रुटियां होंगी। लेकिन इससे इन्कार नहीं किया जा सकता कि जब तक इन्सान इन्सान है उससे भूल होती रहेगी। हमारी सरकार जो इन्फार्मेशन ब्यूरो की सरकार है उसने कुछ फिल्में दिखाई सिनेमाज में। उन्होंने अपनी गवर्नमेंट की न्यूज भेजी और उसमें पाकिस्तानियों के हाथों गरीब बंगालियों का अपमान दिखाया गया था। जो उन्होंने बहुशीपन किया था जो दरिद्रों की थी उसका नजारा उसमें पेश किया गया था। ठीक है कम्यूनलिज्म के भूत को आप दिखाइये यह तुरी बात नहीं है लेकिन गवर्नमेंट का फर्ज होता है कि ऐसे मुकाम पर जब वह भूत दिखाती है, कम्यूनलिज्म का तो वह एक ही साइड न ले बल्कि पिक्चर की दूसरी साइड भी ले। क्योंकि उसी वक्त उसके साथ साथ अपने देश में कुछ बस्तियां थीं जिसमें मुसलमान बसते थे। वे बस्तियां रात में बसती थीं लेकिन सुबह नहीं रही। और फिर वहां न इन्सान थे न हैवान थे न मकान थे और अगर वहां कोई निशान थे तो वे सिर्फ आग के अंगारों के थे। तो जब गवर्नमेंट ने कम्यूनलिज्म का एक भूत दिखाया था तो उसे यह भूत भी दिखाना चाहिए था। इस तरह अगर गवर्नमेंट भूल कर सकती है तो प्रेस से भी अगर भूल हो जाए तो उसको भुला देना चाहिए। इसलिए मेरी मोदबाना दरखास्त सरकार से और खास तौर पर अपनी इस बहन से है जो बड़े बाप की बड़ी बेटो हैं कि प्रेस की उन तमाम आर्गेनाइजेशनों को, उन तमाम जमायतों को इस तरह से इग्नोर न किया जाए। हमारे चीफ जस्टिस जहां पर हैं उस पर हमें गर्व है लेकिन उनको इस में क्यों बर्सीटा जाए और इसमें क्यों लाया जाए। उनको अपनी पदवी पर ही रखा जाए क्योंकि वह इंसाफ के सब से बड़े देने वाले हैं।

597 RS-6.

अगर कभी भी इस बिल के खिलाफ कोई राय सुप्रीम कोर्ट में जाए तो वही हैं जो सरकार के खिलाफ कोई फतवा दे सकते हैं। इसलिए उनको इसमें क्यों बर्सीटा जाए। वह चेयरमैन की नामजदगी करें और प्रेसीडेंट साहब एक मेम्बर बनाएं और फिर उसके बाद कौंसिल की नामजदगी की जाए तो यह सारी नामजदगियां मेरी समझ में नहीं आती और इन्दिरा जी ने जो यकीनन डेमोक्रेसी की बड़ी अलम-बरदार हैं उन्होंने कैसे यह बरदाश्त की लेकिन मैं शास्त्री जी को मुबारकवाद देता हूँ कि जब वह चाहते हैं जाड़ कर देते हैं।

अब रहा यह कि इस कौंसिल को क्या अधिकार हो जो कौंसिल सरकार खुद बनाती है अगर उसको वह कोई अधिकार नहीं देती तो वह प्रेस की क्या भलाई कर सकेगी। वाईस चेयरमैन साहब, आप जानते हैं, आपके इलम में हैं कि जिन तरह से यह कंट्रोल कोटा परमिट और यह लाईसेंस अखबारों पर लागू है या किसी विषय में लागू है। आज चार्लिस अरब सपना ब्लैक में है। जिस का बहुत हिस्सा बाहर के मुल्कों में चला गया है तो यह कोटा की लागत जो न्यूज प्रिंट में आ गई है जैसा कि भाई आबिद अली ने कहा, जिन को इस बात पर गुस्सा आता है कि हर रोज अपोजीशन वालों को प्रेस में अहमियत मिलती है। अगरचे हमने ऐसा कोई अखबार नहीं देखा जिसमें जब से शास्त्री जी प्रधान मंत्री बने हैं पहले ही पेज पर छः लाईन की या पांच लाईन की कोई सुखी शास्त्री जी के मुतल्लक न हों। फिर भी आबिद अली साहब को गिला हो तो हो। लेकिन उनके इस कहने से कोई इन्कार नहीं करेगा कि कोटा बहुत ज्यादा दिया जाता है उन अखबारों को जो ब्लैक में बेचते हैं। मुझे कोई शिकायत नहीं है और शास्त्री जी के बारे में अखबारों में आना चाहिए और उन का पूरा मान होना चाहिए उनकी तस्वीर भी अगर रोज आए तो मुझे कोई इतराज नहीं है। वह बड़े सुन्दर और बड़े खूबसूरत हैं। लेकिन इसमें भी

[श्री अबदुल गनी]

कोई शक नहीं है कि गवर्नमेंट ने बहुत से पचाँ के साथ मुनासिब बर्ताव नहीं किया। जैसा कि बाजपेयी जी ने भी कहा। मुझे याद है कि हिन्दू समाचार जिसके एडिटर हैं लाला जगतनारायण, जिन्होंने एक जवान की जिन्दगी के बराबर कैद काटी है जो गवर्नमेंट के बड़े बाजू भी थे और कांग्रेस के सबसे बड़े मुन्त-जमीन मैन, एक मुन्तजिम भी रहे लेकिन उनका अखबार आज भी ब्लैक लिस्ट पर है। इसके लिए लायब्रेरियों में पहुँच नहीं है और गवर्नमेंट की तरफ से एडवर्टाईजमेंट वगैरह जो दूसरे पेपर्स को दिए जाते हैं वे भी नसीब नहीं है। उसमें मुझे कोई झगड़ा नहीं है आप न दें लेकिन प्रेस कौंसिल से आप अगर इस सिलसिले में इन्साफ नहीं दिला सके, प्रेस कौंसिल अगर किसी की आवाज को ठीक नहीं उठा सकी और प्रेस कौंसिल अगर गवर्नमेंट को मजबूर नहीं कर सकी कि वह अखबारों का कोटा सही ढंग से दिलवा सके और अखबारों की जो गिनती है उसके मुताबिक उनको कागज का कोटा दिया जा सके और उसके मुताबिक एडवर्टाईजमेंट उनको मिल सके, मैं समझता हूँ कि यह एक वृत्ति होगी और जब वह अखबारों को चाहते हैं कि अखबार ऊँचे उठें और अपनी पार्टी पोलिटिक्स के लिए अपने देश के मुफ़ाद को पीछे न फेंके तो मैं समझता हूँ कि यह एक कमी रह जायेगी।

आज जो गवर्नमेंट है उसका सबसे ज्यादा सहयोग हासिल रहा अंग्रेज से लड़ाई के जमाने में। फिर उस पार्टी का बहुत बड़ा हिस्सा अगरचे कुछ कम्युनिस्टों में चला गया, कुछ पी० एल० पी० में चला गया कुछ एस० एस० पी० में चला गया, कुछ स्वतन्त्र में चला गया, कुछ जनसंघ में चला गया, कुछ अकालियों में गया, कुछ इंडिपेंडेंट रहे, पर मैं मानता हूँ कि इस की सबसे बड़ी अकसरियत कांग्रेस में है। फिर वाईस चैयरमैन साहिब, मेरी समझ में नहीं आता कि गवर्नमेंट का कोई अखबार

ऐसा पापुलर क्यों नहीं हो पाया, क्यों वह ऐसे पच्चे नहीं निकाल पाई। मुझे खुशी हुई जब पाकीज़ा इरादे से 'नेशनल ट्रेडराल्ड' जारी हुआ, 'कौमी आवाज' उसकी दूसरी शक्ति थी लेकिन उन दोनों को पापुलरिटी क्यों हासिल न हुई। अगर सिर्फ यही कहें कि लोग चटपटी खबरें चाहते हैं, तो मैं नहीं मानता। हिन्दुस्तान में बड़े बड़े अच्छे लोग मौजूद हैं और वे अच्छी बात कि कदर कर सकते हैं। तो इस में कहीं न कहीं कमी है। तो वाईस चैयरमैन साहब, कमी यह है कि अरबों रुपया पैदा होता है, किसके हुक्म से पैदा होता है, सरकार के हुक्म से पैदा होता है। तो जब लोग कहते हैं प्रेस वाले कहते हैं कि यह सरकार ने परमिट दिया, कोयले वाले को सिल्क का, एक लोहार को खांड का तो नेचुरली दुनिया वाले बड़े शौक से पढ़ते हैं और जब उनको पता चलता है कि सरकार आज कलम की नोक से, मुझे माफ़ फरमाया जाय वाईस चैयरमैन साहब, मद्रास में गवर्नमेंट अपना अखबार क्यों नहीं चला सकी। जो असल में मल्ल के नुमाईन्दे हैं क्योंकि कांग्रेस ने मुल्क को बहुत बड़ी खिदमत की थी, फिर भी क्यों नहीं चला। साउथ में एक छोटा सा सेलम डिस्ट्रिक्ट है इसमें गंगोई एक छोटा सा कस्बा है और दो तीन और छोटे छोटे कस्बे हैं वहाँ दो करोड़ सिल्क आर्ट का इम्पोर्ट लाईसेंस दिया गया। मुझे कोई झगड़ा नहीं है कि छोटी जगह दो करोड़ का लाईसेंस दें, मुझे इस पर कोई एतराज नहीं, कोई आपत्ति नहीं लेकिन जब यह इल्म में आता है कि इससे पेश्तर कि गवर्नमेंट ने कोई बैंक क्लियरेंस सर्टीफिकेट लिया होता, इससे पेश्तर कि यकीन कर लिया होता कि फारेन एक्सचेंज रुपया आ जायेगा, गवर्नमेंट ने यह इम्पोर्ट लाईसेंस दे दिया जो बम्बई के बड़े बड़े मिल मालिकों ने खरीद लिया। रुपया जेब में चला गया ब्लैक का। अब यह खबर दूसरे अखबार देते हैं तो लोग कहते हैं कि यह सरकार जो गांधी बाबा की सरकार थी आज बिल्कुल यमराज की सरकार

हो गई है। इस में मैं क्या करूँ ? अगर आप चाहते हैं कि देश में प्रेस उठे, देश में प्रेस की हालत अच्छी हो तो थोड़ा आप को भी अपने आप को बदलना होगा। क्योंकि आज मेरी ईमानदारी से यह राय है कि वार्डस चैंबरमैन साहब, प्रेस में शायद यह हिम्मत आ जाए कि यह बात कह पाए—कि चालीस अरब के लिए सबसे ज्यादा जिम्मेदार टी०टी० के० और मनुमाई शाह हैं। जो इस तरह से वे हर्गम लाईमेंस देते हैं। नौ अरब रुपये के 62 ई० में उन्होंने इम्पोर्ट लाईमेंस दिये, ऐसी हालत में जब कि हमारे मुल्क पर विपत्ति आई हुई थी, चीन ने हम पर हमला किया था ऐसी बातें जब आशंका होती हैं तो आप यह न्यूज और व्यूज पर पाबन्दी लगाना चाहते हैं। इस के मायने यह है कि आप यह चाहते हैं कि जितनी खराबियाँ सरकार द्वारा होती हैं या यह आये दिन रिजर्व बैंक के किस्से चलते हैं और दूसरे बैंकों में ब्लैक मनी के किस्से चलते हैं उन पर कोई टीका टिप्पणी न करें। अगर यह मकसद है तो मैं समझता हूँ कि मेरी बहन के हाथों यह सरकार और यह सरकारी पार्टी एक ओर इन्साफ का खून करवाने जा रही है। मुझे उम्मीद है कि इस वक्त जब देश को जरूरत है शास्त्री जी चाहते हैं कि सब पार्टियाँ उन की पुस्त पर हों सारा देश उन की पुस्त पर हो ताकि पाकिस्तान की जरूरत का मिल कर जवाब दे सकें तो उनको भी अपने अन्दर एक स्प्रिट लानी होगी। यह नहीं कि अपना अखबार दो कोड़ी का अखबार हो फिर भी उसको कोटा भी डबल मिलना है, उसको इश्तेहार भी डबल मिलने हैं, पैदा होने से पहले ही इश्तेहार मिलने शुरू हो जाते हैं। यह बातें चल नहीं पाएंगी।

(Time bell.)

मैं तो वार्डस चैंबरमैन साहब, आप का हुक्म मानता ही हूँ। आज सरकार चाहती है, शास्त्री जी यह कहते हैं कि न सिर्फ यह कहें, यह भी कहें कि हमारी काश्मीर की सरकार बड़ी ही काबिले मुबारकबाद है। अरे भाई,

काहे के लिए मुबारकबाद के लिए काबिल है। वह इसलिए कि वह आज बड़ी हिम्मत से लड़ रहे हैं। मैं भी मुबारकबाद देता हूँ लेकिन यह आए कैसे ? क्या सरकार ने जान बूझ कर आखें बन्द कर ली थीं कि पाकिस्तानी अन्दर आएँ और हम उनका किला किया करें। अगर उनकी विजिलेंस इतनी नाकाम है, इतनी अंधी है तो उसमें प्रेस उनकी क्या मदद करेगा। इस पर प्रेस क्या लिखेगा कि किस तरह से वे लोग आ गए ? इस तरह की हिमाकतें यह सरकार करती है और फिर व्यूज और न्यूज की पाबन्दियाँ लगाती है। पन्द्रह दिन पहले तो सरकार टेरीटोरियल आर्मी को तोड़ देती है और पन्द्रह दिन के बाद कच्छ के रण पर हमला हो जाता है। जिस की दूरबीनी इतनी भी न हो कि वह निगाह कर सके तो प्रेस उसकी क्या मदद कर सकेगा। तोड़ देते हैं और पन्द्रह दिन के बाद फिर बुला लेते हैं और काश्मीर में गड़बड़ होने से पहले फिर सोचते हैं कि उसको तोड़ दिया जाए। जिस सरकार की अड्डल का दिवानिया इतना निकल जाए, अगर वह प्रेस को व्यूज और न्यूज के पर्दे में दबाना चाहती है तो वार्डस चैंबरमैन साहब, मेरी नज़र में यह बेइन्साफी होगी। जो प्रेस गन्दा है उसको कोई पूछता नहीं। अभी अभी वाजपेयी जी ने कहा कि इस प्रेस ने मेरी बहन इन्दिरा जी के खिलाफ दूसरी बहनों के खिलाफ श्री सत्यनारायण जी सिन्हा के खिलाफ और बड़े बड़े लोगों के खिलाफ गन्द उछाली। डी० आर्द० आर० लोहिया जी के लिये है। मैं नहीं कहता कि लोहिया जी को न पकड़ें, अब्दुल सत्नी को न पकड़ें, जिस को चाहें पकड़ें। लेकिन उस अखबार के खिलाफ आपके पास कोई हथियार नहीं है, कोई कानून नहीं है। मैंने स्टेट होम मिनिस्टर जी से अर्ज किया वह कहते हैं कि हमारे पास अभी कोई साधन नहीं है। कोई अमेन्डमेंट लायेंगे जिससे हम इस अखबार पर अपने डी० आर्द० आर० का कुल्हाड़ा चला सकें। और उसकी गर्दन मरोड़ सकें कि यह रोज़ आप दिन मुल्क के बकार

[श्री अश्वल गनी]

को, मुल्क को शान को, मुल्क की इज्जत को मुल्क की अस्मिता को टके टके न बेच सके एक अखबार के रूप में । तो उसको रोकने का हमारे पास कोई साधन नहीं है । ऐसा साधन होगा प्रेस काउंसिल के पास, मैं नहीं जानता; मेरी बहुत इस बारे में देखेंगी । लेकिन मुझे फिर भी मुबारकबाद देनी है । आखिर यह एक नेक कदम है जो उठाया गया है । इस में त्रुटियाँ हो सकती हैं । कल शायद मेरी बहुत यह अहसास करे । और इस में जो त्रुटियाँ हैं जो डेमोक्रेसी का जनाजा है उसको शायद वह ठोक कर सके ।]

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRI C. R. PATTABHI RAMAN): Mr. Vice-Chairman, Sir, at the outset I wish to express my deep sense of gratitude to the hon. Members who have taken part in the discussion on the Bill and by and large the welcome, if I may say so, accorded to the Bill. As has been pointed out, this is not a perfect measure providing for all the ills that affect some sections of the Press in our country. Its scope is restricted and the success that the Press Council will achieve will depend very much on the measure of support that it receives from all sections of the Press. The Press Council will consist predominantly of journalists which means proprietor, manager, editor, working journalist, all who take part in the bringing out of a paper. The working journalist has a very important role in the affairs of the Council. That is why out of 25 seats 13 are reserved for them. I find a number of amendments in the name of Shri Bhupesh Gupta. There should be some accommodation on all sides if it is sincerely desired that the Council should function effectively. The Bill that is before the House has had the benefit of scrutiny by this House in 1956, by the Press Consultative Committee in 1962 and by the Joint Committee of both Houses recently. The

two amendments I propose to move are intended solely in the interests of better functioning of the Council itself and not because of any reluctance on the part of Government to accord to the Council its due. I am quoting the Minister. "Let us give the Council a fair trial and not try to impede its working either by making it a powerless, anaemic body or by imposing on it responsibilities that properly do not belong to it." For instance, mention was made of the grant of newsprint and advertisements to newspapers. They were made at the Joint Committee stage and here. The advertisement policy of the Government of India has been discussed in this House several times. I should again make it clear that advertisements are not given to newspapers in order to mould their policy or their attitude to Government policy. That way it will amount to subsidising newspapers and Government do not subsidise newspapers. The criteria for giving advertisements have been announced in the past. When the amendments come up for consideration perhaps I would like to refer to them in greater detail. Similarly, newsprint is allotted on the basis of announced policies which have nothing whatever to do with the policy of a newspaper. These are administrative matters and a professional body like the Press Council will be in no position to advise Government on these matters.

Some Members, at the outset, raised the question of extension of this Bill to Kashmir. The only bar to this being done is, as I explained yesterday, that legislatively we are not competent to do so now. Though Entry 39 of the Concurrent List relating to newspapers is applicable to the State of Jammu and Kashmir, Entry 44 (incorporation, regulation, etc.) of the Union List extends to that State only so far as such corporations relate to the legal and medical professions. As soon as Entry 44 is made applicable to that State action will be taken to extend the Act to that State. Actually the Press Regulations

Bill which the other day I had the privilege of bringing up before you is being extended to Kashmir.

Shri Mani was very keen on the Chairman being a retired Judge of a High Court. I take it he also means the Supreme Court. The Press Commission also, in fairness to him I must point out, was keen that it should preferably be a Judge who should preside over the Council's deliberations, but, Sir, as Shri Gurupada Swamy and Prof. Wadia pointed out, there need not be any rigidity about this. We are requesting the Chief Justice of India to nominate the Chairman. Surely he can be expected to decide, keeping in view the functions of the Council, who should be the Chairman. "He should not be shackled and his discretion should not be fettered at all. Actually there may be an ex-Advocate-General and so many others whom I can think of. Nor can I agree with Shri Bhupesh Gupta who specifically debarred any particular type of person from being considered. I do not want to refer to his amendments. I do not also think it proper that the Chief Justice should be asked specifically to nominate a person or consult any particular body of persons in choosing his nominee. That is what one amendment really means. It is likely that he may consult all the organisations and bodies that he thinks fit, so far as the actual composition is concerned because he will be one of the three on the Committee to choose. One hon. Member said that Government should appoint a competent person who knows law, etc. The position of Government in this matter is quite clear in the Bill itself. I refer to sub-clause (7) of clause 4. The persons nominated by the Chief Justice and the Committee which selects members will be accepted by Government. Actually what Government do is they notify the names in the Official Gazette. Government do not wish to have any final say in the matter as to who should or should not be the Chairman or Members of the Council. That I made very clear at the very outset.

Some Members referred to the method of selection of members. The Press Commission recommended—and I am quoting here:—

"The Chairman would call upon the All-India organisations connected with the industry to draw up a panel of names from among whom he will choose the members to his first Council."

The Committee for selecting members was not this idea of the Press Commission, as stated by Shri Mani. That came later. Even now the Committee is not left to select members on their own initiative and discretion. Panels of names will be called for from all organisations of the Press. They would refer to the Working Journalists Federation, the All-India Newspaper Editors' Conference—He. They will—on all f, _ls and the Committee shall have due regard to the panels so received. And except for the first Council—this is important and I am glad to say that the Journalists' Council have accepted my suggestion—the organisations to be consulted are also to be notified by the Council itself. I suggested and it was accepted by all sections of the Joint Committee that it must be left to the Council itself later on to decide its own franchise and its own method of notification so far as these bodies are concerned. So, I do not think we need apprehend that this body is not going to be a representative body. Unless it is a representative body it cannot function properly.

I am just galloping because I am aware of the direction from you and I would like to finish soon. I thought if at the outset I referred to various amendments it would simplify matters. Regarding sub-clause (3) of clause 4. Shri Bhupesh Gupta. Shri Shukla and Shri Mitra have suggested certain modifications in regard to the composition of the Council. It is rather important. I think, Sir, 25 is a fairly large number for membership of the*

[Shri C. R. Pattabhi Raman.] Council, it was accepted because it was recommended by the Press Commission after mature and prolonged consideration. A large mass of evidence was taken by them. Similarly, the composition of the Council has also been fixed after considerable discussion. The original Bill passed by this House in 1956 contained the same provisions. Subsequently the Press Consultative Committee examined the matter thoroughly, but beyond enlarging the sphere of choice in certain fields, they left the provisions untouched. Again, the Joint Committee also went into the question in very great detail, but felt satisfied with the provisions as they are. Actually they have only added a scientist in the category. So far as the other three persons are concerned and about the number of seats allotted to the different categories, extreme opinions have been expressed. Shri Bhupesh Gupta would like us to restrict the representation of proprietors to insignificance. Yet, even he will agree that proprietors do play a fairly important role in the existence of newspapers. I am very happy to say that there are trusts which are running newspapers and there are co-operative societies. They are also proprietors. As distinguished members of the legal profession are here, they will not agree that proprietors mean only individuals, against whom Shri Bhupesh Gupta has got some definite ideas. Shri Mitra wants State-wise representation, which is also impractical. It will really mean fifteen to sixteen States, it would become unwieldy. On the whole, Sir, the Bill strikes a fair balance and in the light of the history of this clause that I explained earlier we should leave it alone.

Now, Sir, with regard to the functions, as I said earlier, in regard to clause 12 we have very closely followed the recommendations of the Press Commission in this regard. I think the Bill is quite comprehensive in this matter and there is hardly any scope for enlarging them further as has been suggested, for instance, by Shri

Bhupesh Gupta. 'Clearly it cannot be the function of the Press Council to act as a day-to-day... advisory body for all newspapers in India as to what they should publish or to insist on their publication of or giving emphasis to specific activities of various classes of citizens. Under our Constitution it may not be competent to do so. I think many of his suggestions are broadly covered by the existing provisions.'

I have actually read them in detail, but as I said at the outset a glance at clause 12, up to (h) or (k) will show I think that it is very comprehensive and all embracing. About my own amendment to this clause, I have already explained to the House and, if necessary, I shall deal with it further when the amendments are taken up. Here I will only refer to the objection raised by Shri Mani and Shri Mukut Behari Lai, who objected to my amendment to clause 12 (2) (e). May I make one point here? I hope no hon. Member imagines that the Government is in favour of our newspapers receiving surreptitiously financial assistance from foreign sources, whatever be the Party the particular paper may belong to. As all the Members who referred to it stated, ours is a Press which enjoys almost unlimited freedom. That freedom will certainly be tainted if any part of it is subjected to this sort of foreign intervention. I am not at all saying that it exists. But if assistance of an undesirable nature is rendered, surely it will not be of such a nature and in such a way that it becomes public knowledge. The Press Council, with no machinery of investigation at its disposal, and no powers to investigate will be in no position to find out the truth. Only the Government is in such a position. I may point out also that many of the developing countries around us request us and there is a regular procedure. They insert advertisements for technicians, for engineers, for doctors, etc. and we are gladly doing it. They also indicate even the region and which paper it should be. It may be that there may

be a number of people in Western India or some people in Southern India. They indicate it to us. And certainly if Government comes in possession of such information, it may, if it desires, refer it to the Press Council. I may also refer to a sister Ministry

PROF. M. B. LAL (Uttar Pradesh): If the public comes to know of it and the public wishes to present the case to the Press Council, what is to be done?

SHW C. R. PATTABHI RAMAN: I am coming to that. I will also refer to it. So far as foreign assistance is concerned, I am going to refer to the sister Ministry of External Affairs, because foreign relations are also involved. There is no guarantee that a review by a professional body will be such as not to cause embarrassment to the Government in its relations with a foreign country. No Government can afford to take such risks. Therefore, I say that if Government comes in possession of any such information it will investigate and take such action as it deems fit. If it is expedient so to do without detriment to the country's foreign relations, it will also refer such matters to the Council. The question of fettering the hands of the Council does not arise at all. Mr. Mani's fears in this regard are not well conceived.

I will now come to another point referred to just now. With regard to clause 13(2), I regret I am unable to agree with Mr. Mani. In fact, I am most grateful to Mr. Pathak and Mr. Sapru who spoke so eloquently and who have made my task so much easier. I entirely agree with them. I hope after hearing them Mr. Mani will not persist with his amendments. Apart from the fundamental objection to the clause raised by Mr. Pathak, I should add, as I stated earlier, the number of imagined grievances that will be placed at the door of the Press Council would be so many that the "Council will have little time to devote

to its principal task of building up a healthy, robust press in India by, among other things, evolving a code of journalistic ethics and ensuring fulfilment of the other objectives enumerated in clause 12. I can imagine thousands of individuals coming everyday complaining and saying that these are the grievances, and you will have to have many Committees and sit more or less permanently at a place just to hear those grievances.

Frankly I cannot understand Mr. Mani's objections, Sir. He said that if this clause is deleted, the Press will not accept the Bill. I sincerely hope that he is misinformed. After all, a Government-nominated Press Council is not being imposed on an unwilling press. It is only because of persistent demands in this and the other House and from the press itself that the Bill has been introduced. In fact the main complaint is that the Bill has been delayed. Everyone in the House said that it had been delayed too long, that it had taken eleven years after the Press Commission's report. The Press Commission have commented upon a voluntary Press Council, to which reference was made by Shri Mani—he made the point clear. I do not recollect that the Commission recommended that one of the Council's main functions should be to haul up before its bar Government and citizens for explaining their actions which have not found favour with some journalist or other. And when all is said and done, you cannot get over the argument of Mr. Pathak. I am not repeating it again.

I do not for one moment say that Government may not interfere with the freedom of the press. I do not say that the Council should keep quiet about it. If complaints of interference are made to it, the Council may, after satisfying itself about the facts of the case, include important items in the Annual Report referred to in clause 18. There is a specific reference in that clause to "factors affecting the standards of newspapers". The Council is

[Shri C. R. Pattabhi Raman,] free to mention such cases and the Report will be placed on the Table of both Houses of Parliament, and Parliament can take up the matter. We cannot go beyond that. The impression that the clause is being deleted in order to protect some of those who exercise pressure on the Press is erroneous. After all, the Council's main function *inter alia* is to preserve the freedom of the Press.

Some apprehension was voiced about clause 14(2) by Mr. Govindan Nair. He was referring to Star Chamber, if I remember right. Mr. Govindan Nair thought that the powers given in clause 14(2) would take away rather than ensure the freedom of the journalists. Mr. Mani's view was also the same. He was saying why this C.P.C. is invoked here. As Mr. Pathak and Mr. Sapru have explained, powers have been given to the Council only in the matter of holding enquiries under clause 13, and only in certain specified matters. These are all elementary principles of natural justice. That is what happens. You notify the other person, ask him to show cause, ask him to produce evidence and do all the precise things as laid down in the Civil Procedure Code. Without even these powers, the Council would be continuously issuing letters of invitation, which would be ignored. Actually I read a portion of the Press Council's Report in the United Kingdom, I read about the "Daily Sketch" and Mr. Gunn—the Minister referred to it yesterday also. There they wanted a whole letter sent to the editor published, but it was mutilated beyond recognition. So they asked Mr. Gunn to come before them. He twitted his finger and said: "Who are you? You are a voluntary body. I will not come". The Press Council could not do anything. The Press Council in England bemoaned this and they actually said: "What are we to do? We are a voluntary body. We are helpless." I do not want to tarry long here because I have referred to it ad nauseam. Mr. Mani's Council

i will have no power at all if it is a voluntary body. Here the Civil Procedure Code's powers are given. This is what precisely the Supreme Court ! again and again says that you must adhere to the principles of natural justice; otherwise anything that you do we will strike down, because nothing can prevent an appeal going on special leave to the Supreme Court. Distinguished members of the Bar are here and they will bear me out. J Nothing can stop it under the Constitution. If I remember right, it is article 136, of the Constitution—I have forgotten the number, I have been out of the profession for some time now. , But nothing can prevent an appeal on special leave going to the Supreme Court and if the Council censured a journalist or editor of a newspaper without holding an enquiry, without giving him an opportunity of being heard, that will be struck down in no time. The Council, according to Mr. Mani, need not insist on the production of documents, need not have powers to summon witnesses or to take their evidence on oaths. What kind of authority can such a Council wield among pressmen or in the public? If Mr. Mani's amendments are accepted, this will probably be the first time when a statutory body will be given the power—I pause here, I request your attention to this—when a statutory body will be given the power to question a man's conduct and to condemn him without proper enquiry, because you will not ask him to show cause, you will not give him notice. This again will be against all canons of jurisprudence.

SHRI P. N. SAPRU: It is against the Constitution.

SHRI C. R. PATTABHI RAMAN: I am much obliged to my learned friend. It is against the Constitution. We have given ourselves in all solemnity Chapter III of the Constitution guaranteeing fundamental rights, under which umbrella we are all functioning.

Then some reference was made to the journalistic privilege of not disclosing the source of information. My *Guru* at whose feet I sat and learned some law in the Madras Law College, Prof. Ruthnaswamy, also referred to it. I will deal with it in some detail because that cropped up again.

SHRI BHUPESH GUPTA: There is a saying in Bengali: "*Guru mara chela*".

SHRI C. R. PATTABHI RAMAN: There is also a saying: "*Putrath ichcheth parabhavam*", that is, a Guru or a father should always desire defeat at the hands of his pupil or son.

SHEI BHUPESH GUPTA: Have you understood what I said, what it means?

SHRI C. R. PATTABHI RAMAN: I can understand though you said it in Bengali. As I was saying, it is a well understood privilege of not disclosing the source of information. The Press Commission referred to it in detail and we discussed it. This is a specially well understood privilege. But there may be cases of vital national concern such as matters of national security or leakage of budget information or other matters where responsibility has to be fixed, where in the large public interest this privilege should be waived. The Press Commission has itself held this view. Apart from that the law of evidence does not accord any special privilege to the journalist, as both Mr. Sapru and Mr. Pathak have pointed out, and the courts of law may well insist on a journalist disclosing his source of information if it becomes necessary so to do.

In this connection may I quote the views of a jurist of international eminence? I refer to Lord Shawcross whose name is familiar to everyone here. He was the Chief Prosecutor for the U.K. in the Nuremburg Trials. He was Attorney General and President of the Board of Trade in the U.K. He has a special place in newspaper history as Chairman of the Second Royal Commission on the Press in the

U.K. In a very lucid article written, for the 10th Annual Report of the U.K. Press Council he says—with your leave, Sir, I will quote it before I finish:

"It does not, indeed, appear to be the case that any country has accorded journalists an absolute privilege in this matter. Switzerland provides the classical example of a legal system going far to protect the journalist from an obligation of disclosure. But even in Switzerland the principle is conceded that the journalist's privilege must be subordinated to what is conceived to be the public interest, for the immunity from disclosure is not extended to cases of treason or to certain other offences against the State. In England our Courts have always maintained the view that consistent with the general principles of our laws which favour freedom more than is done in any other country, the journalist has no special privileges beyond what is enjoyed by the ordinary individual—although in practice he is often, and very sensibly accorded one. The freedom of the Press is derived from and is simply one aspect of the freedom of the individual." This is rather interesting:

"It would be a retrograde move, inimical to our broad philosophy, if the liberty of the subject, which includes his right to be equally protected by the rule of law, was cut down by the exemption of journalists from the application of the same rule of law. Absolute privilege in this matter could open the door to absolute irresponsibility. In our law the only person who enjoys anything approaching it is the lawyer, but his privilege is the privilege of the client and its safeguard is that the lawyer exercises the privilege as an officer of the Court under the control of the Court and subject also to a strict professional discipline. Neither the priest, nor the doctor nor the banker enjoys in this matter any special position at all."

[Shri C. R. Pattabhi Raman.] He goes on to develop this argument. I will not keep the House longer on Lord Showcross's quotation.

As I said, a Press Council consisting predominantly of members of the profession may well be expected to respect the privilege, but if in any particular case it becomes necessary to do so, the Council should have the power to over-rule it. It is rather important.

I think, Sir, that I have covered almost all the important points raised by the Members during their speeches and I will, if necessary, deal with any other points when we come to the clause by clause consideration stage.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): The question is:

"That the Bill to establish a Press Council for the purpose of preserving the liberty of the Press and of maintaining and improving the standards of newspapers in India, as reported by the Joint Committee of the Houses, be taken into consideration."

The motion was adopted.

We shall now take up the clause by clause consideration of the Bill.

Clauses 2 and 3 were added to the Bill.

Clause 4-Composition of the Council.

SHRI BHUPESH GUPTA (West Bengal): Sir, I move:

2. "That at page 2, after line 19, the following provisions be inserted, namely:

'Provided that no person who is in any manner connected with any big business interests shall be eligible for such nomination:

Provided further that no official or retired official of the Government shall be eligible for such nomination;

Provided also that before making his nomination the Chief Justice shall ask for advice in the matter from the organisation of Working Journalists."

7. "That at page 2, after line 27, the following proviso be inserted, namely: —

'Provided that not more than two such members shall be the owners of the big newspapers or connected with the management thereof.' '*

9. "That at page 2,—

(i) in line 31, for the words 'three' and 'two' the words 'si*' and 'four' respectively, be substituted.

(ii) in line 32, for the word 'one' the word 'two' be substituted.' "

SHRI M. P. SHUKLA (Uttar Pradesh): Sir, I move:

3. "That at page 2, line 21, for the word 'thirteen' the word fifteen* be substituted."

4. "That at page 2, line 22, for the word 'six*' the word 'nine' be inserted."

5. "That at page 2, line 26, for the word 'three' the word 'seven' be substituted."

6. "That at page 2, line 26, for the word 'six' the word five' be substituted."

8. "That at page 2, line 28, for the word 'three' the word fwo' be substituted."

SHRI P. C. MITRA (Bihar): Sir, I move:

10. "That at page 3, line 8, after the words 'sub-section' the words, brackets and figure 'and also not more than one member from one State shall be nominated to represent any of the categories referred to in sub-section (3).' be inserted."

The questions were proposed.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Be careful; do not repeat the argument. That is all.

SHRI BHUPESH GUPTA: It will have to be repeated a little. What can be done?

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : No.

SHRI BHUPESH GUPTA: When you touch on those particular clauses . . .

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): You confine yourself to the amendments.

SHRI BHUPESH GUPTA: Yes, Sir, there is no doubt about it.

Sir, clause 4 relates to the composition of the Council. Now, as I said, now that we have accepted the principle of this Bill, it is important for us to ensure that the Council is composed of such people as would command the confidence not only of the working journalists but also of the public at large. Secondly, we want such a Council as would be progressive in outlook, courageous and would be dead set against certain very retrograde and reactionary tendencies that we come across in our newspapers. Thirdly, the Council should consist of such people as can bring to it the judgment and the views of the larger sections of the public. That is why I suggested certain changes. The first change that I want to make in clause 4 is this. my amendment No. 2—

"Provided that no person who is in any manner connected with any big business interests shall be eligible for such nomination;

Provided further that no official or retired official of the Government shall be eligible for such nomination:

Provided also that before making his nomination the Chief Justice shall ask for advice in the matter from the organisations of Working Journalists."

I take the last proviso first because it has been suggested that, when we are leaving the matter in the hands of the Chief Justice of India, why we should provide *ⁿ a Bill of this kind that he should consult somebody. This is a plausible argument because we take it that the Chief Justice will exercise his judgment in the best interests of the newspaper and of the country.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : Mr. Bhupesh Gupta, if I may intervene, does it fit in after line 19—this amendment of yours? Yow say, "The following provisos be inserted, namely:— . . ."

Does it fit in there?

SHRI BHUPESH GUPTA: It does.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): How does it fit in there?

SHRI BHUPESH GUPTA: You are quite right. Your mind is quite sensitive to it. I like sensitive intelligence. But then it is a proviso, if it is a clause, it will perhaps not fit in there. I owe an explanation.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): I personally thought that it fits in better after line 33.

SHRI BHUPESH GUPTA: As you please, Sir.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): Not after line 19.

SHRI A. D. MANI (Madhya Pradesh) : Yes, exactly.

SHRI BHUPESH GUPTA: This is a technical error.

SHRI A. D. MANI: No, no; not technical.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You cannot begin a clause with a proviso.

SHRI A. D. MANI: You move it on the floor. He may be permitted to move it on the floor.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA) : You cannot begin a clause with a proviso; you can end a clause with a proviso.

SHRI BHUPESH GUPTA: It is a printing mistake.

SHRI A. D. MANI: No, no, it is not a printing mistake.

SHRI BHUPESH GUPTA: "The Chairman shall be a person nominated . . ." That is quite right, Sir. There some mistake has taken place.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA)- If you like, you can correct it.

SHRI BHUPESH GUPTA: With your permission, I would like to have the correction made. The fate is well-known.

Now, Sir, the point that I wish to make clear is this. It has been suggested rightly—plausibly perhaps from a particular angle—why should you bind the Chief Justice into consulting somebody? He is free to consult anybody he likes in this matter. I can understand that argument. But why make this proviso is this—that is the emphasis—that since the Chief Justice functions in a particular capacity in India in judicial matters, normally we take it that he will not be informed generally of what the journalists say or talk about among themselves about the Press and so on. Yet, the matter is of such importance that the views of the working journalists should be taken into account. You may say: why not leave it to the Chief Justice to take them into account? I say, yes, but then here the Chief Justice is not functioning in the capacity of the Chief Justice. We are reposing certain confidence in a high dignitary of the State and in a high personality. Therefore, we advise him by way of

legislation that he should consult the working journalists. This is the position. Mind is focussed on the need for certain consultations which become immaterial for him in making the selection. Otherwise, it may well be that all kinds of representations, deputations, memoranda, etc. may go. The Chief Justice is not functioning in his judicial capacity here; he is functioning as an individual. Therefore it may well be that the employers or the newspaper owners will submit memoranda to him, make suggestions to him. I would like some thing to be done by others also. But the emphasis should be on consultation with the working journalists. I have suggested. Mr. Vice-Chairman, that, before making his nomination, the Chief Justice shall ask for advice in the matter from the organisation* of working journalists. I am not providing for consultation with any and every working journalists—that is important—or leaving it to him or making it obligatory on his part to make individual consultations. But since, fortunately, in our country today we have got working journalists* organisations which are very well known and which have a reputation of their own and to which I think more or less most of these working journalists owe their allegiance—and by all accounts they have given a good account of themselves—why should they not be consulted? As in analogy, there are certain makers: when judicial minds are asked to give a certain opinion, they consult him. For example, when we appoint him to a certain arbitration or tribunal not connected with the normal process of law, even in terms of reference we say things which involve certain consultations with certain parties connected with the particular-point at issue.

Therefore, we say that it should be done. It is not a reflection whatsoever on the Chief Justice's ability and so on. It is rather helping the Chief Justice in this matter by providing for it. Unless you have it, there is one danger. Suppose the Chief Justice

consults a working journalists' organisation, he may be open to a kind of accusation by some other people especially the newspaper owners that he had indulged in certain consultations which he should not have done. Or, for that matter, if he consults them, they may also claim that they should be consulted. But still, we are concerned with the problem of the Press Council which is to raise the standard of the press, promote certain values in our press and newspaper industry, it is necessary that emphasis is definitely laid on consultation. I like the spirit of consultation. There is nobody infallible in this world, not even the Chief Justice of any court. But in this matter of public importance in India where there is no question of interpretation of law, I think that we should have in certain democratic spirit of collective discussion and provide for a thing of this kind. That is my suggestion. Therefore, I hope I will not be misunderstood on this score. Anyway, other amendments will come tomorrow.

Then, Mr. Vice-Chairman, I have made a correction with your suggestion for which I am extremely grateful. It says;—

"Provided that no person who is in any manner connected with any big business interests shall be eligible for such nomination :—

This is the emphasis that I want to give. Here the law itself should be an educator. When we pass a law that educates the people. If I include this provision, it means I have passed a law which is more progressive, which is against the retrograde big business. I would not like the big business to be brought in here. Therefore, I say any big business interest we would not like. Why should the big business interest be connected with it? You may say that the big businessman owns a newspaper. I want to exclude him. For example, if Mr. Birla owns a chain of papers, why Mr. Birla or any of that family should sit on this particular Council

by reason of his being the owner of the paper? If he is not a businessman but an owner of the paper, I am prepared to make a compromise. Therefore, I am not against the owners as such; please do not misunderstand it. I am not against the owners as such, petty owners, small owners, middle class owners. But there are big business owners. I am against them.

Now the Government itself says that they do not want monopoly etc., monopolistic combinations and so on. Why then not exclude them from such a Press Council? If one of these tycoons goes . . .

SHRI P. N. SAPRU: How would you define it? Legal interpretation will be a very difficult affair.

SHRI BHUPESH GUPTA: That we can. Dr. Sapru is quite right in making this interruption. I think we can leave that to the Chief Justice. He will exercise his prudence and by his common sense and wisdom he will know who is big business and who is not.

SHRI AKBAR ALI KHAN: Why not leave it entirely to him? Why do you not depend upon the Chief Justice and his discretion without putting this rider?

SHRI BHUPESH GUPTA: I am trusting him but I am fortified. I want to give him not only my trust but also certain legislative assurances and directions. What is wrong therein?

SHRI A. D. MANI: You can give the definition of big business otherwise what is the guidance that Parliament is giving to the Chief Justice? If Mr. Bhupesh Gupta can think of a definition on the spot, I think we might allow him to move his definition.

SHRI P. N. SAPRU: May I just point out the difficulty? You move a writ against the Chief Justice that he has not correctly interpreted "big

[Shri P. N. Saprū.]
business". Now no Chief Justice would like to place himself in that position. He would not like to be made subordinate to the courts over which he presides.

SHRI BHUPESH GUPTA: If that is so, we may move for that writ when he appoints a working journalist by pointing out that he is not a working journalist, that it is a *mala fide* appointment and a journalist, who is not a journalist, has misled the Chief Justice by a false declaration to appoint him on the Council. Therefore, let us not get into that. There is no end to it. If the hon. Minister—two of them are sitting and one is butting in now from behind—agrees that she would accept my proposal, I am surely prepared to make a little change. If they do not, then do not ask me to make a further compromise. I have made enough efforts in this matter. But we can consult Dr. Saprū about it.

Sir, one big businessman spoils the whole thing. I do not know what will happen to our country if on this Select Committee these tycoons, multi-millionaires, owning the industrial complex, money and what not sit there. They start influencing everybody. Not that we are liable to be influenced. But protection should be there. They should not be there. Besides, why should we give them this place? They should be made to quit from high positions. I say our sentiments also are involved in this matter.

Sir, I should like to say that big business interests should not find any place at all here. Still by the back door some will come. I am making some provision against that. That is all that I want here.

I have provided further that no official or retired official should be there. My esteemed lady friend who made a speech talked about the Peking Communists and what not. None the less she spoke well. She '

said officials should not come in. I take her advice in this matter at least, her feminine advice, that officials should not be there.

SHRI A. D. MANI: You cannot go on amending your amendments like this.

SHRI BHUPESH GUPTA: I am hot pressing for it. I cannot amend my amendment but it is their view. It is so redundant and so repugnant.

Now they ask as to why I object to retired officials. I object for the reason that today there are too many super-annuated and retired officials getting into so many high offices.

SHRI A. D. MANI: For example.

THE VICE-CHAIRMAN (SHRI M. P. BHARGAVA): No cross-talk, please.

SHRI BHUPESH GUPTA: There are so many examples, Mr. Vice-Chairman. If an informed journalist does not know examples of this, I do not know what he writes. For example, there is the Secretary-General of the External Affairs Ministry. He is now a Managing Director. There are so many others. I have got a list here. Many are getting appointed. Some after retirement become Governors, Vice-Chancellors of the Universities and Chairmen of the various public undertakings.

SHRI P. N. SAPRŪ: They are not officials.

SHRI A. D. MANI: I would ask the hon'ble Member what he expects the retired official to do. Does he want him to commit suicide?

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, it is a strange question. If I do not provide for one retired official to be placed here, all the retired officials in the country will commit suicide. Have you heard such a thing in your life? Even informed jour-

nalists can be so monumentally upset as my hon. friend. I can understand one retired official committing suicide if he does not find a place there. But why should all the retired officials commit suicide? Therefore, Sir such absurd suggestions are made. Are there not other people in the country? It becomes again a temptation, a position which will be sought after by the retired official. If the retired officials are there, let them really retire. We want young men here. The retired officials, by the time they retire, get all kinds of cobwebs in their heads.

PANDIT S. S. N. TANKHA (Uttar Pradesh):
What about High Court Judges?

SHRI P. N. SAPRU: High Court Judges cannot be regarded as officials . . .

THE VICE-CHAIRMAN (SHRI M. P.
) : The House stands adjourned till
11 A.M. tomorrow.

The House then adjourned at five
of the clock till eleven of the clock
on Thursday, the 26th August,
1965.