

[Shri S. D. Misra.]  
fore, in the present Bill, in clause 2,  
the provision has been made :—

“Notwithstanding anything contained in this section, where a scheme under sub-section (2) includes any proposal regarding the transfer of the assets and liabilities of any co-operative society to any other existing co-operative society referred to in clause (b) thereof, the scheme shall not be binding on that existing society or the shareholders and creditors thereof, unless the proposal regarding such transfer is accepted by the existing society by a resolution passed by a majority of the members present at a meeting of its general body.”.

Therefore, the present clause is not at all inconsistent with the provisions contained in the Act.

THE DEPUTY CHAIRMAN: The question is:

“That the Bill further to amend the Multi-unit Co-operative Societies Act, 1942, as passed by the Lok Sabha, be taken into consideration.”

*The motion was adopted.*

THE DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill. There are no amendments.

*Clauses 2 and 3 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI S. D. MISRA: Madam, I move:

“That the Bill be passed.”

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

## THE WORKING JOURNALISTS (AMENDMENT) BILL, 1962

THE DEPUTY MINISTER IN THE  
MINISTRY OF LABOUR AND EM-  
PLOYMENT AND FOR PLANNING  
(SHRI C. R. PATTABHI RAMAN):  
Madam, I beg to move:

“That the Bill further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 and the Working Journalists (Fixation of Rates of Wages) Act, 1958, as passed by the Lok Sabha, be taken into consideration.”

The House will recall that in 1958 the Supreme Court, in their judgment in the case of *Express Newspapers versus Union of India*, struck down section 5(1)(a)(iii) of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955, on the ground that it had violated the Fundamental Rights under the Constitution. This section provided for payment of gratuity to a working journalist on voluntary resignation after rendering a continuous service of three years. Since then, Government has been considering various proposals to amend the 1955 Act as well as the 1958 Act. The Statement of Objects and Reasons and the Notes on Clauses attached to the Bill give a brief background to these proposals. We have had the benefit of consultation with representatives of employers in the newspaper industry and the working journalists on most of the provisions in the Bill and it was possible to achieve understanding on some of the issues involved. Here I will confine myself only to a few provisions in the Bill.

One of the most important provisions included in the Bill relates to the payment of gratuity on voluntary resignation and on grounds of conscience. As referred to earlier, the Supreme Court had declared the provision relating to gratuity on volun-

tary resignation as *ultra vires* the Constitution of India. They observed that as gratuity was a reward for good, efficient and faithful service rendered for a considerable period, there was no justification for awarding the same when an employee voluntarily resigned and brought about a termination of service, except in exceptional circumstances. The two exceptional circumstances indicated by the Supreme Court were, firstly, the operation of what was termed as the "conscience clause" and, secondly, where the employee had been in continuous service of the employer for a sufficiently long period. Actually they have used the words "sufficiently long period".

So far as the grounds of conscience are concerned, the Supreme Court referred to the practice prevalent in certain countries. The ground of conscience is peculiar to the profession of journalism, and there is a possibility that on genuine grounds of difference of opinion on vital matters, a certain amount of embarrassment may be caused by the continuance of a working journalist under an employer. A provision for resignation in such circumstances without loss of gratuity earned by the journalists would appear to be justified and would provide a certain amount of sense of security in service. Gratuity under the original provisions of the Act becomes payable only after three years' service. It has, therefore, been provided that if after rendering the first three years of service, a working journalist voluntarily resigns on grounds of conscience, he should be eligible for the normal gratuity admissible under the Act. As there is a possibility of a claim for gratuity on resignation on grounds of conscience being contested by the management, it is proposed to treat it as an industrial dispute and to afford the normal facilities available for resolving such disputes. The claims of a working journalist will, therefore, have to be taken up as a dispute by a union with the industrial relations machinery after mutual negotiations have failed, and if the Conciliation Officer is unable to bring about a

settlement, the appropriate Government would consider the merits of the case and refer it for adjudication. It is felt that this would afford sufficient protection to the employers against frivolous claims being raised.

So far as resignation after a long period of service is concerned, the position is that the Supreme Court themselves have in another judgment upheld certain gratuity schemes awarded by industrial tribunals providing for gratuity on voluntary resignation after ten years of service. The hon. Members would be interested to know that that case was decided in 1961. The case is reported in Labour Law Journal, Volume I, 1961, at page 513. I shall just read from the headnote to the judgment of the hon. Justice Gajendragadkar:

"Negating the said contention the Court held that the said judgment...."

that is, the Express Newspaper judgment,

"never intended to lay down a rule of universal application in regard to all gratuity schemes. Hence it could not be made the basis of an attack against a gratuity scheme where instead of fifteen years, ten years' minimum service is prescribed to enable an employee to claim gratuity at the rate determined if he resigns after ten years' service."

That is the position so far as the Supreme Court decision is concerned. This period appears to be fair and reasonable and has been accepted as a basis for the proposal in this Bill. It is proposed to give effect to this provision from 1st July, 1961, that is to say, this Bill will have retrospective effect as and from the 1st July, 1961.

Another clause on which there was a difference of opinion among the employers and working journalists relates to a provision which stipulates that where a person committing an offence is a company or other body

[Shri C. R. Pattabhi Raman.]

orporate or an association of persons, etc., every director, manager, secretary, agent or other officer concerned with the management shall, unless he proves that the offence was committed without his knowledge or consent be deemed to be guilty of such an offence. This provision is based on a similar provision already existing in section 32 of the Industrial Disputes Act and is on the general pattern relating to offences by companies, which find a place in many other Acts.

It is also proposed to provide for the constitution of wage boards from time to time for the purposes of a review of the wage structure of the working journalists. The Bill provides for a wage board consisting of two persons each, representing the employers and working journalists and three independent persons, one of whom is to be appointed as chairman. This is on the pattern of the wage boards so far appointed by Government in different industries on a non-statutory basis. Most of these boards have been able to submit unanimous reports and our experience so far has been that it would be advantageous to have two more independent members. In the U.K. also, where wage boards have been in existence for a number of decades, such independent members are appointed to help the representatives of employers and workers. A provision has also been made in the Bill to enable the wage board to make recommendation for interim relief.

As no provision had been made in the original Acts for the appointment of inspection staff for looking after the implementation of the provisions of the Working Journalists Acts, the lacuna is being remedied so that the State Governments can appoint inspectors and also require the newspaper establishments to maintain registers, muster rolls and other records etc.

Another point, on which I would like to say something, relates to the exclusion of Government servants from the operation of the Working Journalists Act. There are periodicals published by Central and State Governments which bring them within the definition of a "newspaper" for the purposes of these Acts. The persons employed in connection with the preparation of these periodicals are Government servants enjoying the benefits of all Government service rules. The Government rules and regulations, taken as a whole, offer better terms and conditions to these officers than those admissible under the Acts. There is also administrative inconvenience involved if during the course of their service these working journalists are transferred to other Government posts in which they may not be doing journalists' work. Exclusion of Government servants from the provisions of the labour enactments, it may be added, is not a new feature, not as if it is being done for the first time now. The Industrial Employment (Standing Orders) Act, 1946 excludes all persons governed by the fundamental rules from the provisions thereof. Similarly, the Industrial Disputes Act provides for exclusion of Government servants from some of the provisions of that Act. The Employees' State Insurance Act also empowers Government to exempt any factory or establishment belonging to Government if the employees in such a factory or establishment are in receipt of benefits substantially similar or superior to those admissible under that Act. There is, therefore nothing unusual about the exclusion of Government employees from the provisions of these two Working Journalists Acts. I may add here that since 1955, when the Working Journalists Act came into force, we have not had any request from the working journalists employed in Government establishments that the provisions of the Act should be applied to them. Their service association concerned has also been consulted and they have agreed to their exclusion from the purview of these Acts.

As mentioned by me earlier, Government have been considering some of these proposals since 1958. It had, however, not been possible to come up with a Bill earlier as it was considered advisable to secure as wide an agreement between the employers and working journalists as possible through tripartite meetings. The State Governments had also to be consulted. Such consultations necessarily involved time. The general elections which took place early this year also intervened.

With these remarks, Madam, I commend the Bill for the consideration of the House.

*The question was proposed.*

THE DEPUTY CHAIRMAN: There are ten speakers on the list given to me. Two and a half hours are allotted for this Bill. Therefore, I do hope that the Members who are going to participate will accommodate each other as far as the time is concerned.

SHRI BHUPESH GUPTA (West Bengal): Madam Deputy Chairman, I think we need not be apprehensive of the time because we have saved a lot of time on the preceding Bills. This Bill has been necessitated, as we have been told, by a judgment in the Indian Express case. But I should like to say a few things generally on the subject before I touch on some clauses of the Bill.

Madam Deputy Chairman, as far as the problems of the working journalists in the Indian Press are concerned, we have the most painful experience of getting things in dribblets and piecemeal. Many of the recommendations of the Press Commission which came to us and which we discussed here in this House several years ago have not been implemented yet despite the assurance of the Government that steps would be taken to expeditiously implement the major decisions of the Press Commission. A lot of noble sentiments had been expressed here in this House and in the other House about the recommendations, but some important ones still remain unimple-

mented. Yet, Madam Deputy Chairman, the Press Commission has been one of the most magnificent Commissions our country has known. When it came out with a report which was broad in its vision, objective in its assessment and sympathetic in its approach, many of us irrespective of party affiliations welcomed the recommendations. Not that with everything that the Press Commission said we agreed, but it was expected that this national unanimity on the recommendations of the Press Commission would be fully appreciated by the Government and reciprocated by comprehensive measures in order to implement all of them or most of them at least; but this has not been done. The legislation came, I think, in three or four instalments, and we are now amending the Working Journalists Act with a view to overcoming certain difficulties that have arisen as a result of the decisions of the Supreme Court. And no doubt, we are taking the opportunity to introduce certain other new things here—I have no quarrel with that—in order to improve the entire scheme of things.

Now, what I would like to say in this connection is this. Let me start in the beginning with the provision with regard to gratuity and the grounds on terms under which this will be available to working journalists. Of course, if one has been in service for ten years, he will be entitled to gratuity, no matter on what grounds he resigns. Well, it can be debated as to whether we should make it ten years or less. But then, here we have got what is called an objection from the point of view of conscience and in such cases no one will get gratuity unless he has been in continuous service for three years. That is to say, the objection emanating from conscience should be conditional upon how many years you have served, irrespective of the merit of the conscientious objection or objection on grounds of conscience. Personally, I think that this approach has to be considered by the House whether it is right.

[Shri Bhupesh Gupta.]

I give you only a recent example of a very well-known paper in Delhi. This is a secret I am revealing to the House and I would not have done so, had I not been absolutely buttressed in my information. I refer to 'The Hindustan Times' owned by the Birlas. Hon. Members will have noticed that during this emergency—in the earlier period—in the front page of "The Hindustan Times" a box appeared containing certain editorials or whatever you call them on this border question, on this aggression and so on, in the name of the editor, but not signed. It had been appearing and sometimes, I believe, not without the name. Some write-ups were placed on the front page in a box in order to emphasise what "The Hindustan Times" thought would be right or would be wrong in the context of the national emergency. One day there was a write-up, the subject-matter of which was support to Prime Minister Jawaharlal Nehru and his leadership. It was a good thing perhaps in that way. The full thing I do not know but the subject-matter, if only for a change, was that the leadership of Prime Minister Jawaharlal Nehru should be supported. The thing was got ready, it seems. Then before it could be put in, I think one of the Birlas told the management or the Editorial Board concerned to cut that out. It was not to go. And that was perhaps why you did not see any such thing appearing in "The Hindustan Times" during the entire period, from the time the emergency was promulgated up to now. I know that "The Hindustan Times" may deny it. But I also know that the Government authorities know that it had happened. Well, now this is how the Press barons, as we call them and as many hon. Members call them, behave, and behave in times of national emergency. Now, what are we to do in such a situation? Suppose a person serves in "The Hindustan Times" for less than three years. Suppose the person who wrote it said in protest against the action of the owner of "The Hindustan Times" that he would like to resign

from the paper on grounds of conscience, would he be entitled to gratuity if his service was not for so long a period as three years? Now, under the present Bill he would not be entitled to any gratuity on that score because it would be said that he had not served for three years to qualify for gratuity. I would like to ask the hon. Minister, "How are we to deal with a situation of this kind?" I say this because the Indian Press today is controlled by a few, handful of millionaires, the Goenkas, the Birlas and the Jains, or the Dalmia-Jain group you can call it. These are the three main chains. Then we have got the regional chains. For example, in West Bengal we have got today Mr. Tushar Kanti Ghosh controlling two dailies and a number of weeklies. Similarly, we have got the Hindustan Standard group controlling a number of journals including two dailies. The other day I had occasion to read out from the weekly journals and dailies of West Bengal to show what they had written with regard to the Government, the Prime Minister and so on. They certainly went against the feelings and understanding of the overwhelming majority of the people of the country and certainly against all those who stand for patriotic policies in our public life. Now, suppose in such a situation the journalists take exception to it and object to this national emergency being utilised for attacking Prime Minister Nehru or any party or things like that and they choose to resign. They will not be entitled to gratuity even on grounds of conscience, unless they have put in full three years' service.

Therefore, it seems to me that according to the existing arrangement, this business of conscience, Madam Deputy Chairman, is made somewhat contingent upon the period of service. If it is a matter of conscience, it should be unconditional. The question is for the court and others to find out whether it was dictated by conscience that he had to resign. This is what I would like to know. Suppose I join a newspaper today and to-

morrow I am called upon to write something in the national emergency which is patently, manifestly against the national interest as Parliament understands it and the country understands it. Suppose I resign, I should be entitled to all the benefits. It may be that I just joined or it may be that I have put in two years of service, I should be entitled to the gratuity benefit. This is what I would like to say in this connection.

I say this thing because right-minded journalists cannot but come up against situations where their conscience will continue to revolt against the dictations, promptings, mandates and orders of the Press barons of the country. As far as the Press barons are concerned, they have their own conscience, it is a peculiar type of conscience which many of us do not share at all, irrespective of party affiliations. And we know what a mental affliction the Press barons cause to the working journalists of our country when they are made to write things in which they not only do not believe but against which they have serious objections. Now this goes on in our country. Falsehood, slanders, lies, misrepresentations, distortions, fabrications are a common practice with the Press barons of our country and it is a matter of great shame that they succeed sometimes in associating some of our journalists with such practices, because these journalists are dependent for their bread on these Press barons. Such things are happening.

Therefore, Madam Deputy Chairman, with regard to this matter I have my reservations as to how it should be done. What has been done does not seem to be adequate. The working journalists should be given better protection as far as the other things are concerned. I say this whole thing is being conceived piecemeal. Therefore it is wrong and faulty. It was time that we broke up the concentration of power in

Press, the monopoly concentration in Press. We should have broken it up. Then there would have been less occasions for conscientious objection on the part of the journalists. On the one hand we want to protect the working journalists in such matters; on the other hand we are allowing the Press barons to concentrate their power in this line of industry, and develop, what has been rightly called, the jute press. Well, I do not know what other name can be given, but this is an interesting press in India that we have developed. In the first place, the concentration here is much larger, it seems, and much more sinister in some ways, it seems, than the concentration in the United States of America as the reports reveal. Five families or so control perhaps five top papers and control the bulk of the newspaper circulation today. Public opinion is created by them in that manner or is sought to be created in a manner which suits them. When they like, they can mislead the public, and, well, when they like, if they are good, they can also help the public opinion to shape in the right direction. But more often than not we find that these newspapers misdirect public opinion, mislead public opinion and come out with their perverse and degrading interpretation of things. Now, we have got them in Calcutta and I can tell you that three or four leading papers in Calcutta are writing day in and day out, inciting violence and provoking people against our party. Do not bring in politics at all here. I would have objected to incitement against any party, and we have seen how they sometimes incite against the Congress Party. When it was a question of Pakistan, these very papers came out inciting public mind against the Congress Party because Prime Minister Nehru's policy with regard to Pakistan was one of friendship and constructive approach. But this is what they did not like, and frenzy was roused. In 1926, the "Anand Bazar Patrika" played a prominent part in rousing

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communal passions, and thereby built up its circulation. In 1946 again, these two Bengali papers—the “Ananda Bazar Patrika” and the “Jugantar”—roused communal passions against the Muslims. In 1950 again, these papers built up circulation by rousing communal passions against the Muslims. In 1954, these papers again came out rousing communal passions against the Muslims and attacked Prime Minister Nehru. In 1960, when the developments took place in Assam, these papers sought to rouse the Bengali sentiments and so on against the Assamese people. This is what we have seen of these papers. Now you can see today if they are doing it, and they are in line with what they have been doing all along. And journalists can have conscientious objection there and can decide to resign. Why should not they resign and why should they not get the benefits? Well, if they are in a position to resign, they should be entitled to it. And should they be denied the gratuity? I should like to know.

Therefore, Madam Deputy Chairman, I say that it is good, little mercies shown to the working journalists. But the time has come for completely breaking up the most sinister, hideous monopoly concentration that has taken place in the Press today. This should be construed as part of the democratic battle in our country. It cannot be that Indian democracy will be safe for long if you allow the Indian Press to be in the vicious grip of a handful of millionaires who have no other interests that way apart from the narrow interests of their class, the interests of money, the interests of aggrandisement in the social, political and above all the economic life of the country. Therefore I should like something to be done. Again, why in the case of the Press Trust of India was the change not brought about? Diffusion of ownership was suggested. It should have been done long ago. We should have a better co-operative

type of national Press agency, not the ownership or control by the same people who control, what is called, the jute press in our country. Now, these are matters of importance, but nothing has been done. Therefore I think this little protection will not take us very far.

Then, with regard to this Wage Board, it is good. But why should the employers and the journalists have equal representation? Another distinguished friend of ours in the other House, who had been a journalist himself, and comes from Mysore—whose name I do not mention for reasons of embarrassment—suggested that there should be three representatives from the journalists to two from the employers. I think it was a good suggestion and Government should have accepted that suggestion. Why? It is in the interests of the working journalists that you are making this law. Why should the employers have equal representation with them? You will say, “What is the harm? After all they are equal; there is equality.” I say, two employers’ representatives and two journalists’ representatives make, between them, unequal representation, because the employers are in a far better position to exercise their influence and weight, which is not open for the journalists to exercise, and by all means the measure involves the journalists and their interests particularly. It is, therefore, they who should have greater representation in this matter. Suppose we set up a good institution here, which is supposed to be democratic and premier in outlook, and then we say, “All right, let there be an equal number of Princes with an equal number of commoners”, will you accept it? No. This is not equality at all. We know they have greater influence at their disposal to exert. This is what they do. Therefore, that was a good suggestion which our friend in the other House made, and I am surprised that Government did not accept that sugges-

tion. I am all in favour of making it 3:2 as between working journalists and employers.

At another place I find that there will be three independent people in the Board, one of whom shall be a Judge, may be a Judge of a High Court or the Supreme Court, I do not mind, but there should be a Judge since there may be legal matters and so on. But who will be the other two? There is no indication; that the Government will decide. Do I take it that the other two will be definitely on the side of the working journalists and the common people, public opinion, as we understand it. Or will they be biased in favour of the employing classes? That is my fear. Well, you could have said that there will be two members from among the Members of Parliament, if you like—which we could have discussed here—and we can elect them, if you like. There are many Councils and Boards created by Acts of Parliament where from both the Houses of Parliament we send people. Why could we not have done it here? If we can send the people from here to the Courts of the Universities and so on, Councils and so on, we could as well be given the right to elect two people from Parliament, one from this House and another from that House, to go there. Not necessarily the right type of men would have gone, but this would have given us an opportunity to make selection and this would have been some thing good from the point of view of public policy. Now this even is not done. Therefore, I have my apprehensions with regard to this matter of the composition of the Wage Board. I make it absolutely plain that Wage Boards should be constituted of the representatives of the working journalists and other people who are sympathetic to the cause of the working people—I am not saying working journalists, but sympathetic to the cause of the working people. I do not like, Madam Deputy Chairman, institutions and boards to be set up

in order to be packed through the backdoor by people who are unsympathetic to the cause of the working people and frustrate the good, social objectives to be implemented. This is my point.

THE DEPUTY CHAIRMAN: Please be brief now.

SHRI BHUPESH GUPTA: I am finishing. We have got plenty of time.

THE DEPUTY CHAIRMAN: There are plenty of speakers also.

SHRI BHUPESH GUPTA: Therefore, all plenty.

SHRI AKBAR ALI KHAN (Andhra Pradesh): May I point out to the hon. friend that out of these three, generally a Member of Parliament and some independent members are appointed?

SHRI BHUPESH GUPTA: I would like to know where is the provision. Let the Minister tell us at least that out of three, two shall be from Members of Parliament, and by consultation they will be appointed, if not by election. Some such thing should be said. Therefore, Mr. Akbar Ali Khan, I am prepared to accept this thing for the present if an assurance was given of this kind. But it should not be left vague.

Then, again, Madam, this Board should be assigned the task of seeing to it that the wages are increased. Cost of living is rising. In many cases the wage scales are not implemented. The price level is rising and I think that our working journalists deserve a fair deal. This fair deal should be given ungrudgingly by the Parliament of the country. When I say working journalists, I have in mind many sub-editors, reporters, and so on, and even editors in some papers. With the exception of some papers, working journalists are generally down trodden. By and large, these newspaper reporters and so on, the sub-editors, their correspondents and so on

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are suffering a lot. They are the under-dogs of this newspaper world. Yet it is on their talent industry, perseverance, resourcefulness, that the multimillionaire barons, press magazines, are building up not only their enormous fortune but also their tremendous political and economic power. Madam Deputy Chairman, I should not like the working journalists to be treated in this manner by these people.

Finally, I should like to say a word about the people working in the Government Press. I am not convinced by the argument that they should not be included within the provisions of this Act. I think those, who are working in the Government Press, are also journalists. Many periodicals and other things come out from there. They do the same type of work, and if this Act is applicable in the case of journalists, why it should not be applicable in the case of the workmen in the Government Press I do not simply understand.

SHRI AKBAR ALI KHAN: They are Government servants.

SHRI BHUPESH GUPTA: As you know, Madam, when the Factories Act, the Industrial Disputes Act and so on and various other things apply to the workers both in the public sector and in the private sector, why in this case those working in the Government Press should be left out I cannot understand. I think their demand is a very legitimate demand. That is one thing.

Then, I would say that it should be implemented. The Government says that they are Government servants and they are better placed, etc I do not accept this argument. All Government servants, I think, work about 6½ hours but the pressmen have to work 8 hours a day. This is the position. That is to say, they have to work longer hours than other Government servants. On that score they are entitled to better treatment and

should be brought within the provisions of this Bill.

Then, Madam, the Government sometimes says that it is a job press. We do not accept these things because from the Press many journals come out. Now with the public sector developing and Government activities developing, we see more and more journals and periodicals coming out regularly—quarterly, monthly, fortnightly and so on. These men participate in the production and printing of these things. Therefore, we cannot say that this Press can be regarded as a job press.

Madam, 2,500 workers work here in the Government Press and they should be undoubtedly given better treatment. We find that 32 items are printed by the Government Press here and many of them fall within the same category. On that ground also why should they be left out, I cannot understand. Therefore, Madam Deputy Chairman, I cannot accept the argument that they fall in a different category—those working in Government Press—and they should not be covered by the working Journalists Act. Specially these provisions that are there, they should be available to them. As working men in the journalistic line, anyhow they should be covered. This is my suggestion.

Before I sit down, I again appeal to the Government that it is good that they bring forward even piecemeal measures. What is needed today is that as far as journalists are concerned, we want the completest possible implementation of all the major decisions of the Press Commission. We did not have the Press Commission appointed to make a recommendation over which we should sleep and come out with certain piecemeal measures only by way of a gesture. The whole thing is an integrated whole. The whole Press Commission recommendations, in different chapters constitute a common theme of democratically organising the Indian press by extending a fair deal to working

journalists, by democratising the entire system and so on by breaking up the monopoly in the line of the press which has played a vital part in the political, social and economic life of the country. That is why my submission is that the Government should now review the matter. It should not delay any more. And whatever has not been done they should do. And in this connection what we demand is—again I repeat on this occasion as on other occasions—the fullest implementation of the major decisions of the Press Commission including the decisions that would realise the breaking up of the monopoly, diffusion of the press and creation of a news agency, not one, if necessary more news agencies, instead of Goenka setting up the Indian Express, giving them special advantages in contravention of laws, rules and regulations. This is what I would ask the Government today.

Thank you, Madam Deputy Chairman, for giving me the time. These are the only occasions when we can speak on subjects such as these.

SHRI P. N. SAPRU (Uttar Pradesh): The first question that I would like to raise in connection with this Bill is: Why is it that the Press Council has not been constituted so far? There is, I know, a Press Consultative Committee functioning at present. When Dr. Keskar piloted the Press Council Bill in this House, there was a general desire that the Bill should be referred to a Select Committee. But he thought that the matter was so urgent that it could brook no delay. Now, the Press Council Bill was passed several years back but it is not in operation as yet. What has happened to it and what do the Government propose to do with the formation of a Press Council? Madam, Press Councils were intended to improve the standard of professional ethics of our working journalists. I hope that was to be one of their objectives. But I am sorry that no step has been taken so far to establish Press Councils as

recommended by the monumental report of the Press Commission.

This Bill has been necessitated by a judgment of the Supreme Court of 19 March, 1958 in the "Indian Express" case. In that judgment certain parts of the Act were declared invalid because it was held that they contravened the Fundamental Rights under article 19(1)(g) of the Constitution. Now the Bill, as I read it, does three things. In the first place, it makes some provision for gratuities to those who voluntarily resign after 10 years of service or who voluntarily resign after 3 years of service on grounds of conscience. These words "grounds of conscience" are to be interpreted by an Industrial Tribunal. I am all for a conscience clause but I would like to know the extent to which you will allow this conscience clause to be operated upon. Would it be open to a proof-reader or a sub-editor who has nothing to do with the formulation of the policy of a paper to say that he has objection to the policy of the paper or he has objection to a particular leading article in the paper and that, therefore, his conscience, after a period of 3 years, has been stirred up and he wants to resign? If it is a matter of conscience with him, that matter can arise a day after he joins service. You cannot have stirrings of conscience only after a limited period. I would, therefore, suggest that the operation of this conscience clause should be limited to those who are in directional control of the editorial policy of the paper. Those who are in the position of proof-readers or who are in the position of sub-editors should not have the benefit of this conscience clause. If this is done, it would be possible to make the provisions of this Bill applicable to Government servants also, because I would not like the provisions of this Bill to be made applicable to Government servants and Government servants to be allowed thereafter to plead that they are opposed to certain publications of Government which they have to print

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or publish on grounds of conscience. That will be introducing a very dangerous principle in our jurisprudence or in our laws.

SHRI AKBAR ALI KHAN: Then conscience will become very elastic.

SHRI P. N. SAPRU: Yes. The question of conscience will have to be decided by the Industrial Tribunal and I do not envy the job of the Industrial Tribunal. It will not be an easy matter for the Tribunal to decide whether the objection raised is really of a conscientious character or is really of a frivolous character.

SHRI C. R. PATTABHI RAMAN: It may interest the learned hon. Member to note that the Press Commission on page 508 have stated that so far as the proof-readers are concerned, as a class they cannot be regarded as working journalists, for there are proof readers in the press also. They have excluded a number of varieties. I had referred to it in the other House. I did not take much time of the House here with regard to categorisations.

SHRI P. N. SAPRU: Am I to understand that this conscience clause refers only to editors or leader writers or assistant editors or those who are in directional control of the policy and that sub-editors and proof-readers are excluded from the operation of this clause?

SHRI C. R. PATTABHI RAMAN: It refers to everybody who can be described as a working journalist.

SHRI P. N. SAPRU: The term "working journalist" has been defined in a very comprehensive manner. Therefore the classes I have in mind, are included in the definition of "working journalist".

SHRI K. SANTHANAM (Madras): Your point is all right. Sub-editors are included . . .

SHRI P. N. SAPRU: Therefore my point is all right and it is dangerous to give this right of gratuity after voluntary resignation to sub-editors of newspapers.

Then I would say a word about the Wage Boards. These will consist of 7 representatives. Two of them will be representatives of the industry concerned, two of them will be representatives of the workers and three of them will be independent representatives. I do not see any reason why it should have as many as seven representatives. Why is it not possible for you to have only five representatives—two representatives of the workers, two representatives of the employers and a Chairman who should be either a High Court Judge or a Supreme Court Judge or a retired High Court Judge or a retired Supreme Court Judge?

SHRI BHUPESH GUPTA: Then deadlock will arise. There will be two and two and the Chairman will be faced with the casting vote.

SHRI P. N. SAPRU: The Chairman will have the casting vote. He will be an impartial person or alternatively if you must have three more representatives, then let the two representatives who will not be Judges be nominated by the Speaker of the Lok Sabha and the Chairman of the Rajya Sabha. That will provide for the independence of these members. I would not like these two independent members to be nominated by the Government. I would rather entrust the nomination of these two independent members to an independent authority like the Speaker or the Chairman of the Rajya Sabha. It is right in principle that the Wage Board should meet from time to time as we are living in a period of rising prices and cost of living, and working journalists must get a living wage.

A point that I would like to raise in this connection is that of the price-page schedule. Unfortunately our

press is in the hands of big business. Most of the leading newspapers are owned by big capitalistic concerns. Now it is a tribute to our working journalists that they are able to function with the independence that they, on occasions, display in their articles and contributions to the press but on principle it is not right that the press should become a monopolistic concern. I value very much the freedom of the press. I am not for control of the press in any sense of the term but I would like an opportunity to be given to the small man who runs newspapers of his own. I would like opportunity to be given to small newspapers also to function effectively in this country. The man with a small newspaper has not the advantage of capital. He does not get support from the Government to the extent that big newspapers get. He does not get advertisements from the U.P.S.C. or the State P.S.Cs. for his paper. He has to depend upon his small resources.

I know that the Supreme Court has ruled against the price-page schedule. But surely it is not beyond the wit of our legal luminaries to find a formula which will enable the price-page schedule to function properly, consistent with the law of the land. If you have a proper price-page schedule it will be possible for the small newspaper to compete not on equal but on somewhat less unequal terms with the big newspapers of a national character.

3 P.M.

It must be remembered, Madam Deputy Chairman, that the circulation of our papers is not very large. Newspaper-reading habit is only just being developed now and we have the radio as a competitor with the newspaper. Our journalists are certainly entitled to a fair wage. Everyone is entitled to a fair wage, but the burden imposed upon the newspaper concerns should not be an impossible one. So far as the big newspapers are concerned, they will

be able to bear any burden you impose upon them. But so far as the small newspapers are concerned, unless you have the price-page schedule it may not be possible for them to bear the burdens you are imposing.

So far as the payment of gratuity on voluntary retirement after ten years and the concerned provision is concerned, I am for it. I think a person who has worked honourably, who was worked efficiently, who has displayed judgment and ability in the discharge of his functions, is entitled to gratuity if he should decide to retire after ten years of service. In fact, this period of 10 years' service is a little too long. I would have been prepared to shorten that period and keep it at seven years.

The Bill also provides for a system of inspectorate, for an inspection system and those directors who are in direct control of the concern have been made answerable for lapses or offences under this Act. I think that is as it should be.

Finally, Madam Deputy Chairman, I would like to say that journalism is a great profession. It is, as the late Mr. C. Y. Chintamani whom I had the privilege of knowing intimately for as many years as I can remember, used to tell me, journalism is a vocation, a calling or a call. Most of the journalists of the old days used to look upon this profession as a call. Surendranath Bannerjee, Ramanand Chatterjee, Rangaswamy Ayyangar, G. Subramanya Ayyar, they looked upon journalism as a call, as a vocation. They did not look upon it as a profession or business. Today, unfortunately, owing to the competition that we are facing in the modern world, some of our journalists have developed the tendency to write as their bosses dictate them to. That is regrettable and that is something which is not in the interests of our democracy, our expanding democracy and this we should endeavour by

[Shri P. N. Sapru.]

every means to prevent. Therefore, I would say that our journalists should remember that the Press is, in fact, the Fourth Estate. It is a great instrument of popular education and it is in that spirit, in that dedicated spirit that they should work for raising our journalistic standards and their professional standards. I do not like sensational newspapers and I think we have too many sensational newspapers and I am sorry, Madam Deputy Chairman, that occasionally they receive encouragement even from those who should not give them encouragement. Thank you.

SHRI K. SANTHANAM: Madam Deputy Chairman, I appreciate the ingenuity of the Government in trying to get over the Supreme Court judgment. But I doubt whether they have done so effectively because any journalist resigning on the ground of conscience, except in the case of the editor who does not want to be dictated to by the proprietor, is absurd. Supposing an assistant editor or a sub-editor dislikes the policy of the editor, can he say, "I dislike the policy of the editor. So let him change the policy; otherwise I resign on grounds on conscience?" That is absurd. It is only in the case where the proprietor, the so-called money-bag, wants to dictate to the editor and the editor refuses to be dictated to and says that according to his judgment such and such ought to be the policy of the paper and then resigns, it becomes a question of conscience. I do not think that any editor worth his salt is going to bother about this gratuity of fifteen days' pay for every year of service. In all the other cases, this clause will not be operative at all, because I cannot imagine any assistant editor or sub-editor resigning on grounds of conscience and he cannot justify such resignation as being on grounds of conscience before any tribunal whatsoever. Therefore, even if the Supreme Court does not think that this is a sort of evasion of their

previous judgment, if a man resigns on grounds of conscience he must be willing to sacrifice whatever benefits he was enjoying. There can not be any money paid for conscience, for acting according to one's own conscience. I do not think this is going to be operative.

SHRI C. R. PATTABHI RAMAN: The hon. Member may be aware that David Low, the famous cartoonist, who cannot come under any category, resigned with the change of the policy of the management of the Evening Standard. I have got a note from the ILO but I did not want to take the time of the House by referring to it.

SHRI GURUDEV GUPTA (Madhya Pradesh): When the management changes it is a different matter. Otherwise how does the question of conscience comes in?

SHRI P. N. SAPRU: The News Chronicle which was a very great radical newspaper changed hands and then many persons who had a liberal conscience did not like to continue. That is a different matter.

SHRI K. SANTHANAM: A person may not like the policy and he may resign. I was working in two newspapers and I have always said to the people concerned: "If you do not like my policy then I can always resign." That is a different thing. It is not a question of conscience. It is a question of sticking to one's own principles. I may not like your policy and I can say I will not serve you. That is a different matter. No one except the editor has the right to dictate the policy of the newspaper and if anyone resigns for that and if you say that he should be compensated for it, I doubt the wisdom of such proposal. I do not think even legally this Bill can stand the test of a Supreme Court judgment because they will say that every worker must be treated in the same way. If another man in a factory resigns, why should he not get the gratuity? Therefore, I

doubt the validity of this measure but if he succeeds in the Supreme Court, there is nothing like that. He may succeed, the clause may succeed in the Supreme Court but the journalists will not get any relief from the Tribunal.

SHRI N. M. LINGAM (Madras): In other words, conscience is purely a subjective matter.

SHRI K. SANTHANAM: That is exactly what I am saying.

In clause 9, I wish the Central Government had constituted a Wage Board entirely of three independent persons because when the representatives of the employers and the representatives of the journalists are there, the inevitable result is embitterment of relations.

SHRI AKBAR ALI KHAN: That would be absolutely against the principles of the Wage Board. Both should be there.

SHRI K. SANTHANAM: There is nothing against it because the journalist profession is a peculiar profession. It is not an ordinary workshop. Here, it is not a question of profits and losses. It is the three independent members who will have to decide and, therefore, why should you allow them first to quarrel and then decide?

SHRI AKBAR ALI KHAN: You can also have compromises. We have done it in the Steel Wage Board.

SHRI K. SANTHANAM: If there is any chance, the journalist will himself settle it with his employer direct. If he is worth his salt, he will get better terms than any Wage Board can give him. I know that there are many journalists who by threatening resignation can get an increase in pay. It is so difficult to get good journalists but in any case, I do not think this is a proper Board for dealing with the journalists. In this connection. I dislike the way

in which people speak about the big papers. Of course, it is the slogan of Shri Bhupesh Gupta to speak of press barons on the one hand and the poor journalists on the other. Madam, in my experience, in 1932, the Indian Express had less circulation than the Communist paper which was circulating at that time. If the Communist paper had flourished in the same way as the Indian Express, the Communist Party would have become a press baron. If yours is a small paper and if your paper succeeds and attains a circulation figure of one hundred thousand or two hundred thousand, then you become a press baron. Friends like Shri Sapru want that a paper should have circulation of one thousand or two thousand. What is the use of such papers? While monopoly has to be resisted, we should not try to suppress growing newspapers and we should contemplate a time when newspapers will circulate in millions in this country. Only in such a situation can our people get the full benefit of the newspaper industry. In other countries, the circulation is in millions but here we have got it only in thousands a few in ten thousand and a still fewer number touching the hundred thousand mark. Therefore, all these people who plead for the small papers are for suppressing the growth of the newspaper industry.

SHRI A. D. MANI (Madhya Pradesh): At the time mentioned by Mr. Santhanam, in 1930 and 1931, there were very few small papers but now in all the less developed States, small papers have come up and they are flourishing. Why should you think of suppressing them?

SHRI K. SANTHANAM: The point is that now they are small newspapers; when they become big, they become press barons and so he would suppress them. That is the plan today, prevention of the growth of these newspapers, but this is not a good service to the newspaper industry. I want all the small papers in the un-

[Shri K. Santhanam.]  
developed areas to grow so fast that they will have circulation in hundreds of thousands.

SHRI A. D. MANI: So that they may be suppressed by Government when they grow up.

SHRI K. SANTHANAM: Who wants them to be suppressed?

SHRI A. D. MANI: That is what the Government wants.

SHRI K. SANTHANAM: Government does not suppress them. You want to give some sort of subsidy to the small papers. You want the price-page schedule. You are treating it as a sort of industry like the cement industry or any factory. A newspaper flourishes because of the popularity that it enjoys with the readers and a newspaper must seek the popularity of the readers and try to grow and Government should not put any limits on the growth of a newspaper. The cry of monopoly has no relevance. In this country there is no monopoly whatsoever, in the Indian Express, in the Hindu or in the Statesman, and there is no attempt at preventing the growth of other newspapers.

SHRI SHEEL BHADRA YAJEE (Bihar): Question.

SHRI GURUDEV GUPTA: Madam, on a point of information, may I ask Mr. Santhanam a question? He says that the small newspapers will not receive any benefit by the price-page schedule. How are the small papers to grow then? Is it not a fact that the small newspapers are simply murdered and are not able to develop due to the bulkiness of the big newspapers? For instance, English newspapers give twelve to sixteen pages at a cost of ten naye paise while the vernacular papers are able to give only four pages in seven or eight naye paise. It is simply the bulkiness of the big newspapers that is killing the small papers and this bulkiness is simply

due to the wealth, capital, which they have—the big shareholders and the big capitalists who are at the back of such papers. What is the solution to this problem?

SHRI K. SANTHANAM: I am quite willing to have a discussion with the hon. Member. There is some point in what he says but not much because a price-page schedule will only give enormous profits to the well-established papers. People who are reading a paper like the Hindustan Times are not going to turn over to another paper because of the reduction in the pages by Government compulsion. They will pocket all the profits. Now, for the money that they get from their advertisement revenues, they give news, special editions and all kinds of facilities. They will pocket all the money without giving any facilities and the consumers will suffer. I do not want to develop the point. The big papers cannot displease the advertisers; they cannot displease the Government. If the smaller papers have got more coherent, more forceful and more consistent policies, they are bound to increase. This is what I found in the case of the Indian Express. It had no circulation when I took over; and when I gave it up, simply because of the consistent policy adopted it had grown.

SHRI GURUDEV GUPTA: I might tell the hon. Member that the Indian Express built up its circulation simply because it indulged in cut-throat competition with the Hindustan Times. When the price of the Hindustan Times was 12 nP, the Indian Express sold for 10 or 8 nP. This is the only reason that the Indian Express could build up circulation.

SHRI K. SANTHANAM: That is in the latter days. It had neither capital nor circulation when it started. It had no capital at all and it had much less capital than the newspaper which the hon. Member owns. Here, it is like an engineer or a lawyer. Can you ask,

how a beginner who had no money came up to the top? How did he become a High Court Judge?

(Interruption.)

THE DEPUTY CHAIRMAN: Please, Mr. Gurudev, let him finish.

SHRI K. SANTHANAM: The problems of newspapers are many. This Bill has only very limited scope. So I think that the Wage Board should have been an independent Board.

There is one other point and it is a minor one. In proposed section 12(1) it is said here:

“As soon as may be, after the receipt of the recommendations of the Board, the Central Government shall make an order in terms of the recommendations or subject to such modifications, if any, as it thinks fit, being modifications which, in the opinion, of the Central Government, do not effect important alterations in the character of the recommendations.”

I think this is a wrong procedure. When they appoint a Board and when it makes recommendations why not simply accept them? Because they must have considered everything before making the recommendations. Why should the Central Government want to have power to make modifications? And then they say that they will be modifications which in the opinion of the Central Government do not effect important alterations. The question will arise as to what is an important alteration and what is an unimportant alteration and it will give rise to endless disputes either on the part of the employers or on the part of the journalists. This Board is a sort of an arbitration board and when it gives an award, it must be treated as an award and the Government should not tinker with it. I hope, though this power is taken under this Bill,

the hon. Minister will be able to give an undertaking that they will not utilise this power.

Madam, I hope that the Government of India will feel content with whatever law they have made regarding the working journalists and will let the newspaper industry and the newspaper profession grow freely. I have no doubt that the working journalists, if they form a strong association among themselves, can get better terms today, in the present context, than they can get from any Wage Board or any other Government legislation. After all, Government legislation tries to give the minimum wages and I do not want the working journalists to be content with minimum wages. They must get fair wages, living wages, and this they can get only by internally combining among themselves and through mutual co-operation. If they are not a solid united body then they will get very little. Today the big newspapers are getting so much profits, and the journalists will be able to drive hard bargains with them through negotiations and they can then get the maximum benefit.

Thank you, Madam.

श्री गुरुदेव गुप्त : उपसभापति महोदया, किसी भी राष्ट्र के निर्माण में समाचारपत्रों का एक विशिष्ट स्थान होता है। समाचारपत्र एक बड़ी शक्ति है इसलिए इसे “चतुर्थ राज्य” की संज्ञा दी गई है।

समाचारपत्रों को बनाने में पत्रकार का महत्वपूर्ण योग रहता है, इसमें कोई मन्देह नहीं है। इसलिए उनकी मुख सुविधा के लिए शासन जो कुछ कर रहा है वह निश्चय ही सराहनीय है। वेज-बोर्ड के गठन के बारे में शासन ने जो निर्णय लिया है उसका मैं स्वागत करता हूँ और उसके साथ मैं शासन में यह अवश्य निवेदन करना चाहता हूँ कि वह समाचारपत्रों के आर्थिक माधनों को भी ध्यान में रखेगा। मेरा आशय विशेष

[श्री गुरुदेव गुप्त]

रूप में मध्यम श्रेणी या छोटे स्तर पर निकलने वाले समाचारपत्रों से है। चूक देश में जिस प्रकार के समाचारपत्र निकल रहे हैं उनमें चार मुख्य श्रेणियाँ हैं। कुछ ऐसे समाचारपत्र हैं जिनमें इन्वैस्टीमेंट, जिनमें पूँजी कई करोड़ रुपये की लगी हुई है। दूसरी सख्या में वे आते हैं जिनकी पूँजी कई लाख रुपये में है। तीसरी श्रेणी में ऐसे समाचारपत्र आते हैं जिनकी पूँजी लाख के आस पास है और चौथी श्रेणी में वे समाचारपत्र आते हैं जिनकी पूँजी पाँच, सात दस हजार के अन्दर आती है। इसलिए यह भारी विषय है। एक ओर तो पूँजी १० करोड़ रुपये की है और दूसरी ओर पाँच-पाँच हजार रुपये के बीच की है। अतएव सभी स्तर के समाचारपत्रों के लिए एक ही प्रकार का कानून बनाना, एक ही प्रकार की कोई चीज़ लागू करना हितकर नहीं होता। इससे समाचार उद्योग को निश्चय ही हानि होगी और जिस उद्देश्य में सरकार इसमें सुधार कर रही है उसमें उसे सफलता नहीं मिल सकेगी। अतएव शासन को यह भी ध्यान देना है कि जो छोटे समाचारपत्र हैं उनमें इस नियम को किस रूप में लागू किया जाय। यह ठीक है कि छोटे समाचारपत्रों के लिए सरकार ने एक कैटेगरी बना दी है और उस कैटेगरी के अनुसार उन पर वेतन लागू होना है, लेकिन इनमें कोई खाम अन्तर नहीं है। जहाँ एक ओर, जैसा कि हमारे पूर्व वक्ता ने बताया है कि बड़े समाचारपत्रों के प्राफिट इन्तौरमम होते हैं, ह्यूज होते हैं और उन्हें लाखों रुपये का प्राफिट होता है वहाँ देश में ऐसे भी समाचारपत्र हैं जिनके सिर्फ एक दैनिक पत्र पचास-पचास, साठ-साठ तथा सत्तर-सत्तर लाख रुपये वार्षिक लाभ होता है। ऐसे भी समाचारपत्र हैं तथा दूसरी ओर दस हजार पूँजी के पत्र हैं जिनकी कुछ भी प्राफिट नहीं है। अगर है तो इतना ही है कि सचालक मुश्किल से दाल रोटी खा सकता है इन दो कैटेगरी के पत्रों में लगभग एक से

नियम लागू करना या जो थोड़ा सा अन्तर है उसको लागू करना पर्याप्त नहीं है। इससे जो असन्तोष है वह रहेगा और जल्दी दूर नहीं किया जा सकता है। चूक जो बड़े समाचारपत्र हैं उनके श्रमजीवी पत्रकारों को निश्चित रूप से अधिक वेतन मिलना चाहिये, छोटे को भी मिलना चाहिए और उनके प्राफिट को देख कर जितना अधिक से अधिक उनको दिया जा सकता है दिया जाना चाहिये चाहे वह छोटे से छोटा अखबार क्यों न हो। लेकिन बड़े अखबारों को जितना प्राफिट होता है उनके मुताबिक यदि शासन देने का इरादा न करेगा तथा उन्हें इस समय जितना मिल रहा है जो कि सन्तोषजनक नहीं है तो उससे उन्हें अमनोष होगा। इस सम्बन्ध में मैं शासन से निवेदन करूँगा कि वह "प्राइम पेज शिड्यूल" की ओर अवश्य ध्यान दें। मेरा इसकी ओर ध्यान आकर्षित करने का कारण सिर्फ इतना ही है कि आज समाचारपत्र जगत में अकारण काफी मात्रा में "कट थ्रोट कम्पी टीशन" लागू है। पिछले लगभग छह महीने पूर्व की बात है कि "हिन्दुस्तान टाइम्स" तथा "इंडियन एक्सप्रेस" में मूल्य को लेकर और 'टाइम्स आफ इंडिया' में भी मूल्य को लेकर काफी खेचातानी हुई। एक ने अपने अखबार के दाम घटा दिये तो दूसरे ने भी घटा दिये और तीसरे ने भी घटा दिये इसका पहले श्रीगणेश 'इंडियन एक्सप्रेस' ने किया। यद्यपि इस समाचारपत्र को बहुत समय नहीं हुआ है और इसकी अभी भी दिल्ली में 'हिन्दुस्तान टाइम्स' तथा दूसरे पत्रों के मुताबिक में ज्यादा ख्याति नहीं है, लेकिन "इंडियन एक्सप्रेस" को जो सफलता मिली उस सफलता के पीछे राज क्या है? यह भी मैं आपके सामने स्पष्ट कर देना चाहता हूँ कि इस अखबार को जो सफलता मिली है उसमें अधिक पन्ने को देने ने ही महत्वपूर्ण योग दिया है। पत्र में अच्छी सामग्री देना, कार्टून देना और फीचर्स देना, यह तो है ही और उसके साथ ही साथ कागजों की पृष्ठ सख्या

अधिक देना, वह भी बहुत महत्वपूर्ण कारण है। इस "कट थ्रोट कम्पीटीशन" के कारण दुहरा नुकसान हो रहा है। एक और इस "कट थ्रोट कम्पीटीशन" के कारण जो समाचारपत्र है व मर रहे हैं, असामयिक मृत्यु को प्राप्त ही रह है और दूसरी ओर आज कल के जमाने में जो सबसे कीमती चीज विदेशी मुद्रा है उसका अपव्यय हो रहा है मैं यह निवेदन करूँगा कि नेशनल इमरजेंसी के समय में जो कि इस समय सारे राष्ट्र में लागू है समाचारपत्रों का कलेवर सीमित होना चाहिये। सरकार उनके कलेवर को स्वयं छोटा करे। इंग्लैंड में जब युद्ध हुआ था, वह जर्मनी से युद्धरत था, तब वहाँ के समाचारपत्रों के साइज को कम कर दिया गया था, समाचारपत्रों के पेजों के नम्बरों को कम कर दिया गया था। तब क्या हमारे देश में इस मरुटकाजीन स्थिति में भी ऐसा नहीं किया जा सकता? ऐसा करने में, न्यूज-प्रिन्ट मगाने में जो विदेशी मुद्रा खर्च होती है, उसमें बचत हो जायेगी। न्यूज-प्रिन्ट इम्पोर्ट करने में जितना खर्च होता है और इसमें जितना न्यूज-प्रिन्ट आता है वह भी पर्याप्त नहीं होता है। गवर्नमेंट की ओर से बार बार निवेदन किया गया है कि समाचारपत्र कम से कम सप्लीमेंटरी लाइसेंस मागे। तो यह जो सप्लीमेंटरी लाइसेंस दिया जाना है, कागज इम्पोर्ट किया जाता है, उसका उपयोग क्या होगा? उसका उपयोग यही होता है कि जो बड़े बड़े समाचारपत्र है वे अधिक एडवर्टाइजमेंट छाप सकते हैं, एडवर्टाइजमेंट स्पेस अपने अखबारों में ज्यादा दे सकते हैं—पृष्ठ सख्या अधिक देकर ताकि उनको अधिक प्रॉफिट हो और वह स्वैल होता चला जाय। एक और तो इस तरह की स्थिति है और दूसरी ओर न्यूज-प्रिन्ट मगाने में जो इतना अमूल्य फारेन एक्सचेंज देना पड़ता है वह बेस्ट जाता है और फिर भी कठिनाई हल नहीं होती है इसलिए इस बुराई को दूर करने के लिए "प्राइम पेज शिड्यूल" लागू करना बहुत

आवश्यक है वरना जो बिल लाया गया है उसकी उपयोगिता एकांगी होगी। एक पक्ष जो इसका है, उसके स्रोत आय का, किमी भी समाचारपत्र में, वह बन्द रहगा और जो दूसरा स्रोत खर्च का है वह खोल दिया जायेगा शासन द्वारा वेजबोर्ड लागू करके। इसलिए शासन जहाँ एक ओर व्यय बढ़ाने की जिम्मेदारी लेता है वहाँ उसको यह भी देखना चाहिये कि जो "कट थ्रोट कम्पीटीशन" होता है वह न हो।

दूसरी चीज मैं छोटे समाचारपत्रों की कठिनाइयों के सम्बन्ध में और निवेदन करना चाहता हूँ और शासन का ध्यान उस ओर आकर्षित कराना चाहता हूँ। देश में जो बड़े अखबार हैं शासन की ओर से उन्हें हर प्रकार का सहयोग मिलता है और सुविधा मिलती है। उदाहरणार्थ मैं एक छोटी सी चीज ले लूँ, इम्पोर्ट लाइसेंस। समाचारपत्र उद्योग में आने वाली मशीनें अभी अपने देश में बनती नहीं हैं। छापने की, कम्पोजिंग की और डम प्रकार की मशीनें विदेशों से मंगाई जाती हैं और उन मशीनों को मगाने के लिये जो बड़े अखबार हैं उनको हर वर्ष डवलपमेंट के नाम पर लाखों रुपये का इम्पोर्ट लाइसेंस मिल जाता है और बगैर विशेष कठिनाई के—और जो छोटे समाचारपत्र हैं, चाहे वे दैनिक हो, चाहे साप्ताहिक, उनकी दशा यह है कि दस-दस बीस-बीस हजार रुपये के इम्पोर्ट लाइसेंस के लिये चीफ कंट्रोलर आफ इम्पोर्ट के दफ्तर के महीनो चक्कर काटने पड़ते हैं, लेकिन उनकी कोई सुनवाई नहीं होती। नई जो चालू इम्पोर्ट पालिसी है, इस में शासन ने एक और परिवर्तन कर दिया है वह यह है कि रीविल्ट मशीन्स जो हैं, गैकडीशड मशीन्स जो हैं छपाई व कम्पोजिंग की, वे पिछले वर्ष तक ऐक्चुअल, यूजर्स के लिये मंगाई जा सकती थीं और भी इम्पोर्ट लाइसेंस उस के लिये दिया जाता था। कम से कम पालिसी थी दिये जाने की। कितने को मिला, कितने को नहीं मिला, यह अलग चीज है, लेकिन सरकार की यह नीति थी कि वे

[श्री गुरुदेव गुप्त]

मंगाई जा सकती थी। इस वर्ष शासन ने प्रति-बन्ध लगा दिया है और यह कह दिया है कि रीविल्ट मशीने मँकेंड हैंड होती है और उनका भरोसा नहीं होता कि कितना चलेगी, कितना नहीं चलेगी, इसलिए हम उनको नहीं मंगा सकते। मैं शासन से यह निवेदन कर दूँ कि ये जो सुझाव शासनको दिये जाते हैं, व उन के अफसरों की ओर से आते हैं और वे सही नहीं है। जो रीविल्ट मशीने विदेशों से आती है उसकी जिन्दगी १०-१२ वर्ष की निश्चित रूप से होती है और नई मशीन की अपेक्षा वह मुश्किल से एक-चौथाई में, बल्कि एक-चौथाई से भी कमती दाम में आ जाती है। नई मशीन ७०-८० हजार रुपये में आती है। और रीविल्ट मशीन १५ हजार रुपये के लगभग में आ जाती है। ७०-८० हजार रुपये की मशीन के लिये सरकार के पास मुद्रा है और उमका लाइसेंस देने की नीति है। लेकिन १०-१५ हजार रुपये की मशीन मंगाने के लिये सरकार के पास मुद्रा नहीं है और उमका इम्पोर्ट लाइसेंस देने की नीति नहीं है और उस पर रेस्ट्रिक्शन लगा दिया गया है मैं समझता हूँ कि छोटे समाचार पत्रों के लिये यह बड़ा घातक है और छोटे समाचार पत्रों के हित में शासन को इस पर विचार करना चाहिये।

एक बात मैं और कह दूँ, वह है वेज बोर्ड के गठन के बारे में। वेज बोर्ड के गठन में जो प्राविधान रखा गया है ७ व्यक्तियों का, उस में मैं अपने पूर्व वक्ता से निश्चित रूप से सहमत हूँ और मैं यह समझता हूँ कि उसमें २ वर्किंग जर्नलिस्ट्स के प्रतिनिधि, २ समाचार पत्र मालिकों के प्रतिनिधि और ३ इंडिपेंडेंट या निर्दलीय व्यक्ति रखनेके बजाय यह ज्यादा अच्छा होगा कि ३ आदमियों का यह बनाया जाय वे और ३ आदमी बिलकुल इंडिपेंडेंट हों। वे ऐसे हों जिनको समाचारपत्र उद्योग की पूरी जानकारी हो, किन्तु वे किसी समा-

चारपत्र से सम्बन्धित न हों। उन उस में वर्किंग जर्नलिस्ट्स के प्रतिनिधि हों और न उसमें एम्प्लायर्स के प्रतिनिधि हों। अन्यथा निश्चित रूप से विचार य वैषय रहेगा, मतभेद वहा बढ़ेगा और वहां ऐसी संभावना नहीं है कि वे एक मत हो पायेंगे। इसलिये अगर कोई इंडिपेंडेंट बाडी रहती है तो जो वर्किंग जर्नलिस्ट्स फेडरेशन है उमकी बातें सुन कर के और जो मालिकों की संस्थायें है उनकी बातें सुन कर के वे एक निश्चय पर पहुँच सकते हैं और उस से समस्या का निराकरण कर सकते हैं।

इन विचारों के साथ मैं इस बिल का समर्थन करता हूँ।

SHRI A. D. MANI: Madam, I rise to support this Bill which has been moved and which seeks to make substantial amendments to the Working Journalists Act, 1958. A number of points have emerged in this debate and I shall briefly deal with the principal point which has been made, namely, that the constitution of the Wage Board under this Bill will have two or three independent members on it. My friend, Mr. Santhanam and my good friend Mr. Akbar A'i Khan, both seem to be of the view that the introduction of these independent members on the Board would create complications and would make the reaching of an agreement between the representatives of the employers and the employees difficult.

SHRI K. SANTHANAM: I am sorry my friend did not understand what I said. I do not want the journalist-members and the employer-members. I want only independent members.

SHRI A. D. MANI: I am sorry.

THE DEPUTY CHAIRMAN: I hope Mr. Mani has understood it.

SHRI A. D. MANI: I understand it better. In this connection, I may mention here that precedent is whol-

ly on the side of independent members being represented on the Board. I would like to refer to the House the very fine monograph on the State Regulation of Minimum Wages by Dr. Nigam. In that monograph he points out that in Great Britain under the Trade Board legislation, the number of appointed members—**independent members** are called appointed members—had to be less than half the total number of representatives. In the Wage Board which will be constituted under this Bill there will be a total representation of seven members, out of which not more than 2½ can be so-called independent or appointed members. But under the scheme which has emerged under this Bill three members will be independent and the rest will be representatives of employers and employees, two on the side of employers and two on the side of employees. These independent members will, therefore, have a decisive voice in fixing minimum wages and Mr. Santhanam need not have any apprehensions on that score. The side on which the independent members will lean, will win.

In regard to such Wage Boards, I am sorry to say, the expectations of journalists from the labours of the last Wage Board have not been fulfilled. As one who has spent about thirty years in the profession I may say that the only category of workers, who have benefited by these Wage Boards, are proof-readers and those working in what is called Group E and D newspapers. The Wage Board's recommendations and the subsequent amendment of those recommendations by the Government have led to this result that the wages of proof-readers have risen, while the employees of the big newspapers like the Times of India, the Statesman, the Hindustan Times—I am mentioning by name because they constitute the so-called big newspapers in the country—have found that as a result of the Wage Board's recommendations their emoluments have been reduced.

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SHRI GURUDEV GUPTA: That is correct.

SHRI A. D. MANI: What is going to happen as a result of further enquiries is that while the level of salaries will go up in Group E, the level of salaries in Group A will go down. In the case of the Press Trust of India, of which I happen to be a Director and I have been a Director for many years, the employees get much less than what they were getting under their own agreement. They had a negotiated agreement with the PTI management and they found that the recommendations of the Wage Board and the implementation of them by the Government by a modification of the recommendations left them in a much worse position than they were under their own agreement and they were quite disappointed with the labours of the Wage Board. I do not share, therefore, the enthusiasm of working journalists that much is going to come out of the recommendations of any future Wage Board that may be constituted. But there is no doubt that these Wage Boards have levelled up the salaries in the so-called small district newspapers and provincial newspapers.

I would like to make one suggestion to the Government and to those who may sit on these Wage Boards and that is, there is no point in making a recommendation to cover the entire Indian region. If one studies the working of Wage Boards in England, one will find that whenever a Wage Board was appointed, it appointed a subsidiary Wage Board for various regions. I do hope that the Wage Board under this Bill would appoint State Wage Boards which will go into the working conditions of journalists in that area and try to make recommendations which will be embodied in the final report of the Wage Board when it is submitted to the Government. Madam, I would like to go on to the clauses relating to gratuity. I happened to be a member of the Press Commission which

[Shri A. D. Mani.]  
 recommended that gratuity should be given to all working journalists. When we considered the matter, the point that made a very powerful impression on our minds was that a journalist was not like any other worker. If he loses his job, he cannot get a job readily because the scope of employment in the profession is very limited. Further, a journalist gets associated with one newspaper. If a person has been working with the "New Age" and gets dismissed or gets retrenched or retired, he cannot easily find a place in the "Times of India," because he will be considered a fellow-traveller or a Communist in disguise who has been planted by my friend, Mr. Bhupesh Gupta, in order to create trouble in the "Times of India". That is the trouble in the case of a journalist. When he loses his job, he cannot get a job easily. I would personally like all persons who have put in more than three years' service to be given what I would call severance pay—this is the expression used in American trade union legislation. The moment the word "gratuity" is used, we throw it open to challenge before the Supreme Court again and I am not sure whether the Supreme Court would call the clause of the Bill valid, which stipulates that on a person resigning on grounds of conscience after three years' service he will be entitled to gratuity. I would personally like this to be put in the Bill where I have not done so in the form of an amendment. This has been accepted by the working journalists themselves and I do not want to go beyond any settlement reached between them and Government regarding the conscience clause. The conscience clause is going to create a good deal of vexatious litigation because a journalist has got to prove that it was on a matter of serious policy that he differed from his employer. While a leader-writer, while the editor of a paper, while a reporter, might have differences of opinion with the proprietor in re-

gard to matters of policy, a proof-reader and a sub-editor do not come into the picture at all, and I do hope that whatever might be the clauses of the Bill, the employers concerned would give automatically gratuity to those who retire after fifteen years' service.

I am glad to say, Madam, that when I am preaching it, I have practised it too in our paper long before this legislation. We have the practice of giving gratuity even to those who had put in three years' service.

Madam, I would like to make another suggestion regarding the gratuity provisions of the Bill. I have tabled an amendment which seeks to delete those clauses of the Bill which provide that for persons working in small establishments, on which there are only six working journalists, the quantum of gratuity will be less than fifteen days. I refer the hon. Minister to page 2 of the Bill. If gratuity is to be given, it has got to be given on a uniform basis to all persons. Whether they are only six in number or whether they are two hundred in number, is a matter of no consequence.

AN HON. MEMBER: The salary also will be less.

SHRI A. D. MANI: Yes, the salary also will be less. The conception of gratuity is that a man who has put in a certain number of years of service gets the retirement benefit because he does not get a chance of alternative employment. I would not like to make any distinction between a small and a big newspaper in this matter. I wish the working journalists had taken up one important aspect of gratuity, and that is, gratuity varies from paper to paper, should vary from paper to paper, and gratuity is dependent on the financial strength of the paper. There have been a number of Supreme Court judgments and judgments of Labour Tribunals which have laid down that where a concern has got substantial financial resources

and has got the paying capacity, the gratuity has to be not fifteen days but one month for every year of service completed. I would like to see personally that in the newspapers in groups A, B and C, which constitute the big newspapers of the country, the newspaper managements would make provision for payment of one month's gratuity to all persons and not fifteen days as has been provided in the Bill. Even in respect of gratuity there should have been a different system at that stage between fifteen days and one month and not on the lower level as has been provided in the Bill. I have sought to omit those clauses.

In this connection, I may mention that my good friend, Mr. Sapru, made a reference to the Price Page Schedule. I think those who are not fully conversant with the newspaper profession and the difficulties of the newspaper profession may be of the view that the introduction of a Price Page Schedule would be an automatic solution to our problems. My friend, Mr. Santhanam, said that the Price Page Schedule might not yield the results expected. As a matter of fact, the Price Page Schedule will only cut out unfair competition. There is a good deal of unfair competition going on, indulged in by the so-called big newspapers of the country which try to flood the newspaper market and the reading public with supplements extolling the virtues of a product sponsored by the advertiser concerned. They consume a good deal of space. That newsprint could have been utilised to meet the rising circulation of small newspapers all over the country. Now that the Defence of India Rules have been promulgated, I would appeal to the hon. Minister to persuade the Minister of Information and Broadcasting to bring into force a Price Page Schedule immediately, and that is not going to be challenged by the Supreme Court as long as the present emergency lasts. Even as it is, the newsprint position is so precarious that some of the small newspapers are on the waiting list and in

the queue. Newsprint allotments and conservation of newsprint at the present stage would not only help the war effort but would also help the small newspapers which may get a slightly increased quota.

**SHRI AKBAR ALI KHAN:** It will not benefit the working journalists but it will harm the consumers.

**SHRI A. D. MANI:** It will not harm the consumer because the consumer has been accustomed, thanks to very heavy taxation in our country, to pay more for the product than he need pay and he should also pay more for his newspaper because of the Price Page Schedule.

Madam, I would like to say here that the problem of small newspapers is also the problem of Khadi industry. I had given a good deal of thought to the subject of helping the small newspapers and I wanted to put forward some concrete ideas before this House and the Government for action at the appropriate stage. The only way, in which we can help the small newspapers, is to accept the principle of indirect subsidy by the State to the small newspapers. Now the moment I mention the word "subsidy"—I would not mention the word "howls" in this august House but—there will be protests from all sections of the House that this means killing freedom of expression and bringing into existence a subsidised press. The kind of subsidy that I have in mind is in the advertising rates which should be telescopic in character with the advantage going to the smaller newspaper.

**AN HON. MEMBER:** Reverse telescopic.

**SHRI A. D. MANI:** Yes, Under the present advertisement tariff, for 10,000 of circulation there is a fixation of rate of 12 annas for the smaller newspaper. If I were in authority, I would say that for newspapers below 10,000 circulation, the rate would be Re. 1 and for bigger papers it will be 12 annas,

[Shri A. D. Mani.]

so that we give more money to the smaller newspapers to sustain themselves. I do hope that as a result of the burdens which Government are going to put on the small newspapers, Government would also come forward with a positive plan of help to the small newspapers.

With these observations, I support the Bill.

**श्री शीलभद्र याजी :** माननीया डिप्टी चैयरमैन महोदया, मैं इस विधेयक का तहेदिल से समर्थन करता हूँ। इस विधेयक में संशोधन के रूप में जो थोड़ी सी सुविधायें दी गई हैं उस से जो प्रेम के मालिक हैं वे आज चिल्ल-पों मचा रहे हैं और वे समझते हैं कि जो श्रमजीवी पत्रकार हैं उन के साथ सरकार पक्षपात कर रही है और जो न्यूजपेपर इंडस्ट्री है, जो इनका उद्योग है, उसके साथ अन्याय हो रहा है। हमारे कुछ पूर्व नेताओं ने इस सदन में कहा है कि जो बड़े बड़े पूंजीपति हैं उनकी प्रेस के बारे में एक मोनोपोली हो रही है और वे सिर्फ रुपया ही नहीं कमाना चाहते हैं बल्कि प्रेम के जरिये से अपने मन के माफ़िक, अपने ब्याल के माफ़िक, लोगों से कहलवाना चाहते हैं और अपना उल्लू भी सीधा करना चाहते हैं। इम दर्मियान में जहां तक देशभक्ति का सवाल है, चीन के आक्रमण का सवाल है—व हे वह पूंजीपतियों का प्रेस हो, च. हे गैर पूंजीपतियों का का हो वे उसमें तो हमारे साथ हैं। लेकिन हम ने देखा है कि जो पूंजीपतियों का प्रेस है वह आज एक तरह से मोनोपोलाइजिंग का रूप ले रहा है और हमारी जो योजना है, हमारा जो समाजवाद का ध्येय है उसके खिलाफ वह ज़हर उगलता रहता है। इमलिये इस सदन में भी और बाहर भी इप के बारे में हम ने बराबर अपनी सरकार से थह अपील की है कि जो बड़े बड़े मालदार लोग उद्योग के लिये, व्यापार के लिये, इन्डस्ट्री के लिये प्रेस चला रहे हैं, अखबार चला रहे हैं उनका जल्दी से जल्दी राष्ट्रीयकरण होना चाहिये और यदि यह

राष्ट्रीयकरण नहीं होता तो हमारे हिन्दुस्तान की जो आबोहवा है, वायुमंडल है वह शुद्ध नहीं हो सकता है और हमारे काम में अनेक स्कावट आ सकती हैं।

फ्रीडम आफ प्रेस की यहां आज बहुत ही दुहाई दी जा रही है। किसकी स्वतंत्रता ? लूटने की स्वतंत्रता दी जाय, शोषण करने की स्वतंत्रता दी जाय ? आजादी तो सब चीज़ की है। मर्डर करने वाला मर्डर करता है, उसको भी आजादी है। लेकिन जो हमारी पालिसी है समाजवाद की, और हमारी नान-एलाइनमेंट की पालिसी है, गवर्नमेंट की नीति है, उसके खिलाफ़ दिन रात ज़हर उगलते रहने की आजादी मेरे विचार से ठीक नहीं, इमलिये उसको जल्द से जल्द समाप्त किया जाय।

**श्री जगत किशोर प्रसाद नारायण सिंह** (बिहार) : तो इस के लिये पत्र को बन्द कर दिया जाय ?

**श्री शीलभद्र याजी :** नहीं जी, हम अपने हाथ में ले लेंगे, नेशनलाइज करेंगे—जिस तरह से आपकी ज़मींदारी हम ने ले ली, राजे-महाराजाओं की ओरों की ले ली है वैसे ही गोयन्का और बिड़ला और जो बड़े बड़े पूंजीपति हैं, जो शोषण करना चाहते हैं श्रमजीवी-पत्रकारों का, उन से पत्रकारिता का व्यवसाय ले लेंगे। हमारे देश के बगल में एक महिला प्राइम मिनिस्टर ने—मेरा मतलब सीलोन से है—प्रेम का राष्ट्रीयकरण कर दिया। वहां बड़ी चिल्लपों मचो; दुनिया भर के जितने कैपिटलिस्ट पत्रकार थे व्होंने मचाई। लेकिन उस आरन को डिम्मन दे खए। हमारी हिम्मत नहीं होती। बगन में एक प्रधान मंत्री ने अपने यहाँ उन सबों का चिल्लपों बंद कर दिया जो पत्रकारिता का बिज़नेम हय्या कमाने के लिये करने थे, इमलिये वहां गड़बड़ी मची हुई थी। तो मैं यह कह रहा था कि आज हमारे जो प्रेस के मालिक हैं व कइने हैं कि बेच बोरे

बनेगा, इनको ग्रैनुइटी मिलेगी। और इस प्रकार जब एक छोटी सुविधा हम श्रमजीवी पत्रकारों को देते हैं तो वे चिल्लपो मचाते हैं। इस हाउस में भी बहुत से ऐसे लोग हैं जो कहते हैं कि कोई मोनोपोलिस्ट नहीं है, कोई कैपिटलिस्ट का प्रेंस नहीं है, प्रेंस व्यवसाय बड़े घाटे में है, और उसकी दुहाई देने वाले, वकालत करने वाले भी यहाँ बैठे हैं। तो मैं कह रहा था कि आज जो थोड़ी सी सुविधा पत्रकारों को मिल रही है उस में भी रुकावट पैदा की जाती है। डिप्युटी चेयरमैन महोदया, हमारे पूर्ववक्ताओं ने बताया कि यह वेज बोर्ड की जो शिफारिशें हुईं उस के मुताबिक जो बिडला और गोयन्का और बड़े बड़े लोगों के पत्र व्यवसाय में काम करते थे या पी० टी० आई० में जो काम करते थे, उनकी सुख सुविधा और उन के वेज में कटौती हुई तो इसलिये जो वेज बोर्ड का गठन है उस में भी देखना चाहिये कि वेज बोर्ड का सदस्य कौन होता है। जब तक श्रमजीवी पत्रकारों की तरफ उनका ध्यान नहीं रहेगा, सुकाव नहीं होगा तो यहाँ होगा कि जो हम कानून बनाते हैं उसको हाई कोर्ट के जो जज होते हैं, सुप्रीम कोर्ट के जज होते हैं, वे उसको रद्द कर देते हैं। क्यों करते हैं? क्योंकि क्लाम कैरेक्टर भी एक चीज होती है। आप कुछ भी बना दीजिए, उनका नाम तो जज है परन्तु जिस कुल में वे पैदा होते हैं तो उन में क्लाम कैरेक्टर आ ही जाता है। यह ठीक है कि यह जो तजवीज आई है—ऐसा हमारे कामरेड भूपेश गुप्ता ने एक मजेशन दिया—कि दो-तीन ऐसे इन्डिपेन्डेंट हो जिनका झुकाव श्रमजीवी पत्रकार की तरफ हो, ठीक है। जज भी हो, लेकिन जो लोक सभा के स्पीकर द्वारा हो, राज्य सभा के चेयरमैन द्वारा हो, उनका क्या झुकाव है वर्किंग क्लाम की तरफ, इस पर ध्यान रखना चाहिये। चूँकि हमारी सरकार ने समाजवाद की घोषणा की है तथा वह उसकी स्थापना करेगी, उसका समाजवादी उभूल है तथा अक्रोदा है, इसलिए ऐसे आदमी को वेज बोर्ड का मेम्बर बनाना चाहिये। दो मालिक रहे, दो हमारे श्रमजीवी

पत्रकार सभ के रिप्रजेंटेटिव रहे, लेकिन तीन ऐसे होने चाहिये जो वर्किंग क्लाम के हित को देखे, चाहे वह जज साहब हो या हमारे लोक सभा, राज्य सभा के सदस्य हो। लेकिन राज्य सभा के भी कुछ सदस्य गोयन्का की तारीफ कर रहे थे। तो ऐसे भी हमारे राज्य सभा के सदस्य हैं जो टाटा और बिडला की वकालत करने वाले हैं। उन से तो श्रमजीवी पत्रकारों का काम नहीं हो सकता है। इसलिये जो यह वेज बोर्ड बनेगा तो इस के गठन में सरकार को इसका पूरा ध्यान रखना चाहिये कि यदि हम वेज बोर्ड का गठन करते हैं तो उस के सदस्यों का झुकाव भी पत्रकारों की तरफ हो क्योंकि वेज बोर्ड का जो मकसद है, मन्शा है वह यह है कि जो श्रमजीवी पत्रकार है जिनका शोषण हो रहा है—जो प्रेंस के मालिक है, पूजोपति लोग है वेगोषण कर रहे हैं—तो उनको कुछ दिला सके और ऐसा न हो कि पहले से जो कुछ मिल रहा था, वेज बोर्ड के गठन के बाद फिर उनको कुछ न मिले क्योंकि यह कोई न्याय की बात नहीं होगी।

जहाँ तक छोटे छोटे पत्रकारों का सवाल भी चला तो यह ठीक ही हुआ। लेकिन यहाँ छोटे की, बड़े की बात नहीं है। एक मामूली आदमी भी बिजनेस करते करते बड़ा हो जाता है। जब आप फॅक्टरी एक्ट बनाते हैं तो छोटे कारखानों की या बड़े कारखाने की बात नहीं करते हैं। वेज बोर्ड सब के लिये बनता है। लेकिन एक जगह कोई पत्रकार काम करता है तो उसको दम रुपये मिलते हैं और दूसरी जगह पच्चीस रुपये मिलते हैं। अगर कहीं भी कोई कल-कारखाना या प्रेंस चलाने लायक नहीं है तो नहीं चलेगा। लेकिन चूँकि एक जगह पत्रकार को कम मिलना है, दूसरी जगह ज्यादा मिलता है, इसलिये मैं उसकी वकालत नहीं करता, लेकिन इतना जरूर कहता हूँ कि जो श्रमजीवी पत्रकार हैं उनको जो मिनिमम आप रखेंगे उतना तो अवश्य

[श्री शीलभद्र याजी]

मिलना चाहिये, उस में कोई डिफरेंशियेट करने की आवश्यकता नहीं है। इस में एक सवाल उठा कान्सन्स का, कि किसी की आत्मा चौकती है, तो यह इंडियन एक्सप्रेस का सवाल आया। सुप्रीम कोर्ट में केस गया और उस के बाद यहा सवाल आया और सुप्रीम कोर्ट ने समझा इस पर वह कोई ग्रैचुइटी नहीं दे सकती इसलिए सुप्रीम कोर्ट का या हाई कोर्ट का जज नक्स बताये तो पार्लियामेंट का काम है उसका सुधार करना। इसलिये यह जो पूजापतियों के प्रैस है और उनमें उनके हुक्म के मुताबिक चाहे वह सपादक हो, एडीटर हो, काम नहीं करना चाहे वह इस्तीफा देना चाहे, पदत्याग करना चाहे और पदत्याग करने के बाद वह हटना चाहे तो उसको इस तरह की गुंजाइश देनी चाहिये कि तीन वर्ष काम करने पर भी उसको ग्रैचुइटी मिलनी चाहिये। इसलिये यह ग्रैचुइटी का कोई नया सवाल नहीं है। कल कारखानों में जहा मजदूरों का सगठन है वहा इस तरह ग्रैचुइटी मिलती है, उद्योगों के सगठनों की बात और है। लेकिन हमारे जो श्रमजीवी पत्रकार हैं उनका सगठन ठीक तरह से नहीं होता है। अब तो हमने यह कानून बकिंग जर्नलिस्ट्स का बनाया, इसके मुताबिक हमने कुछ अकुश रखा है कि जिस तरह पहले होता था कि जिसको चाहते थे हटा देते थे वैसा न हो। हमने देखा है हर एडीटर को रामकृष्ण डालमिया, जो टाइम्स आफ इन्डिया के मालिक थे, तीन-तीन, छ-छ महीने में बदल देते थे क्योंकि वे उनकी पार्लिसी के मुताबिक काम नहीं करते थे। तो ऐसी ऐसी परिस्थिति आ सकती है और किसी कारण से एडीटर को इस्तीफा देना पड सकता है। पूजापतियों की बात जाने दे, कोई और भी ऐसी पार्लिसी होती है जिस यदि उनका मतभद हो और वे इस्तीफा देना चाहते हैं तो उनको

यह ग्रैचुइटी लेने का हक होना चाहिये। इसके साथ साथ वेज बोर्ड का सगठन अच्छी तरह से हो जो बराबर इसकी देखभाल करे कि कानून का ठीक तरह से पालन हो रहा है। जिस तरह से फैक्टरी में कानन बनने के बाद इन्स्पेक्टर द्वारा देखा जाता है कि उसका ठीक तरह से पालन होता है उसी तरह से जिस इन्स्पेक्टर की बहाली की बिल में व्यवस्था है, उसके द्वारा निरीक्षण किया जाना चाहिये कि हमने जो विधेयक कानून के रूप में बनाया है वह किस तरह से काम करता है।

तो इन शब्दों के साथ मैं इस विधेयक की तार्दद करते हुए सरकार से गुजारिश करूंगा कि जल्दी से जल्दी सरकार का यह ध्यान होना चाहिये कि जो मोनोपोलिस्ट लोग, बड़े बड़े कैपिटलिस्ट लोगों के हाथ में प्रैस जा रहा है, उस से हमारे श्रमजीवी पत्रकारों का गला भी घोटा जाता है और हमारी जो समाजवादी नीति है, जो नान-एलाइन्मेंट की पार्लिसी है उसमें भी रुकावट होती है। इसलिये बगल के देश की जो औरत प्रधान मंत्री है उससे सबक लेते हुये जल्द से जल्द इस प्रैस के विज्ञानेस को अपने हाथ में ले जिसके द्वारा करोड़ों रुपया कमा कर हमारे ये पूजापति श्रमजीवी पत्रकारों के साथ अन्याय करते हैं, उनका शोषण करते हैं।

इन शब्दों के साथ मैं इस बिल का स्वागत करता हूँ।

4 P M

THE DEPUTY CHAIRMAN: Mr. Gurupada Swamy, are you speaking?

SHRI M. S. GURUPADA SWAMY (Mysore): I gave the name of Mr. Mulka Govinda Reddy.

SHRI MULKA GOVINDA REDDY (Mysore): Because of the glare, this side of the House is always neglected.

THE DEPUTY CHAIRMAN: I do not think so. I do not agree.

SHRI MULKA GOVINDA REDDY: Madam Deputy Chairman, I rise to support this Bill, the Working Journalists (Amendment) Bill, 1962. The Press Commission made many important recommendations, some of which have been accepted and implemented, and some have yet to be accepted and implemented.

[THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY) in the Chair]

This very House had passed the Press Council Bill in 1956. I really do not understand why such an important recommendation, which was accepted and which was incorporated in a Bill and passed by this House, was not sent to the Lok Sabha. Why it was shelved, I really do not understand. Instead, the Government have now appointed a Press Consultative Committee, the members of which are not known even in the journalistic world. The Minister for Information and Broadcasting has perhaps showered some patronage on persons who now constitute the Press Consultative Committee, persons who were not at all known in the journalistic field. So such an important recommendation as the Press Council, which should have been constituted by the Chief Justice of India, has been shelved. The Press Council is very important, particularly at the present juncture when journalistic standards of newspapers could have been guaranteed or could have been regulated in a manner that is healthy for the country.

In 1958, the Supreme Court set aside some decisions and held certain clauses of the 1955 Act as void and invalid. I really do not understand why the Government was so slow in bringing forward a measure to validate some of the provisions of the 1955 Act. They have now brought forward this measure with retrospective effect from the 1st of July, 1961. It was urged and I again urge that the Government should

include a clause or move an amendment that this will have retrospective effect from the 18th March, 1958, the day on which the Supreme Court had struck down some of the earlier decisions.

Regarding the conscience clause, it has now been adumbrated in this Bill that if a person has worked for, not less than three years in a particular newspaper and if he resigns on the ground of conscience, he will be eligible for gratuity. I say this time limit should not have been there. It is quite likely that after some time, may not necessarily be after three years, a journalist working in a newspaper might desire, on the ground of conscience, to resign. So this time limit of three years will make him compromise with things with which he does not see eye to eye.

Again it has been stated that if any working journalist retires after putting in ten years of service in a newspaper he will be eligible for gratuity, and the gratuity he will be eligible to is fifteen days' salary for the completion of each year of service in a particular newspaper. When such is the case, I really do not understand the validity of the argument that he should have put in a minimum service of ten years, or a minimum service of three years when he resigns on grounds of conscience. This time limit should be done away with.

In the same clause 3 there is this proviso—

“Provided further that where a working journalist is employed in any newspaper establishment wherein not more than six working journalists were employed on any day of the twelve months immediately preceding the commencement of this Act, . . . .

(a) three days' average pay for every completed year of service \*\*\* if the period . . . . does not exceed five years;

[Shri Mulka Govinda Reddy.]

(b) five days' average pay for every completed year of service \*\*\*if the period...exceeds five years \*\*\*".

They give *pro rata*. These should not have been there. I would have appreciated if the Government had applied the other provisions uniformly, whether three journalists are working or six journalists are working in any newspaper. Particularly in the case of periodicals, the weeklies or tri-monthlies or monthlies it is quite possible that the number of working journalists in any newspaper establishment may not be more than six working journalists. So I would urge that this discrimination should be done away with.

Coming to the constitution of the Wage Board, I expected that the Government, or the Deputy Minister for Labour while moving this Bill, would have come out with a statement that the Government has constituted a Wage Board or is going to constitute a Wage Board immediately after this legislation has been put on the statute book. According to the 1958 Act, it is obligatory on the part of the Government to constitute a Wage Board. According to that Act it should have been constituted in the month of June or July. I really do not know why the Government is feeling shy of constituting a Wage Board. The press in general and also the Federation of Working Journalists have urged on the Government to constitute a Wage Board. I would at least expect that the Government would constitute a Wage Board immediately after this legislation is passed.

Now, the constitution of the Wage Board is not very happy. While two persons representing the employers and two persons representing the working journalists may be there, I really do not see any reason why there should be three independent persons, thus making the Board very unwieldy. It would have been better if one

independent person, who has been a Judge of a High Court or the Supreme Court, had been made the Chairman and no other independent persons appointed on this Wage Board. Otherwise it will lead to all sorts of complications. I do not mind, I would even urge that Government constitute this Wage Board with one person representing the employers and one representing the working journalists and one more, a Judge of a High Court or the Supreme Court, as the Chairman of the Board. Another point that I would like to urge is that they have already introduced proposed section 13A which empowers the Government to fix interim rates of wages for the journalists. It is a well-known fact—the Deputy Minister must be knowing it much better than myself—that the cost of living index is going up and the journalists are the worst sufferers in this respect. I would, therefore, urge that under proposed section 13A interim relief should be given and this can be done only when a Wage Board is constituted. These two things go simultaneously. I would, therefore, urge the constitution of a Wage Board and also the fixing of interim wages for the journalists.

I also welcome the provision of appointing Inspectors in this matter to examine, whenever they feel like, the working of newspaper establishments, whether they have been implementing the provisions of this legislation. I do not understand the validity of the argument of the Labour Minister that the journalists working in Government concerns or the proof-readers in the Government Press should not be covered by the operation of this Bill. He made the argument that they are getting better facilities and better amenities. He said that the proof-readers in the Government Press are working for eight hours a day and they are getting their salary on the 10th of the month and not on the 1st. The proof-readers in private employment are getting benefits under this Act. When such is

the position, I ask him why this discriminatory treatment is meted out to the proof-readers and journalists working in the Government.

Mr. Vice-Chairman, a strange argument was put forth by some hon. Members when they said that they were not seeing monopolistic trends in the ownership of newspapers in this country. The Press Commission has given us a warning that there are monopolistic trends in the ownership of newspapers in the country. Sir, we welcome the circulation of newspapers going up by millions. The position as it obtains today is that important dailies are being owned by monopolistic concerns of big business, big finance, there is a chain of newspapers. And these chains and cartels are now dictating the policy of the Government. In a way the Government is also responsible for the growth of these chains. They are giving them unlimited quantities of newsprint. They are giving them all sorts of encouragement by giving loans, by allotting plots of land for these newspaper concerns. On the other hand, they are not giving any help to the small newspapers either by way of advertisements or by way of loans. This is a very serious trend which we should not overlook. Year after year the Registrar of Newspapers has been pointing out in his report that these monopolistic trends in the newspaper industry are going on. Now, it is for Parliament to see that these trends are curbed.

With these words, Sir, I support the Bill.

श्री कृष्ण चन्द्र (उत्तर प्रदेश) : माननीय उपसभाध्यक्ष जी, इस विधेयक पर इस सदन में काफी चर्चा हो चुकी है। मैं भी कुछ बातों की चर्चा इस सम्बन्ध में करूँगा।

सम्पादन, यह जो पत्रकार का काम है, एक बड़ा ऊँचा काम है। इस काम की

कीमत चुकता करना मुश्किल है। जैसा कि हमारे माननीय सदस्य सप्रू जी ने कहा, एक ज़माना था इस देश के अन्दर जब पत्रकार देशभक्त से प्रेरित हो कर इस काम को अपने हाथ में लेते थे। उनको कोई पैसे का लालच नहीं था और उनको नुक़सान देना पड़ता था। यहाँ तक कि गवर्नमेंट की नाराज़गी का भी उनको शिकार होना पड़ता था और जेल में जाना पड़ता था। इन सब बातों के लिये तैयार हो करके देशभक्ति की भावना से वे इस काम को लेते थे। आज भी हमारे पत्रकारों में से काफी संख्या ऐसे लोगों की है जो इन ऊँची भावनाओं से ही प्रेरित हो करके इस काम को कर रहे हैं। और जैसा पहले इस सदन में कहा जा चुका है, आज हमारे पत्र जो हैं वे अधिकांश में पूँजीपतियों के अधिकार में हैं—विशेषरूप से जो बड़े बड़े पत्र हैं। पूँजीपति स्वाभाविक रूप से यह चाहते हैं कि जो पत्रकार उनके पत्र में सम्पादन कार्य करते हैं वे उनकी विचारधाराओं का प्रतिपादन करें, उनके दृष्टिकोण को जनता के सामने रखें। परन्तु इस वातावरण में भी आज हम यह देखते हैं कि हमारे पत्रकार इन सब बातों की उपेक्षा करके, उनकी नाराज़गी का भी खतरा उठा करके, कर्फ स्वतंत्रता के साथ अपना कार्य करते हैं। सब के लिये मैं नहीं कहता, लेकिन कुछ पत्रकार ऐसे हैं जो काफी स्वतंत्रता के साथ अपने मन का प्रतिपादन करते हैं और जनमत को, जैसा कि वे चाहते हैं उनी ढंग पर बनाने की चेष्टा करते हैं।

इस विधेयक में जिन बातों की चर्चा की जा चुकी है, मैं उनमें पहले प्रैच्युटी लेता हूँ। यह प्रैच्युटी की जो व्यवस्था की गई है उस पर इस सदन के अन्दर इस से बात कही गई, उधर से बात कही गई और इस बात पर चर्चा रही कि जिस पत्रकार ने तीन मान की सर्विस की है, अगर उसकी

[श्री कृष्ण चन्द्र]

आत्मा उसको प्रेरित करती है कि वह उसमें काम न करे और वह उस आत्मा में प्रेरित हो करके अपना त्याग पत्र दे देता है तो उसको ग्रैचुडटी तब मिलेगा, जैसा कि इस विधेयक में है, कि जब तीन वर्ष की उसकी सर्विस हो गई हो। हमारे माननीय सदस्य श्री भूपेश गुप्त ने कहा और दूसरे सदस्य ने भी कहा कि ऐसा क्यों होना चाहिये। यह भी इस सदन में कहा गया कि अन्तरात्मा की जो आवाज़ है उसका मूल्यांकन रूपों में कभी नहीं हो सकता। अगर मेरी आत्मा इस पर जोर देती है कि मैं इस काम को त्याग दू तो मैं इस बात की कभी परवाह नहीं करूंगा कि इसको त्यागने से मुझे कुछ पैसा मिलेगा या नहीं। वे तो एक ऊंची भावना से प्रेरित हो कर री त्यागपत्र देते हैं। अब इस विधेयक में अगर उनके लिये भी कुछ व्यवस्था रख दी है कि तीन वर्ष की सर्विस उन्होंने पूरी कर ली हो तो उन्हें कुछ मिल ही जायगा सो ठीक ही है मगर इस में आप कोई व्यवस्था न भी करते तो भी वे अन्तरात्मा की आवाज़ से इस्तीफा ज़रूर दे देते। जो महान पुरुष हैं, जो ऊँचे विचार रखने वाले हैं उनकी मर्जी के खिलाफ कोई चीज़ लादी जायगी तो वह उसको करना पसन्द नहीं करेंगे और अपनी नौकरी छोड़ना पसन्द करेंगे। ऐसे लोगों को अगर उनके मालिक परेशान करे, मज़दूर कहे कि वह इस्तीफा दे कर चले जाय तो उस सूरत में इस बिल में, इस कानून में, ऐसी कोई व्यवस्था होनी चाहिये जो कि उनकी पूरी तरह से रक्षा कर सके और उनकी पूरे तौर पर मदद कर सके, जिससे कि वह अपने उसूलों को मानते हुए, अपनी विचारधारा पर जमें रहने हुए, अपनी नौकरी को सही सलामत रख सके और अपने कार्य को बराबर चलाते चलें जायें। यह कहा जा सकता है कि हमारे पास इंडस्ट्रियल ट्रिब्यूनल है और उनका केस इंडस्ट्रियल ट्रिब्यूनल में जा सकता

है। हा, यह हो सकता है लेकिन मैं समझता हूँ कि सम्पादक का काम, पत्रकार का काम, इतना ऊँचा है कि उसको इंडस्ट्रियल ट्रिब्यूनल के अन्तर्गत लाना उस काम की महत्ता को कम कर देना है। इंडस्ट्रियल ट्रिब्यूनल में मज़दूरों के जो केसेज जाते हैं उनका दृष्टिकोण दूसरा रहता है, उनका सिर्फ़ आर्थिक दृष्टिकोण रहता है और पत्रकार सिर्फ़ आर्थिक दृष्टिकोण को सामने रख कर काम नहीं करता है। उसका फैसला करने के लिये, उसका निर्णय करने के लिये, दूसरे किस्म का ट्रिब्यूनल बनाना चाहिये।

इसी सम्बन्ध में अब मैं वेज-बोर्ड की बात को लेता हूँ। वेज-बोर्ड के बारे में मणि साहब ने भी जो कुछ कहा वह बहुत ठीक कहा। वेज-बोर्ड ने सब पत्रकारों को एक ही विभाजन में ले लिया है, उनको एक ही लाठी से हाका है और उसका नतीजा यह हुआ है कि जिनको बहुत अच्छा वेतन मिलता था उनका वेतन कम हो गया है, उनके वेतन की रक्षा नहीं हो सकी है और आगे के लिये भी ऐसा हो सकता है। गवर्नमेंट ने इस विधेयक में इस बारे में नियम बनाने का अधिकार रखा है तो नियम बनाते वक्त गवर्नमेंट इस बात की पूरी सावधानी रखे कि वेज-बोर्ड वालों को ऐसी हिदायतें, ऐसे आदेश दिये जाय कि वेजेज़ का निर्धारण करते समय यह देख ले कि किसी पत्र में पहले उसी तरह के काम करने वालों को कितना पैसा मिलता था और उसी के अनुसार अखबारों का विभाजन करते जाय कि इसमें इतना रुपया मिलेगा और इसमें इतना रुपया मिलेगा और उसी के मुताबिक लोगों का वेतन बाधे। इस विधेयक में वेज-बोर्ड का जो गठन रखा गया है उसके बारे में भी दो रायें हैं लेकिन दोनों तरह की चर्चाओं को देखते हुए मैं समझता हूँ कि इस विधेयक में जो गठन है वह बिल्कुल मुनासिब है क्योंकि इसमें पत्रकारों के दो, पत्रों के मालिकों के दो और तीन स्वतन्त्र लोग

हैं। इस वास्ते इसमें पत्रकारों का दृष्टिकोण भी आयेगा और दूसरों का दृष्टिकोण भी आयेगा। अगर हम खाली स्वतन्त्र आदमी ही रख देते तो फिर पत्रकारों की क्या दिक्कत है उसकी जानकारी उनको नहीं होती और वे कोई ठीक निर्णय नहीं कर सकते।

एक बात की चर्चा में और करुणा और वह यह है कि इसमें इंसपेक्टर्स की व्यवस्था रखी गई है।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That has already been referred to by others.

श्री कृष्ण चन्द्र : मैं इस बार में कुछ कहना चाहता हूँ।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): We have no time. You please conclude.

श्री कृष्ण चन्द्र : इसमें यह अख्तियार दिया गया है कि इंसपेक्टरों को राज्य सरकारें मुकर्रर करेंगी। राज्य सरकारों को इंसपेक्टर मुकर्रर करने के सम्बन्ध में यह हिदायतें दी जायें कि जो इंसपेक्टर हों वे ऊंचे दर्जे के व्यक्ति होने चाहियें और ऐसे व्यक्ति नहीं होने चाहिये जो कि मामूली अफसर वगैरह हों और जो कि पत्रकारों को अपना मातहत समझने लगे। जर्नलिस्ट्स में से ही, पत्रकारों में से ही, इंसपेक्टर्स लिये जायें और वे ऊंचे दर्जे के व्यक्ति हों ताकि वे उनकी दिक्कतों को समझ सकें। ऐसे आदमी ही इंसपेक्टर मुकर्रर किये जायें।

इस बिल में एक बात और रखी गई है और उसकी चर्चा किसी ने नहीं की, वह यह है कि अगर किसी पत्रकार को पत्र के मालिक से कुछ पैसा पावना होगा तो

उसके लिये उसको नालिश करने का जरूरत नहीं है क्योंकि नालिश करने में बड़ा बखेड़ा है और पत्रकार बेचारे छोटे आदमी है और पत्र के मालिक बड़े आदमी है। तो उसके लिये यह व्यवस्था रखी गई है कि उसका जो पावना है वह राज्य सरकार को लिख कर भेज देगा और राज्य सरकार उसकी तहकीकात करवा कर अगर इम परिणाम पर पहुंचेगी कि वाकई उसका पावना है तो वह एक सर्टीफिकेट इसके लिये कलेक्टर को भेज देगी और उस सर्टीफिकेट के आधार पर कलेक्टर उस रुपये को मालगुजारी के तौर पर वसूल कर के पत्रकार को दिला देगा। यह व्यवस्था जो इममें रखी गई है वह बहुत लाभकारी व्यवस्था है और मैं इसका स्वागत करता हूँ।

अंत में मुझे यह कहना है कि जैसा यह विधेयक है—चाहे यह बहुत दिनों में आया हो लेकिन दोनों तरह की बातों को देखते हुये जैसा यह विधेयक है—और इसमें जो कुछ व्यवस्था पत्रकारों के लाभ के लिये की गई है वे बहुत अच्छी है और मैं इसका समर्थन करता हूँ।

श्री बिमलकुमार मन्नालालजी चौरङ्गिया (मध्य प्रदेश) : उपसभाध्यक्ष महोदय, जो बिल प्रस्तुत हुआ है उसके बारे में सब से पहले मैं जो प्रैचुइटी की धारा है उसकी ओर आपका ध्यान आकर्षित कर दूँ। मेरे कहने का आशय यह है कि जैसा पूर्ववक्ता ने कहा कि तान वर्ष तक की सेवा होने के बाद भी उसको प्रैचुइटी मिलेगी ही, ऐसा इममें कुछ नहीं है। अगर तीन वर्ष तक उसने सेवा की है और उसको मालिक निकालता है तब तो उसको प्रैचुइटी मिल सकती है मगर खुद अपने आप रिजाइन कर के जाना चाहता है तो फिर उसको तीन साल की सेवा के बाद भी प्रैचुइटी नहीं मिलेगी क्योंकि इसके क्लॉज (बी) में जो दिया गया है उसी के अन्तर्गत उसे प्रैचुइटी

[श्री विमलकुमार मन्नालालजी चौरड़िया]  
मिल सकती है। इसमें जिन शब्दों का  
उपयोग किया गया है वे ये हैं

"whatsoever other than on the  
ground of conscience".

कान्सेंस शब्द के बारे में पूर्व वक्ताओं ने  
भी काफी प्रकाश डाला है। मैं उसके लिये  
सदन का अधिक समय नहीं लेना चाहता  
हूँ मगर यह कहना चाहता हूँ कि इस शब्द  
के भिन्न भिन्न डिक्शनरीज में कई प्रकार के  
अर्थ हैं मगर जो W.C. Anderson की  
डिक्शनरी "A. Dictionary of Law"  
है वह इस शब्द को स्पष्ट करती है और  
उसमें कान्सेंस शब्द का क्या अर्थ होता  
है उसके बारे में यह लिखा है

"Conscience.—There are many  
cases against natural justice which  
are left wholly to the conscience of  
the party, and are without redress,  
equitable or legal.

"Human laws are not so perfect  
as the dictates of conscience, and  
the sphere of morality is more  
enlarged than the limits of civil  
jurisdiction. There are many duties,  
belonging to the class called  
'imperfect obligations', which are  
binding on conscience, but which  
human laws do not and cannot  
undertake directly to enforce. But  
when the aid of a court of equity is  
sought to carry into execution such  
a contract, then the principles of  
ethics have a more extensive sway."

इससे स्पष्ट है कि इसका इतना व्यापक  
अर्थ है कि इससे व्यर्थ के झगड़े पैदा होंगे।  
पूर्व वक्ताओं ने इस बारे में काफी अच्छी  
तरह से प्रकाश डाल दिया है लेकिन मैं  
माननीय मंत्री जी का ध्यान केवल इस ओर  
आकर्षित करना चाहता हूँ—उन्होंने न्याया-  
लयों का उद्धरण भी किया—कि एक ऐसे  
शब्द को रखना जो कि व्यर्थ के विवाद का  
कारण बने, जिससे व्यर्थ में लिटीगेशन हो  
और इसका कारण बने, यह कान्सेंस का

था या नहीं था और यह अच्छा था या नहीं  
था इसके कारण ही व्यर्थ में लिटीगेशन हो,  
इसका मैं विरोध करता हूँ और निवेदन  
करता हूँ कि माननीय मंत्री जी ठीक तरह से  
सोच समझ कर फिर इसमें संशोधन करेंगे  
तो अधिक उचित होगा।

जहाँ तक बोर्ड के कास्टीट्यूशन का  
सवाल है उसके बारे में यह है—जहाँ  
तक मेरी जानकारी है—कि अभी तक उसमें  
दो एम्प्लायर्स के रिप्रेजेन्टेटिव लेत थे, दो  
जर्नलिस्ट्स के प्रतिनिधि लेते थे और एक  
शामन की तरफ से नियुक्त किया हुआ होता  
था, मगर इसमें दो की ओर वृद्धि की गई  
है। मेरे मत से, जो पूर्व व्यवस्था थी  
उसमें किसी तरह की आपत्ति नहीं थी  
क्योंकि उसमें एम्प्लायर्स का भी रिप्रेजेन्टेशन  
हो जाता था, बर्किंग जर्नलिस्ट्स का भी  
रिप्रेजेन्टेशन हो जाता था। हा, इसमें जो  
यह रखा है कि हाई-कोर्ट जज के लेवल  
के आदमी हों तो वह बहुत उपयुक्त है।  
उसकी तो मैं प्रशंसा करता हूँ मगर साथ में  
यह जो दो को और एक्वाइंट करने का अधिकार  
हमारी सरकार ने लिया है यह मुझे  
कुछ ठीक प्रतीत नहीं होता है।  
इसका एक कारण यह है कि अभी  
तक का रुख यह देखने में आया है कि हमारी  
सरकार एम्प्लायर की तरफ ज्यादा झुक  
रही है और ऐसी स्थिति में यदि ऐसे व्यक्तियों  
को नामिनेट किया जो कि एम्प्लायर के पक्ष  
में हों या उस पक्ष का निर्णय दें, तो जो  
आब्जेक्टिव हम प्राप्त करना चाहते हैं,  
जो बर्किंग जर्नलिस्ट्स बराबरी के आधार  
पर अपना प्रतिवेदन और रिप्रेजेन्टेशन रख कर  
निर्णय चाहते हैं उसमें थोड़ी आपत्ति  
आएगी और इस दृष्टि से पहले जो व्यवस्था  
थी कि दो बर्किंग जर्नलिस्ट्स के आदमी  
मिल जाते थे, दो एम्प्लायर के आदमी मिल  
जाते थे और हम एक जस्टिस बैठाकर, दोनों  
पक्षों को सुनकर जो न्यायोचित होता था

बहु निर्णय दे देते थे मगर इसमें दो व्यक्तियों की व्यवस्था करके थोड़ी उसमें वर्किंग जर्नलिस्ट्स की हानि होने की संभावना ज्यादा दीखती है, बजाय उनके लाभ होने के ।

इसके साथ साथ इसमें जो धारा १९ (बी) डाली है उसके बारे में मेरा निवेदन है कि यह धारा खास तौर से हमारी सरकार ने किन्हीं कारणों से डाली है । यहाँ पर जो हमारे गवर्नमेन्ट सर्वेन्ट्स थे प्रेस में वे अन्य स्थानों पर काम करने वाले, वे हमारे वर्किंग जर्नलिस्ट्स की क्लास में आ सकते थे । वर्किंग जर्नलिस्ट एक तो वे हैं जो प्राइवेट सेक्टर में हैं और दूसरे गवर्नमेंट सरविस में हैं । गवर्नमेंट सर्वेन्ट्स ने जब १९५८ में नोटिस दिया था कि हमको भी वे ही लाभ दिये जाय तो प्राइवेट सेक्टर के वर्किंग जर्नलिस्ट्स को मिल रहे हैं तो उस पर वह लम्बा चौड़ा प्रकरण चलता रहा, उन्होंने लिखा पढी की सरकार से । सरकार ने कहा, पे कमिशन बैठा है उसमें विचार होगा, मगर उसमें कुछ हुआ नहीं । उसके बाद जब वे ज्यादा प्रेस करने लगे तो आखिर में अभी कुछ दिन पहले उन्होंने हमारी सरकार को नोटिस दिया कि इस तरह से आप जो हमको लाभ नहीं दे रहे हैं उम बाबत इसका एक नोटिस दिया दो महीने का, ३० अगस्त, १९६२ को और हमारी सरकार ७ सितम्बर, १९६२ को यह अमेन्डमेन्ट लाई लोक सभा में इस आशय से कि जो सरकारी कर्मचारी हैं, यानी गवर्नमेंट के वर्किंग जर्नलिस्ट्स, उन पर यह कानून लागू न हो, उनका नोटिस अवैध हो जाय । इसमें जो क्लोजेज का स्पष्टीकरण दिया है उसमें उसकी दलील यह दी गई है कि हमारे यहाँ के शासकीय कर्मचारियों को विशेष लाभ मिलता है, ग्रैचुइटी के मामले में । विशेष लाभ का जहाँ तक सवाल है, उनको विशेष लाभ मिलना है । मगर जहाँ

तक काम करने के घंटे हैं और जो उनके वेतन का फर्क है वह बदस्तूर कायम है । हमारे यहाँ प्राइवेट में जो वर्किंग जर्नलिस्ट्स हैं उनको चार सप्ताह में १४४ घंटे दिन के शिफ्ट में और रात के शिफ्ट में १३२ घंटे काम करना पड़ता है, मगर शासकीय कर्मचारियों को, अर्थात् वर्किंग जर्नलिस्ट्स जो है, उनको चार सप्ताह में दिन के शिफ्ट में १७६ घंटे काम करना पड़ता है, रात के शिफ्ट में १९२ घंटे काम करना पड़ता है । यह तो है ही मगर इसके साथ साथ वेतन में भी फर्क है और ऐसा विचित्र स्थिति है कि हमारे सरकारी विभागों में अलग अलग जो वर्किंग जर्नलिस्ट्स हैं उनके वेतनों में भी फर्क है । ऐसा नहीं है कि शासकीय कर्मचारियों में एक सा वेतन है । जहाँ तक मुझे जानकारी मिली है उसके आधार पर हमारे यहाँ डब्ल्यू० एच० एस० के अन्तर्गत वर्किंग जर्नलिस्ट्स का पेन्केल २००-४१० है और दूसरे विभागों में १६८-३०० तक है जब कि प्राइवेट में करीब १८५-३७५ का वेतन मिलता है । तो इस वेतन के लाभ से उनको वंचित करना और इस गार्ब ( garb ) में कि चूक उनको बहुत सा लाभ मिलता है इसलिये उनको इस लाभ से वंचित किया जाता है कुछ न्यायसंगत नहीं प्रतीत होता है और इसलिये मैं प्रार्थना करूंगा कि इस दिशा में भी हमारी सरकार को पुन विचार करके जो उनकी मांग है उसको अन्य वर्किंग जर्नलिस्ट से अलग नहीं करना चाहिये और दोनों को बराबरी का मान कर कि चाहे यहाँ के रिपोर्टर हो, चाहे यहाँ के प्रेम के काम करने वाले प्राइवेट जर्नलिस्ट्स हों, दोनों को इक्वेलिटी पर रख कर हमारी सरकार को कार्यवाही करनी चाहिये थी । वैसे हमारी सरकार यह कहती है कि अधिकतर लोग ऐसे हैं जो प्रेम का काम करने हैं, जो सरकारी गजट निकलना है उसमें काम करते हैं वे वर्किंग जर्नलिस्ट नहीं । किन्तु जो प्रूफ रीडर हैं और साथ ही साथ समारी

[श्री विमल कुमार मन्नालाल चौरडिया] सरकार के द्वारा करीब करीब ३२ पीरियाडिकल्स निकाले जाते हैं, जैसे "आकाशवाणी" "फिशरीज बुलेटिन" "इंडियन लिसेनर" "इंडियन जरनल आफ एजुकेशन एण्ड एड्मिनिस्ट्रेशन" वगैरह वगैरह इन में काम करने वाले कर्मचारी वर्किंग जर्नलिस्ट ही हैं। कई तरह हमारे यहां अखबार भी निकाले जाते हैं। तो ऐसी स्थिति में उनको और दूसरे वर्किंग जर्नलिस्ट्स से अलग करना, उसमें भेद करना, कुछ न्यायसगत नहीं प्रतीत होता और इस दृष्टि से मैं प्रार्थना करूंगा कि उन लोगों को भी हमारी सरकार के वही राहत देनी चाहिये, वही समय का प्रतिबन्ध लगाना चाहिये, जो कि दूसरे वर्किंग जर्नलिस्ट्स के लिये है।

मेरे एक मित्र याजी जो ने कहा कि सब समाचारपत्रों का राष्ट्रीयकरण कर देना चाहिये। फिर तो ऐसी स्थिति आ जायगी, केवल एक "कुरुक्षेत्र" निकालने की आवश्यकता रह जायगी, दैनिक भी कुरुक्षेत्र सप्ताहिक भी कुरुक्षेत्र, मासिक भी कुरुक्षेत्र। और फिर एक दिन आपस में ही कुरुक्षेत्र हो जाने वाला है। तो इस स्थिति में हमारे भाई साहब जिस प्रकार राष्ट्रीयकरण की भावना से यह समझते हैं कि सारे काम हो जायेंगे तो मैं इमसे थोड़ा मतभेद रखता हूँ कि आज जो स्वतन्त्रता है, आज विचारों को प्रगट करने का जो अधिकार है, उसके ऊपर इतना अधिक नियंत्रण लग जायगा कि फिर केवल एक ही प्रकार की विचारधारा सारे भारतवर्ष में प्रसारित करने का काम रह जायगा। फिर दूसरे को अपनी विचारधारा प्रसारित करने का साधन नहीं रहने वाला है जब हम राष्ट्रीयकरण करते हैं। याजी साहब ने कहा, सीलोन की महिला ने ऐसा कर दिया है। तो कभी कभी काम महिलाएं भी गलत करती हैं और संभवतः उन्होंने अपने यहां के वातावरण को देखते हुए

आवश्यक समझा हो कि राष्ट्रीयकरण किया जाय। मगर यहां पर राष्ट्रीयकरण किस दिशा में किया जायेगा क्योंकि उससे हमारी जो बोलने की स्वतन्त्रता है, प्रकाशन की स्वतन्त्रता है, विचार प्रकट करने की स्वतन्त्रता है उसमें इतना भारी नियंत्रण लग जायेगा कि जो हम जनतंत्रवाद से अपेक्षा करते हैं वह नहीं हो सकेगा।

इन शब्दों के साथ मैं आशा करता हूँ कि जो सुझाव मैंने दिये हैं उन पर मंत्री महोदय ध्यान देंगे।

SHRI R. S. KHANDEKAR (Madhya Pradesh): Mr. Vice-Chairman I am grateful to you for giving me time to make a few observations on this Bill. Most of the points have already been covered and I do not want to spend the precious time of the House by referring to them again. I would, however, like to touch one or two points which have not been covered or discussed in this House as yet.

First of all, I would refer to clause 6 which deals with the penalties. It runs thus:

"(1) If any employer contravenes any of the provisions of this Act or any rule or order made thereunder, he shall be punishable with fine which may extend to two hundred rupees."

Further it is also stated that if the offence is repeated, the fine will be Rs. 500. It has already been mentioned here that at present the whole Press is controlled by big persons, the so-called barons of the jute Press, as our hon. friend said. So if these big persons commit any offence, a penalty of Rs. 200 or even Rs. 500 would be too meagre. I would, therefore, suggest that this penalty should be increased and drastic penal action should be taken so that the offences may not be repeated.

Next, I would refer to clause which deals with the subject of Inspectors. Much has been said about this and we welcome this provision because so many Governments have found it difficult to implement this Act on account of the fact that there was no such provision previously. I would, however, submit that the power of appointing the Inspectors has now been given to the State Governments. The State Governments are always lukewarm and not very enthusiastic about implementing many things, and particularly with regard to the working journalists. Therefore, I submit that the Central Government should take particular care to see that State Governments do not falter on this matter and that they do appoint adequate inspectors and have periodical inspections.

Having said this much, there is the main question about gratuity, Wage Board and the exclusion of government servants from the purview of this Bill. Discussion has already taken place on these and so I do not want to repeat what has already been stated. I would only say that gratuity should be given irrespective of the number of years of service and there should be no distinction made. If there is any difficulty about the Supreme Court decision, as has been pointed out here, it cannot be circumvented by putting in the word "conscience" here. I am afraid if you use the word "conscience", it will again create so many legal difficulties and it will be difficult to implement this Act also. It is also possible that it may be challenged.

As regards the constitution of the Wage Board, as has already been stated, the inclusion of two independent members is unnecessary, and I am also of the view that with seven members the Board would become too big. If we have to do the work well, we should have a small compact Board.

One representative of each and a person of the status of the Judge of a High Court will be enough. They can meet often. Otherwise, we see that so many committees are formed and they do not function and we also cannot implement their decisions.

Sir, I have a word to say about the delay in bringing forward this Bill. The Act was passed four years ago. The hon. Minister explained that the delay was due to the decision of the Supreme Court and reference to the tripartite body but I would like to submit that Government, which is so very enthusiastic about issuing ordinances in other cases, should have come out with an ordinance in this case also. It was said that this measure was referred to the tripartite body but I would like to mention that this Bill has given satisfaction to none. The employers say that this Bill has sown the seed of discord, that it has opened the flood-gates of acrimonious litigation. The working journalists say that the draft was not placed before them and that the provisions are at variance with the decisions taken at the tripartite conference. I do not understand this. When this Bill was referred to that body, I think some sort of agreement was arrived at between the two parties.

An hon. Member referred to the appointment of the Press Council. This House, I understand had passed such a measure to which reference was also made by the learned Dr. Sapru. It was said that this measure was not implemented. I do not understand the reasons for this.

Sir, I do not want to take much time of the House. With these few observations, I support the Bill.

**SHRI N. VENKATESWARA RAO** (Andhra Pradesh): Mr. Vice-Chairman, Sir, being totally opposed to the ideals of the Jan Sangh, I thought there would be nothing on which I could agree with the spokesman of that Party but I find, Sir, that I am

[Shri N Venkateswara Rao ]

in agreement with the opinion expressed by Mr. Chordia against the nationalisation of the press. Anything can be nationalised but certainly not the press. It can be possible only in totalitarian regime. A free press is very essential for a democratic society. It is no doubt true that in a neighbouring country, I mean Ceylon, measures have been taken by the Government to nationalise a section of the press. Whatever might have been done in Ceylon, I feel, Sir, and feel very strongly, that we should never think in our country in terms of nationalisation of the press for we believe in a free democratic society. It should, however, be borne in mind that there is a tendency, a monopolistic tendency, today in the press of India. Even the Press Commission, years back, talked about the growing monopolistic tendency and today this is much stronger, faster and more disturbing.

SHRI BHUPESH GUPTA: You still call it a tendency? It is something much more than that.

SHRI N VENKATESWARA RAO: While I am all appreciation for the Working Journalists Act which our Parliament had passed earlier, as also for the measure now before the House, I believe, Sir, that the real protection for the working journalists can be had only when an attempt is made to increase the opportunities of employment to the working journalists. As it is, because of the monopolistic tendencies, working journalists are having fewer and fewer opportunities of alternative employment. In the other industries, for instance, in the textile industry, where the labour force runs into thousands the workers can start a strike in a big way to secure justice, but in a newspaper establishment the number of employees is very much limited and so these people are not able to exert as much pressure as the employees in other industries. On this point I can speak from my own personal experience. In a big news-

paper which I served for about nineteen of twenty years as editor, there was a strike and it was very successful in the sense that except for one or two, everyone walked out and yet it was ultimately a failure. The staying power of the journalists is very limited. What is more important, the chances of alternative employment are severely limited, they cannot get themselves absorbed in some other organisation. Is it any wonder, then, that with the exception of half a dozen or less, practically all my colleagues went back to the same employer?

I believe, Sir, that what is essential for the protection of the rights of the working journalists is the creation of more openings for them for alternative employment. This can be done only by giving all out support and encouragement to the smaller newspapers.

SHRI BHUPESH GUPTA. You agree with me

SHRI N VENKATESWARA RAO: There are a number of ways by which encouragement can be given for the smaller newspapers. First, is the method mentioned by one or two hon. Members here, namely, the Price-page Schedule. This goes a long way in giving protection to the smaller newspapers. I know, Sir, that some of the big newspapers in an attempt to kill a new arrival issue larger and larger numbers of pages. Ours being a poor country, people take into consideration even the resale value of the waste paper. It is within my knowledge that a big newspaper recently has sent out canvassers to secure new subscribers. The r line of approach is this: "You please read our paper for a month; at the end of month, give us back all the issues plus twelve annas only." Such unfair practices kill the small newspapers. If the Price-page Schedule is introduced, it would go a long way in giving support to the small newspapers. Secondly, Sir, one of the big handicaps for the small newspapers is the present

heavy cost of imported printing machinery, especially the rotary. If Government could think of manufacturing rotaries in the public sector and supplying them at reasonable prices, preferably on an instalment basis, this would greatly help the small newspapers. The third thing to be done to support the small newspapers is giving them some preference in the matter of government advertisements. If these steps are taken, the smaller newspapers would, I am sure, be able to flourish and protect the interests of the working journalists.

I am grateful to you, Sir, for giving me this opportunity to speak practically at the end of the debate. There is just one . . .

**SHRI AKBAR ALI KHAN:** This is a journalists' debate.

**SHRI N. VENKATESWARA RAO:** There is just one more point and I will finish.

My hon. friend, Mr. Mani, while speaking about the conscience clause said that one could understand it in the case of editors and of reporters but it will lead to a lot of confusion and litigation in the case of sub-editors and proof readers. Of course, I agree with him when he says that the proof readers can have no occasion for raising conscientious objection, but as far as sub-editors are concerned the question of conscience can, I think, arise. As somebody has said the power of the Press is "suppress". It is able to exercise a lot of power by suppressing vital news when it suits the purpose of its owners. I know of some proprietors who give instructions: "Let not the name of so and so appear; if anything favourable to so and so is received it should not be published". So a lot of suppression takes place. A really conscientious sub-editor can and should take objection to this. If he feels that a news item is really in the interests of the people, he as a conscientious journalist can object to its suppression. So I believe Mr. Mani is not strictly correct in saying that

sub-editors cannot be covered by the conscience clause.

There are some more points to make but I do not want to take any more time of the House. Sir, I extend my general support to this Bill.

**SHRI C. R. PATTABHI RAMAN:** Mr. Vice-Chairman, Sir, may I at the outset express my deep sense of obligation to the very many useful suggestions that have been made by hon. Members and I wish to assure them that they will be given the utmost consideration. If I may say, so, I deem it a privilege to have been associated with these proceedings today because I myself have been enlightened on many points with regard to the journalistic profession. We have heard doyens in the journalistic profession like Shri Santhanam, Shri P. N. Saprú and Shri A. D. Mani who all played very important roles in the journalistic field apart from their other activities.

With your leave, Sir, I will at the very outset refer to the pattern of the Wage Board. It may be of interest to hon. Members to know that the last Wage Board touching this very industry consisted of seven people, three from employers, three from employees and one independent person. Sir, the position is that the Government of India have set up a number of Wage Boards in all of which two independent persons have been associated. The association of two such persons in addition to the representatives of the industry and labour has been helpful in having unanimous reports from the Wage Boards. Sir, in all the final Reports from the Wage Boards in cotton textile, sugar and cement industries and in all the interim Reports the recommendations were unanimous. Such unanimous reports greatly help in the implementation of the recommendations and as a result, the implementation has been 100 per cent. in cement industry, 96.8 per cent. in the textile industry and 95 per cent. in sugar industry. On

[Shri C. R. Pattabhi Raman.]

the other hand, as I mentioned at the very outset, in the original Wage Board set up for the working journalists there was only one independent Chairman and the Report was not unanimous. Sir, the decisions were of the majority. There was a minute of dissent by the representatives of the employers. They dissented on a number of points, particularly those relating to wages, scales and grades, dearness allowance and location allowance to various categories of working journalists. A note was also submitted by two of the three representatives of the working journalists stating that the scales and grades suggested by the Chairman fell short of their original proposals and expectations but they agreed to the grades as this was the first effort to systematise and regularise the conditions of employment of working journalists. The parties were not satisfied and the industry went on appeal to the Supreme Court challenging successfully the decisions of the Wage Board. Experience so far has proved that the association of independent persons has been conducive to bridge the gap between the views taken by the industry and those of labour and to bring about a reconciliation of conflicting ideas. In the Wage Boards in England, they also have these independent members apart from members representing the employer and employee interests.

Sir, I am much indebted to Shri A. D. Mani who referred to Shri Nigam's book "State Regulation of Minimum Wages". May I quote two lines from it where he refers to the English practice. It is said here:

"With few exceptions most countries provide for the appointment of impartial members or Appointed Members as they are called in England. There can be no doubt about the necessity and usefulness of such members. They act as conciliators when parties disagree and try to achieve settlement either by persuasion or by voting in favour of one

party. Their presence and power to vote is an inducement to both parties to reach agreement."

Then he refers to England and various other countries and States like Connecticut, North Dakota, Hungary, Austria, etc. Therefore it is on this performance that the Government have come out with this measure sticking to the pattern which has secured good results.

Secondly, with your leave I will straightway come to Shri Bhupesh Gupta's point with regard to the journalists in the Government. The position is this. The Working Journalists Act has been in force from 1955. No Government working journalist if I may call him so—I do not include the proof readers in the Government of India Press about whom I shall mention later—has in the last seven years approached the Government stating that the provisions of this Act should apply to him. If proof is necessary, I think it is one proof. I do not think it is proper to compare the Government working journalists—but a reference has been made—with those in the private sector. In the case of the Government they are concerned with the production of certain periodicals the utility of which is limited to those who are interested in them. On the other hand, the working journalists in the private sector cater to the needs of the public. The most important condition of employment of any person is that of security. It cannot be denied that the security of employment under the Government is much greater than that in the private sector. My learned friend, Mr. Sapru, will realise that they have got the advantage of article 311 under which a show-cause notice has to be given if any action is to be taken against them.

Now, I will read out some of the benefits which the Government journalists enjoy compared to those in the private sector. I will read about six or seven items. So far as Government journalists are concerned, they get

earned leave one-eleventh of the period spent on duty subject to accumulation upto 180 days but leave is allowed upto 120 days at a time. So far as the working journalist is concerned, it is one month for every eleven months spent on duty subject to a maximum of ninety days.

Secondly, half-pay leave. It is 20 days for each completed year of service on private affairs or medical certificate. It can also be commuted into leave on full pay on production of medical certificate equal to half the amount of half-pay leave, commuted leave during the entire service is limited to 240 days. The earned and commuted leave combined should not exceed 240 days. So far as working journalists are concerned, it is one month for every 18 months subject to a maximum of 90 days. Leave on medical certificate may be converted into half the amount of leave on medical certificate on full average. Earned and converted leave on medical certificate on full wages should not exceed 120 days. Then leave salary. It is average of ten months or substantive pay, whichever is greater, for the Government servants while it is average of 12 months for the working journalists.

Hours of work—it is 39 hours a week with second Saturday off in a month. There is no doubt, at the moment, due to this emergency there is a slight modification of this rule, but that is the rule so far as the rule is concerned. It is six hours per day for day shift and five and a half hours for night shift, 144 hours for four consecutive weeks. So far as holidays are concerned, it is 16 holidays which do not fall on Sundays plus two restricted holidays in a year while the working journalists get 10 holidays in a year. The Government servant is entitled to the C.H.S. scheme on payment of a nominal fee but no medical facilities are provided to the working journalists.

For Government servants arrangements for residential accommodation have been made and those who are

not allotted Government accommodation are granted house rent allowance upto 7½ per cent. if the rent is in excess of ten per cent. No residential accommodation is provided to the working journalists, nor any house rent paid.

Gratuity. So far as temporary and quasi-permanent employees are concerned the terminal gratuity is one-third of a month's pay provided he has completed five years' service. A quasi-permanent employee will in addition get one-third of a month's pay for each complete year of quasi-permanent service. So far as working journalists are concerned, it is 15 days' average pay for every completed year of service. Retirement gratuity is half month's pay for each completed year of service subject to a maximum of 15 months pay or Rs. 24,000 whichever is less. In 5 P.M. the case of death, the family gets gratuity equal to 12 months' pay or in the case of those persons who die before putting in five years' qualifying service, their families get six months' pay. So far as working journalists are concerned, I need not mention at all.

Finally, there is pension. After ten years' qualifying service, pension not exceeding Rs. 8,100 per annum is admissible. Family pension is also admissible. In the case of working journalists no pension is admissible under the existing provisions of the Acts.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): How long are you likely to take?

SHRI C. R. PATTABHI RAMAN: Another twenty or twenty-five minutes.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Then, we will continue tomorrow. There is a message.