

representation by means of the single transferable vote, will, if necessary, be held in Secretary's room (Room No. 29), Ground Floor, Parliament House, between the hours of 3 P.M. and 5 P.M. on the 19th.

REQUEST FOR DISCUSSION ON THE ORISSA FLOOD SITUATION

SHRI BHUPESH GUPTA (West Bengal): Sir, I have a request to make to you. We all know about the flood situation in Orissa. I think, Sir, some time should be given to discuss the flood situation in Orissa especially after the Government had made a statement. I understand that there will be a discussion in the other House and I do not see any reason why we should not have a discussion on the subject especially when you were good enough to ask the Government to make a statement here on the Orissa flood situation. I, therefore, request you to direct the Government so that they are agreeable to having a discussion here.

MR. CHAIRMAN: A very sober, modest request, which I will consider.

MOTION REGARDING THE REPORT OF THE PRESS COMMISSION

—continued

THE MINISTER FOR INFORMATION AND BROADCASTING (DR. B. V. KESKAR): Sir, in rising to reply to the important debate that has taken place in the Rajya Sabha regarding the Report of the Press Commission, I am glad to note that, practically, all Members have appreciated the great work put in by the Commission and have paid a handsome tribute not only to the late Chairman but also to the Members for the meritorious labour that they have put in. I am glad also to observe that differing views were expressed regarding the important recommendations of the Commission showing that Members have seriously studied the Report and given their

views as to what they feel about any particular recommendation.

Before I proceed to take up the main recommendations, I would like to make, with your permission, a few general observations. First of all, I find that a number of my friends here have been rather annoyed when I said that the Commission's observations and recommendations could not be taken as an award.

SHRI BHUPESH GUPTA (West Bengal): That much we know.

DR. B. V. KESKAR: You know; but you did not like it. That is the reason why I have to repeat that we must look at the question in a proper manner. All commissions and enquiry committees cannot be lumped together. There are commissions which are appointed with a specific object of coming to a decision regarding a particular matter and that decision will be accepted as practically a decision of a tribunal. There are commissions which are appointed to deal with general subjects and I submit, Sir, that this is a very general subject. In fact, when we asked the Commission to undertake this task, even the history or the general structure of the Indian Press was not very clear, and they were asked to report on the state of the Press in India and make suggestions for its improvement. Generally, Sir, it has been the practice always that all the reports of commissions and enquiry committees appointed by the Government are very carefully considered but it has never been that all those reports shall be taken *in toto* and accepted without question. I meant no disrespect to the Commission; in fact, I have as much or even more respect for the Commission and its Members than hon. Members opposite. No doubt they find that the Report of the Commission is good and say that it should be implemented.

SHRI BHUPESH GUPTA: We shall judge by your actions.

MR. CHAIRMAN Order, Order.

DR. B. V. KESKAR: You might or might not. I leave it to you. What I mean is that they find that the Report is good and they are entitled to say that the Report should be implemented but it is not right to say that because a Commission has submitted a Report, therefore it should be implemented in toto.....

SHRI H. C. MATHUR (Rajasthan): Nobody from this side has suggested that.

(Interruptions)

MR. CHAIRMAN: Order, Order.

SHRI BHUPESH GUPTA: The hon. Minister is entitled to say anything but he is not entitled to misconstrue what we have said.

DR. B. V. KESKAR: I hope the hon. Member will read his own speech, as he was asking me to read my own speech. As I said at the very beginning, the problems before the Commission were very complex. They concerned the industry; they concerned the standards of journalism; they concerned the ethics of journalism; they concerned the conditions of journalists; and so many other things. And we have to see whether the recommendations are such that they can be put into practice.

First of all, there are a few recommendations which it is for the Government to put into practice. In fact, if you look at it very carefully, excepting the question of Government advertisements and also, for example, to some extent the question of Press Information Bureau, there is nothing in it which the Government can directly implement. No doubt there are proposals for legislation.

Now, legislation the Government or the Parliament will ultimately decide on and it is not for the Government to implement.....

SHRI BHUPESH GUPTA: But it is for the Government to initiate legislation.

DR. B. V. KESKAR: That is true; that is quite obvious. But when the question of legislation comes up; and in that legislation a number of other things are involved, it is necessary to consult the interests before we take up the question of that legislation. The hon. Member does not like the word 'interests'.

SHRI BHUPESH GUPTA: After all he is the Minister for Information. He should not give mis-information.

DR. B. V. KESKAR: The hon. Member does not like the word "interests" but there are interests of everybody—whether the interests of big capitalists or of the workers or of everybody—and all the interests have to be consulted.

MAJ.-GENERAL S. S. SOKHEY (Nominated): Interests of the country.

DR. B. V. KESKAR: It is quite possible that a particular suggestion, not only of this Commission but any other commission might be desirable but the suggestion should be one which we would consider practicable to implement. In practical implementation there are a number of things to be taken into consideration. We might find that on a particular matter we are not able to agree or we do not find it practicable to put it into action. All these things will have to be taken into consideration. And, therefore, it is necessary that the Report of the Commission or of any other commission should be studied very carefully and then only we should proceed to put it into practice.

There have been a number of references to freedom of the Press. There might be different interpretations by different people and different groups of the freedom of the Press. I will say only generally that this is a democratic concept and we should not take it that freedom of the Press should mean only the freedom to criticise the Government; there should also be the freedom to support the Government. Both should be included in that.

Secondly when we talk about the Press there are two aspects. There is

[Dr. B. V. Keskar.]

the aspect of the Press as an industry employing large numbers of people and there is the aspect of the Press as a means of expression for putting forward ideas and putting forward various cases, if you like and.....

MAJ.-GENERAL S. S. SOKHEY: Of giving news.

DR. B. V. KESKAR: When we try to regulate one aspect of it we must be very careful that we do not impinge on the other aspect of it; that is that in trying to control the industry we do not also control the means of expression—the opinion that is going to be expressed. And, therefore, I submit to the Sabha that this is not a matter in which we should simply put forward a sweeping generalisation. We should very carefully consider every action that we take and see that it does not come in the way of free expression of opinion. Formerly, probably this would not have been necessary. There was a time when the Press was, as many hon. Members said rightly, a “mission”. Then it was not a great business. Today it is a great industry, earning big sums of money and employing large numbers of people. Therefore, in looking after the Press today, it will be necessary for us to strike a balance in controlling anything regarding the industry in such a way that we do not in any way jeopardise the expression of views also. It is very necessary, Sir, to mention this at the very outset because not only in the Press Commission’s Report, but in the speeches of hon. Members, Government is asked to do a number of things—to put a check here and a control there. At the same time Government is asked not to interfere. The Commission has said in a number of places that the Government must not interfere. That is why it is necessary to see that we do not do something which will invite objections. Again, my friends from the Opposition will come up and say that I am putting the freedom of the Press in peril by putting this check or that. It is, therefore, necessary for Government in the interest of not being accused of jeopardising the freedom of the Press to see

that whatever they do is such that no objection can be raised against any such sort of control that they want to exercise.

Before taking up the general question of monopolies which my friend, Diwan Chaman Lall raised, I would like to refer to one small matter. My friend, Mr. Mahanty, talked about yellow journalism and he gave a very long and very interesting speech on that.

SHRI H. P. SAKSENA (Uttar Pradesh): Because it is his special subject.

DR. B. V. KESKAR: I have nothing to say with regard to the views he expressed. I have very carefully listened to what he said. But may I say with great respect and friendliness to him that probably he is not interpreting the term “yellow journalism” correctly? It might be something very brave and, from the ethical point of view, good journalism in trying to attack Ministers, Government officers etc., even in a way which might not be called even ethical. If one looks at the problem, or the history of the Press, yellow journalism is not attacking Ministers or Government officers or what they do privately or publicly. That can be considered even a criticism of the Government. Yellow journalism is more concerned with attacks on private individuals and has nothing to do with Government officers—attacking them in a filthy and obscene way and sometimes a blackmailing way. That is the dark aspect of yellow journalism. He was so much obsessed by the governmental aspect that he left out the other one, or it is quite possible that in tackling the one, he leaves out the other. But he should not confound what he is doing with yellow journalism and take up the cudgels on behalf of it. In taking up the cudgels probably he is doing something very brave but that is not yellow journalism. Yellow journalism has nothing to do with politics or with governmental action, Government officers or Ministers. I hope, therefore, he will not stand up for yellow journalism.

SHRI R. U. AGNIBHOJ (Madhya Pradesh): But for saffron journalism.

DR. B. V. KESKAR: Regarding the question of monopoly, a number of Members referred to it and my friend, Diwan Chaman Lall, told me that I was not correct in saying certain things that I said. Now, first of all, there are two things. What has the Press Commission said about monopolies? Secondly, do monopolies exist really and what should we do about them? What I was trying to put forth was that whether a monopoly exists or whether there is a simple trend towards monopoly. It is not a question of opinion. It is a question of fact and what I suggested was to put things in the right perspective. The Commission themselves after very carefully considering the whole situation have said that in the Indian Press there is a very strong tendency to monopoly. Monopolistic conditions exist in three languages. They have mentioned the languages also. Otherwise they do not consider that the stage of monopoly has arisen still. The tendency is becoming stronger and stronger. It is right to combat such tendency. But then the question arises as to what remedy should be there. It is all right for us to suggest all sorts of measures that we should take. But when we talk about facts we should state them correctly. Some hon. Members may disagree with the Commission and say that no monopoly exists. They are entitled to say that provided it agrees with facts and figures. For example, Diwan Chaman Lall has quoted the figures of concentration of ownership. Now there is, I think, a slight misunderstanding. The Press Commission has given the percentage of, say, five owners and how much circulation; fifteen papers, and how much circulation. Both cannot be added because five is included in fifteen and the percentage should be only calculated by taking up five or accepting the percentage of fifteen separately and of five separately. I am trying to clear up figures and nothing more.

SHRI BHUPESH GUPTA: Proceed on the assumption of the Press Com-

mission. Fifteen controlling more than 50 per cent of the circulation.

DR. B. V. KESKAR: I hope he will read the figures again.

What is a monopoly? Does a monopoly exist? There are some differences of opinion about these. For example, a number of people have quoted the U.K. Press Commission. The U.K. Press Commission has given the six biggest aggregates in England taken together where the circulation is very large. They come up to nearly seventy per cent. Here it comes up to thirty per cent. And if you go further and add two or three more papers or combines, it comes up to even eighty per cent there; for only seven or eight papers. Their definition is different. They believe that if in any industry there is one person or combine controlling thirty per cent or more of any commodity, then a condition of monopoly exists. The Press Commission also has tried to calculate on some such basis; because it is very difficult, when we are trying to assess a situation about which there cannot be any hard and fast rules. And, therefore, they have said that it is not easy to express definitely. If we take the same standard, as has been laid down by the U.K. Press Commission, they say that a condition of monopoly exists here in the country as a whole in two or three languages. In their opinion, the tendency to monopoly is growing in the others, but it is not there. That is simply a clarification of facts, and I hope that, when I say that the Commission, looking at the country in general, have said that there is a tendency to monopoly, he will not accuse me of being incorrect. That, Sir, is quite separate from suggesting remedies for monopoly. In fact, I am at one with him, or even further than him, in suggesting that we should take strong action—as strong as it is possible—and effective action to see that the monopolistic tendency does not grow. There could hardly be much difference of opinion there. But when we proceed to take some action, let us proceed on the basis of definite facts.

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The question of how to combat monopolies has been discussed by this Commission and the U.K. Commission also. The Commission has made various important recommendations;—and that also will support what I am saying now—they have said repeatedly “preventive and precautionary measures”, because they feel that, if we take certain measures, then the trend towards monopoly will be checked to a great extent and we might have to deal less with monopolies. But they say that even in spite of these precautions, monopolies will grow and for that purpose they have put forward certain suggestions. Notwithstanding these measures, circumstances may bring about a situation where one newspaper comes to hold a position of virtual monopoly in a particular area. What I mean to say is that they consider that certain precautionary measures might be taken, because they think that the trend is there. The monopoly has not yet come, but we must stop it. And they have suggested certain other measures, like the price-page schedule, the appointment of a Press Registrar, etc.....

SHRI BHUPESH GUPTA: Diffusion of ownership has also been suggested.

DR. B. V. KESKAR: There are a number of suggestions, not one

SHRI BHUPESH GUPTA: But why are you not mentioning that?

DR. B. V. KESKAR: I am not here to read the whole catalogue. There is not one definite suggestion that will stop it. They are themselves not sure that this will stop it. Their ultimate remedy for monopoly is nearly the same as that suggested by the U.K. Commission. That is, the Press Council should be the proper authority to deal with the monopolies. It is their job and the job of the Press Registrar who will be appointed to watch carefully and to make suggestions—bring it to the notice of the public and the Government that in a

particular category or particular area, monopolistic conditions exist and something should be done about the matter.

[MR. DEPUTY CHAIRMAN in the Chair]

I have brought forward all these facts in order to put the whole thing in, what I would say, right proportion, so that it should not be considered that in India monopoly exists as a whole and that we must immediately take up the question of breaking up those monopolies. Well, where there are monopolistic tendencies, we should try to break them.....

DIWAN CHAMAN LALL (Punjab): Sir, may I interrupt? Actually what the Press Commission have recommended is this: An investigation might take place—when the Press Council is instituted—into the matter of the existence of a monopoly. They have not gone into the matter of the monopoly to such an extent as to say that there is no monopoly. All they say is that in three cases the monopoly does exist and when this investigation takes place, those three cases might be taken into consideration.

DR. B. V. KESKAR: I might say that the Press Council has been charged with the duty of looking into this question more carefully. They have, in fact, even said that the Press Registrar should keep a close watch on this point.

I will now only refer to one more general question before I come to the important recommendations, and that is—a reference was made to it by a number of Members—the question of the importance of the language Press; I mean the non-English Press in the country. There is no doubt that though we are all speaking in English now, it is obvious that slowly and gradually English will disappear and our provincial languages and Hindi will take the place of English. Therefore, the importance of the language Press as it is called, or what I would call the non-English Press, is becoming everyday greater and greater. We

have to look at the language Press even from another point of view. The English Press, having been established for some time and getting the biggest slice of advertisements and having Government patronage—to some extent outside patronage also—is in a very rich and flourishing condition. Comparatively speaking, the language Press is in a very poor condition. They are not able to get many advertisements. The language Press is much larger in number and, therefore, they have also to try to cater, or get less number of advertisements. Because of the fact that English is still the State language, they are not able to get that patronage which should be their due. All these things together make the language Press, for the time being, a rather delicate plant and in a precarious condition. There is a necessity to see that they are helped as much as possible, that they are encouraged; and it is a national duty to see that the language Press or the non-English Press establishes itself on firm and sure foundations.

I have said at the very beginning that the general recommendations or observations of the Press Commission can be divided into various categories. And I will try to deal mainly with those important subjects about which legislation has been asked for by the Press Commission. Otherwise, if I take up all the recommendations of the Press Commission, I will have to take a lot of the time of this House and I do not want to waste your time. There are three or four important matters. There is the important question of the service conditions of working journalists. There are also the questions of the price-page schedule, the Press Council, and the appointment of a Press Registrar. As far as the Press Registrar's appointment is concerned, I hope the Sabha is aware that a Bill has already been introduced with that object and it is on the floor of the other Sabha.

We now come to the important question of the service conditions of working journalists. A great deal has been said here regarding working journalists and sympathy shown for

their lot. We are not behind any one in appreciating the services that they have done and also in sympathising with the uncertain conditions under which they are working. No doubt, we are not accustomed to deliver strong and fiery speeches in support. But we mean what we say and I might assure the working journalists that we have their good at heart as much as anybody else. I had said at the very beginning in not only discussions but also in statements that were placed on the Table of the House that in priorities for anything that we did regarding the Press Commission, we would give priority to the question of the service conditions of working journalists. You know that the very first Bill we brought forward was regarding the application of the Industrial Disputes Act to the working journalists; and in taking up legislation for other things, I say we are giving the first position to this Bill regarding the service conditions of working journalists.

SHRI BHUPESH GUPTA: Will it include legislation for minimum wages?

DR. B. V. KESKAR: Let me speak about service conditions.

SHRI BHUPESH GUPTA: I am asking him a specific question.

DR. B. V. KESKAR: I have noted your suggestion. From the very beginning we have said that the Government is entirely in sympathy with the general proposals made by the Press Commission. Now, some questions might be asked as to why so much time was taken. If hon. Members will look at the proposals involved, they will find that the following are some of the problems: Minimum period of notice for retrenchment, payment of gratuity, minimum period of leave, maximum hours of work, compensation for retrenchment, minimum wages—all these things are there. They are probably small matters but they are matters of detail to be thrashed out and not simply decided by passing a kind of fiat that these things shall be done. Therefore, it was necessary to get together—and

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we did get together—both the employers and the working journalists and thrash out this question with them. That is the reason for the delay that, I regret, has arisen over this matter. There is also the other question which had to be considered. Supposing we give particular privileges and facilities to a class of workers, what the other workers will ask for has also to be taken into consideration at the same time because Government has to see the picture as a whole and we would like to give to all workers as many facilities and privileges as we can give.

Now, I come to the question of minimum wages. Much has been said about it and my friend, Shri Bhupesh Gupta, has again insistently asked the question. What I said before in the other House has been misunderstood, I don't know purposely or otherwise; but I had said there also that we had accepted the principle of the minimum wages. There is no question that we don't want to give minimum wages, but I said the procedure and form in which legislation should be brought about for that purpose had to be carefully studied for two or three reasons which ought to be obvious to the Members of the House. For example, take the question of national minimum wage which is pending. Other industries are asking for a standard minimum wage. We have to see what will be the effect of what we do here on others and how we can give to the other categories of industries a minimum wage and in what form; and I should not like hon. Members to consider that only the working journalists deserve a minimum wage and others don't.....

SHRI BHUPESH GUPTA: We are here at the moment concerned with working journalists, and specific recommendations have been made.....

(Interruptions)

DR. B. V. KESKAR: It is no use the hon. Member repeating what he said
..... (Interruptions)the world does not live for journalists only

(Interruptions) We don't take decisions in a vacuum. We have to take into consideration various other things as well.

(Interruptions)

Hon. Members will have full time to accuse or attack me when the Bill comes forward. There is plenty of time for it and I said in the service conditions of working journalists, the question of minimum wage would be included and it would come before this House. Then he can accuse me for as long a time as he likes; but what I am putting to this House is that all these questions have to be dealt with, and what the Government gives in in one case, will have to be thought of in giving in other cases. That is the reason for the time we have taken in putting forward a proposal regarding this matter before the House but I might assure him that all the proposals will come together. I might inform the House that within 8 or 10 days, the Bill for the service conditions will be introduced in Parliament.....

SHRI BHUPESH GUPTA: Will that include minimum wages? I am entitled to know.

MR. DEPUTY CHAIRMAN: Order, order. He has not given you the floor.

DR. B. V. KESKAR: Hon. Member cannot force me to say what he wants.

(Interruptions)

SHRI S. N. DWIVEDY (Orissa): What about the Regional Wage Boards?

MR. DEPUTY CHAIRMAN: If you have any question, you put it later.

SHRI BHUPESH GUPTA: Will you set apart some time for questions?

MR. DEPUTY CHAIRMAN: You can ask later.

DR. B. V. KESKAR: It is no use. Suppose even if he puts a question, I am not prepared to answer. He can pass a vote of no-confidence against me.

SHRI BHUPESH GUPTA: That does not arise.

(Interruptions)

DR. B. V. KESKAR: I am telling you the position. I am telling you that the Bill is coming before you in 8 or 10 days and you may take up any time and you may give your views. What is the use of repeating it again now? Let me finish this. Then you can ask your questions.

SHRI BHUPESH GUPTA: We will ask the questions later.

DR. B. V. KESKAR: I would like to say that my friend, the President of the Working Journalists Federation, who was talking the other day with great feeling, for whom I have very great regard, said—rather gave me a kind of friendly threat—that if I did not do that, then the working journalists would have to revise their opinion. Sir, I have not only sympathy for working journalists, I have a very large number of personal friends among working journalists and some of them are among the best of the working journalists.

DIWAN CHAMAN LALL: You were one yourself.

DR. B. V. KESKAR: I was one though I don't like to say so as many hon. Members have done. What I mean is that my friends should be fair. What I am doing is not because some friendly or unfriendly threat is given but because we consider that it is just and fair that they should get their due.

SHRI B. D. CHATURVEDI (Vindhya Pradesh): I did not give any threat.

DR. B. V. KESKAR: I said "friendly threat" and probably not his but as a representative of his friends. I have not misunderstood it but what I would like to convey through him to my friends, the working journalists, is that though I would like in a unilateral manner to take whatever step is necessary, it is not possible to

do so and the complications are so many and it has taken time. If you look at the legislations that have been undertaken for other industries—some very important industries, very vital industries—you will see that we have taken the minimum amount of time whatever people might say, and, therefore, I can challenge, and I will ask Members to compare this with the time taken in other industries in deciding the service conditions and then they will find as to whether this has been done quickly or not. I leave it to their judgement.

Lastly, I would like to say one more thing—and I had said in the other House—about collective bargaining. A number of friends have tried to exploit this by saying that I don't want to do anything for them and, therefore, I am asking them to go in for this kind of collective bargaining. I say that I had put in a general proposition which is applicable to everything and it is correct always, all the time, as a principle—and it is functioning in all the industries—that whatever charter for working journalists we might put in in the legislation, a large number of things will have to be settled by the journalists by collective bargaining. I said nothing more. Well, interested friends have tried to put other meaning into it. If they have done that, I am not responsible. I repeat again that this was only a friendly suggestion that they should organise themselves well and nothing more and I don't think that this can be considered to be an unfriendly suggestion.

I come to the question of price-page schedule. There has been a great deal of controversy regarding this matter and a lot has been written in the Press for and against. I can understand it because money is involved in this—less profits or more profits. I don't mean money in the sense of vested interests—that is always there. Everywhere there are vested interests, but profits, lessening

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of profits, etc. All these questions are vital and naturally a large number of newspapers have been exercised over this and they have written for and against. I have very carefully read all the criticisms. We have had the privilege of discussing this question with big newspapers, small newspapers, language newspapers, groups of language newspapers, groups of various regional language papers and even individual newspapers. So we can say that we have thrashed out all aspects of the question. I would like, at the very outset, to correct one wrong impression which has crept into the debate, i.e., about the specific nature of the schedule. The price-page schedule that has been suggested in the Press Commission's Report is only the principle of the price-page schedule. There is no specific schedule. No doubt one Member of the Commission insisted on giving what he thought should be the proper schedule and that has been given in a note by the Commission but the Commission has taken care to indicate that that is not their decision and the only question is that a page restriction should be put on papers for a particular price. What should be the price and what should be the maximum number of pages, that should be decided after consultations and after taking all the factors into consideration. This is only a suggestion of the Commission. The Commission's objectives are manifold, but I may summarise them here. The Commission think that this will eliminate or rather lessen to a great extent the unfair competition—the United Kingdom's Commission called it the "unjournalistic" competition—that certain papers and proprietors indulge in. Our Commission use the word 'unfair' whereas the U.K. Commission has used the term "unjournalistic" with reference to this competition. The other is that it will help to a great extent the small and medium papers, more especially in the non-English side. Also this is considered to be one of the factors which

will restrict monopolistic or chain tendencies also.

One of the objections to this which has been put forward on behalf of not only some Members of this House but outside also and which I think is not entirely correct is that this is an unprecedented suggestion. There I do not agree. It is not an unprecedented suggestion. Restrictions existed during the war and even up to 1952 here. In fact, in 1952 a large number of papers did not want the restrictions to end, including many prosperous newspapers. But Government thought at that time that it was too much of a headache and therefore, they dropped it. But in Great Britain at this time, in a country which I think stands for the freedom of the Press as much if not more than anybody else, paging restrictions have been existing for a number of years and exist even today. Of course, I do agree that these restrictions have the objective of saving newsprint. During the war there was very great shortage of newsprint and therefore, this was done. But whatever was the objective then, these restrictions did exist. And if we examine the effect of these restrictions, generally speaking, it cannot be said that they were harmful to the newspaper industry.

There have been a number of arguments put forward by those who are against the schedule suggested by the Press Commission. One of the most important arguments advanced is that it will not help the smaller and the medium-sized papers which it purports to do. There is another objection which has been advanced, that this objective of the Press Commission, of stopping this price-cutting competition, will have to be a changing thing, because of changes in the cost of newsprint. Supposing the price of newsprint changes, then this schedule would not be applicable at all and so it will have to be changing continually. So in practice it will be very difficult to work it. There has also been another argument advanced

namely, that in the international sphere this will create a strong opinion against this country, that India is restricting the freedom of the Press. Sir, it is quite possible, of course, that some such comment might take place in some papers outside the country. But I think nobody here will accept this, because when paging restriction is put, it is a restriction on the number of pages and not on the views expressed in those pages.

SHRI R. U. AGNIBHOJ: Will there not be some control on obscene and other undesirable advertisements?

DIWAN CHAMAN LALL: What has that to do here?

MR. DEPUTY CHAIRMAN: It is a different matter.

DR. B. V. KESKAR: Let me finish this point. One can abuse as well in eight pages as in ten pages. The abuse can be as virulent as possible and the advice can be as valid as possible, irrespective of the number of pages devoted to it. So this argument does not appear very valid here especially when we see that such restrictions do exist in other countries and there is no such objection there that they are infringing the freedom of the Press.

If hon. Members will read the Commission's Report, they will find that the Commission itself is not absolutely clear as to whether this will definitely help or reach the objective which they want to reach. They are quite candid in their opinion and they say that it is possible, it might not be able to achieve the objective. I myself am not very clear. I have studied the whole question very thoroughly, but it is difficult for me to say whether the objective will be completely achieved. But I feel, Sir, that in view of the immense body of opinion in the Press itself—and when I say the Press I mean the newspapers leaving aside even the working

journalists who have clearly expressed themselves in its favour—taking into consideration the immense body of newspapers who are in its favour, as also this Parliament which has expressed itself very clearly, in the other House and in this House, Government have decided to accept the principle of the price-page schedule. We propose to try it, to give it a fair trial, because our objective, as much as that of hon. friends opposite, is to help the smaller and the regional language papers. So we are going to try it out and see how much and how far it will help them. But as I said, the principle will have to be worked out and it is not an easy thing. We will have to take all sorts of things into consideration and adjust the schedule very carefully.

SHRI BHUPESH GUPTA: The journalists will help you.

DR. B. V. KESKAR: Yes, the journalists will give me all help. I am getting all help from the journalists and I have had no complaint on that score.

Next I come to the third important suggestion and that relates to the Press Council. This is a very important suggestion and at the very outset I may say that Government are very sympathetic and agreeable to that suggestion and they have already accepted the principle. They have done so for many reasons, the most important being that a body which will be mainly composed of journalists, who will regulate their own conduct, their own ethics and maintain a certain standard and look into other matters concerning the newspaper world, will take off a big load from the Government. As it is, we get unpleasant kicks for doing what I would consider just things, and all for nothing; and it is better always to have the fraternity itself to do what we are asked to do. Moreover, I think it is also a salubrious check on those elements in the Press which indulge in unfair practices or

[Dr. B. V. Keskar.]

carry out undesirable things. From many points of view, therefore, I would say that this is a step in the right direction and there should be a Press Council. But the procedure for constructing such a Council is being studied and I will not be able to say much on it because as I said, the important points regarding the Press Council's composition are being studied by Government and we are at this moment engaged in chalking out the structure of the Press Council. I may assure hon. Members that the views that have been expressed here regarding the structure of the Press Council will be taken very carefully into consideration. In fact, I am grateful to hon. Members who have expressed divergent but very constructive views regarding the work of the Council, regarding its nature and regarding also the Chairman and the Members of the Press Council.

There is only one small misunderstanding which should be corrected. As far as the Commission is concerned, it is not correct to say that it has said that there should be 51 per cent of journalists. It mentioned that 13 should be working journalists but if you take all the other categories from which the others should be chosen, you will find that there will be editors proprietors and others. What has been said is, out of the 25, there should be 13 working journalists. Naturally, there should be representatives of the proprietors, there should be representatives of the editors and there should also be other people.

DIWAN CHAMAN LALL: The word ing is "13 or more".

DR. B. V. KESKAR: The minimum is 13. If you take into account the other people who will have to be taken, you will find that excepting two or three people, or even four people, mostly all of them will be journalists. Therefore, it is not correct to say that it will be a body of non-journalists.

SHRI H. N. KUNZRU (Uttar Pradesh): May I interrupt my hon. friend? What the Commission has said with regard to the people who are not working journalists is that they should be chosen from certain categories, e.g. proprietors of newspapers, literary bodies, Universities etc. If the Government have made up their mind that a majority of these 13 members should be chosen from amongst the proprietors, obviously it will be wrong to say that there will be 50 per cent of outsiders but if, out of 13 only one or two are going to be from the proprietors, I think it is substantially correct to say that the Council will, to the extent of 50 per cent., consist of outsiders.

DR. B. V. KESKAR: I am not here discussing the structure of the Press Council; what I am saying is, it would be wrong to quote the Commission incorrectly. That is all that I am trying to make out. I am not going into the other question; it will come up later on and, naturally, we will have a good deal of discussion on this. I only wanted to say that whatever the Commission had said should be correctly stated. We will very carefully look into the suggestions made by my hon. friend Pandit Kunzru and others before we put up before Parliament concrete proposals for the formation of the Press Council.

I will now come to the question of newsprint. In the main, Members have suggested that there should be State trading in newsprint, that Government should take upon itself the importing of newsprint and then distribute it to the different papers. This question is very much inter-linked with the question of production of newsprint in this country. We are studying this question to see how we can make our country self-sufficient in this respect and, at the same time, to see that the newspapers get newsprint as cheaply as possible.

SHRI H. P. SAKSENA: And equitably too.

DR. B. V. KESKAR: Cheaply does not mean exactly equitably but certainly that understanding is also there. I regret that we have not yet come to any definite conclusions regarding this matter. This is under active consideration.

SHRI BHUPESH GUPTA: The smaller newspapers have to pay 40 per cent more than the direct importers for the newsprint. This can be remedied by taking some steps which would give relief to the smaller newspapers.

DR. B. V. KESKAR: This is one of the arguments and, as I said earlier, we are taking all of them into consideration. It is there; otherwise, why should the State think of considering this question?

I now come to the question of advertisement. I do not want to digress much as I have already taken much time of the Sabha. I would touch upon one or two points. There is no doubt that the hold of foreign advertisers in this country is very strong. One reason probably is that Indian interests do not advertise much. It is a very important consideration. Most of the industrial undertakings in this country do not feel the need for advertising while the foreign concerns do; they advertise much more—liberally—than the Indian concerns. That fact is there.

Next is the question of Government advertisements referred to by many hon. Members. If we look at the figures, we would find that revenue from Government advertisements accounts only for 7 per cent. of the total revenue derived from advertisements. This is a very small percentage and I do not think it is such as to sway the fortunes of the papers.

SHRI BHUPESH GUPTA: But it has prestige attached to it.

DR. B. V. KESKAR: If some people attach prestige to it, what can I do? I agree with what my hon. friend says

but, as I said, our policy has been made clear; in fact, in this House and in the other House, statements have been laid on the Table enunciating the new Government policy regarding advertisements. It is a very long one; if the House so wishes, I can re-lay it on the Table. I will mention only two important points regarding the principle. The first is the shift towards language papers. More and more of advertisements are being given to the language papers and less and less to the English papers. The second factor is the decision not to accept the principle which was being followed before, that is advertisement in papers will depend mainly on the circulation of the paper concerned. That was leading to a vicious circle by which the richer papers used to get all the advertisements while the others did not get any. The shift is not taking place all of a sudden; we have been at it during the last one year and I think we have achieved considerable success. I know that my hon. friend, Prof. Ranga, is not satisfied but we have to remember that the quantum of money that Government can spend for these advertisements is not much. We want to give advertisements to papers in all languages, from North to South. The number of papers is running to thousands and it is not possible to give any large quantity of advertisements to all these papers. That is the reason why people feel that we are not doing much. If we were to give more advertisements, then people will say that we are trying to subsidise the papers. That is also there.

SHRI BHUPESH GUPTA: I hope the political prejudices against Opposition papers will also be given up.

DR. B. V. KESKAR: One other point has been raised by my hon. friend, Mr. Mathur; he has sent me a note and I would refer to it very briefly. I said that 60 per cent of Government advertisements were given to language papers; Mr. Mathur objects to this saying that is only 30 per cent because the advertisements

[Dr. B. V. Keskar.] emanating from the U.P.S.C. are not given to the language papers and these are also not included in the calculations. If they are not included, they are not included on purpose and I will explain it in a minute. Advertisements of the U.P.S.C. do form a considerable part of Government advertisements but, to some extent, they are not Government advertisements because, as hon. Members know, the Commission is an autonomous body and, in these matters, it is not amenable to our directives. We have brought to their notice the desirability of advertising more and more in non-English papers and also distributing the advertisements to papers other than the ones with bigger circulation.

SHRIMATI VIOLET ALVA (Bombay): Now that the hon. Minister is talking of distributing advertisements, I want a clarification. I said that Government advertisements were being given through foreign advertising agencies. That being the case, how can there be equitable distribution? J. Walter Thompson & Co. Keymers and such other foreign concerns are doing this business for the International Airlines Corporation, the State Bank, etc.

MR. DEPUTY CHAIRMAN: Do not make another speech.

SHRIMATI VIOLET ALVA: I am not, Sir, but on this I want a clarification.

DR. B. V. KESKAR: If my hon. friend had allowed me to complete the reply to one question, I would have come to the other.

I agree that the quantum of revenue that comes out of the advertisements of the U.P.S.C. is a very relevant figure. but, as I said, this House as well as the other, are very zealous that the Government of India should not impinge on the statutory and autonomous nature of the body called the U.P.S.C. I am in

a quandary. If I were to enforce it, I will.....

SHRI BHUPESH GUPTA: After all, we pay the money.

DR. B. V. KESKAR: It is left to the Houses of Parliament to say that money for the advertisements will not be paid if the Commission did not follow a particular policy. You can do it.

SHRI H. C. MATHUR: No, no.

DR. B. V. KESKAR: We are trying to impress this on them and I think a change will come over soon.

SHRI H. C. MATHUR: Apart from the U.P.S.C. advertisements, is it correct that sixty per cent of the advertisements go to non-English papers?

DR. B. V. KESKAR: Sixty per cent of the advertisements issued by this Ministry go to non-English papers. If my hon. friend is interested, I shall show him the figures.

Shrimati Alva raised the question of the advertisements going through foreign agencies. The advertisers in India have been building up Indian agencies; they are growing bigger and bigger. Unfortunately, some of the agencies that have been functioning are foreign and they are getting the cream of advertisements not through Government but more especially from foreign industrial concerns who mainly place their advertisements through these concerns. (*Interruption.*) If the hon. Member listens to my reply, she will get her answer. When efforts are being made to build up Indian advertising agencies naturally Government will give—and is giving—more and more to them, but Indian concerns cannot get all the advertisements all of a sudden. First of all, they have to pick up business; and build themselves up. But I may inform the House that Government is even more anxious than the hon. Member to see that all advertisements, even those of industrial concerns under the control of the State, go to our own concerns rather than to ~~the~~ foreign concerns.

MR. DEPUTY CHAIRMAN: Will the hon. Minister take more time?

DR. B. V. KESKAR: I want at least ten minutes more, Sir.

MR. DEPUTY CHAIRMAN: The hon. Minister may continue his speech after lunch.

The House stands adjourned till 2-30 P.M.

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

The House reassembled after lunch at half past two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

DR. B. V. KESKAR: Sir, before we adjourned I was referring to the question of foreign advertising agencies to which Mrs. Alva had made reference. She made a reference to certain corporations which are giving a considerable amount of advertisements to these foreign agencies. Unfortunately, it is true. But what I was saying about the Public Service Commission applies to corporations also which are statutory and autonomous bodies. I am bringing to the notice of these bodies that they should more and more patronise Indian agencies and also take steps to distribute their advertisements in a more equitable and better manner, generally on the lines of policy that we have laid down. I have hopes, that I will be successful in persuading them to do this, but I do agree that this is happening at this moment.

SHRI AKBAR ALI KHAN (Hyderabad): What about court advertisements?

DR. B. V. KESKAR: I cannot talk about the judiciary.

I come lastly to the important question of news agencies about which much has been said here. Before I say anything further, I would like to refer to the Commission's specific recommendations and observations on this subject. The Commission says in paragraph 413:

'A public corporation formed otherwise than on the basis of a

co-operative effort by the newspapers may be open to the danger of newspapers not taking a service from them. The corporation has, therefore, to be built up on the present foundations, whatever may be the changes in its control and operation.'

Going further, in paragraphs 418 and 419, they say:

'We feel confident that the spirit of public service which induced a number of newspapers to subscribe the capital required for taking over the Associated Press of India at a time when Reuters were no longer interested in running it, would persuade them today, when Press Trust of India is in difficulties, to agree to the transfer of the organisation as it stands to the new public corporation. Ultimately, the purpose of the agency is only to serve the newspapers, and its success depends solely on the disinterested manner in which they further their common interests. . '

Lastly, at the end they say:

'We trust that our recommendations would appeal to the shareholders of the Press Trust of India and that they would agree to the transfer of the agency to a Corporation set up as suggested by us.'

In another place also the Commission has made a reference which makes it very clear that they would not like the Government to force them or to use any legal measures to get this done, as probably they felt that this might bring the news agencies under Government control. As I said at the very beginning of my speech, there is a contradictory approach not only in the Commission but also in the views expressed by many Members that they would like the Government to do things but at the same time not to interfere. That is evident here also on this delicate question of news agencies. As far as we are concerned, we do not like to do anything which would be construed as controlling, directly or indirectly, the news agencies or as putting pressure on them to do any particular thing. We are certainly interested in seeing that

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the news agencies in India are worthy of the country, that there is at least one national news agency in India, and we hope an international news agency also, which belongs to this country and which plays a worthy part among the other news agencies of the world. We would like to help in that as much as we can; at the same time we would not like to proceed in this matter in any manner which would make us open to the charge of interference. Moreover, as hon. Members perhaps know, looking at the question legally, it is doubtful whether the Government, even if it desires, has the power to enforce any such thing as has been recommended. In fact, the constitutional opinion that we have—and the most competent that we have—says that it is not possible.

SHRI BHUPESH GUPTA: We would like to know that opinion. Will the hon. Minister kindly elaborate it to enable us to understand it because according to us, it is possible constitutionally also?

DR. B. V. KESKAR: I am afraid it is not possible to make a statement on constitutional opinion here. Our adviser as the House very well knows, is the Attorney-General and he is quite definite that any action taken legally is open to the gravest suspicion. It is not also the intention of the Commission; they have made it clear, not in one but in many places. At the same time we have conveyed to the P.T.I. and the U.P.I. the views of the Commission. We are, as I said, interested to see that these news agencies, which are the two most important in the country, should be run in a better way, that they should become more prosperous and that they should reconstruct themselves on right lines. We will certainly use, as far as is possible, our good offices in seeing that they re-organise themselves on proper lines.

SHRI M. GOVINDA REDDY (Mysore): Does not the Minister recognise the need for seeing that these agencies supply news to the language papers on reasonable terms?

DR. B. V. KESKAR: When it is a question of asking them to reorganise themselves on proper lines, this is one of the most important factors.

SHRI BHUPESH GUPTA: Have you in mind a public corporation?

DR. B. V. KESKAR: I have nothing in mind. I cannot force them to do anything.

SHRI S. N. MAZUMDAR (West Bengal): "Proper lines" is a very vague term.

SHRI BHUPESH GUPTA: What is your intention?

DR. B. V. KESKAR: It is not a question of what my intention is. I do not have any intention about anything which I do not have the authority to do. The only thing that can be done is that we can advise them that they should, in order to develop themselves into a real national news agency which will enjoy public confidence and the confidence of the Press, reorganise themselves and that they should have a certain approach. That is the only thing that I can do and it is quite possible that they may reject my advice. I cannot force them to do anything and I will have to think very carefully before I proceed further and try the big stick. No doubt it is possible that some friends of the Opposition feel that this is where the big stick should be used. Where they do not like us to use the big stick, they do not want us to do that. I have to strike a mean and proceed in a very careful manner.

SHRI BHUPESH GUPTA: The Government can take the initiative and call a meeting of the shareholders and place the Government's views that a public corporation ...

DR. B. V. KESKAR: I do not agree. I think it is a very improper approach, that I should call the shareholders over the head of the P.T.I. Board and tell them what the Government wants them to do.

SHRI BHUPESH GUPTA: I am very sorry that.....

MR. DEPUTY CHAIRMAN: You have had your say, Mr. Gupta. You cannot go on disturbing like that.

SHRI BHUPESH GUPTA: I said, Sir, that the Government should take the initiative.

MR. DEPUTY CHAIRMAN: Yes, yes. You have said that.

DR. B. V. KESKAR: The Government can take the initiative in conveying constructive suggestions to them but it is not possible for the Government to go further. It is no use asking the Government to take unconstitutional steps where hon. Members want it. Possibly, some other hon. Members will afterwards come forward and attack the Government for exceeding its powers. We have to go by the path which the Constitution has laid down. If hon. Members feel that the constitutional power is less and that the Government should have more power, it is for Parliament to do it. At present you cannot do anything excepting giving mere advice to them, and I hope the advice will be taken.

SHRI BHUPESH GUPTA: But the advice is very vague.

DR. B. V. KESKAR: Might be. Some Members here and my friend, Dr. Kunzru had asked—Mr. Mahtha also: Whatever the recommendations of the Commission, whatever the Press Trust and others do, should not the Government help these agencies? I explained in the other House also that Government had no intention of stopping payments to these agencies. At the same time the Press Commission had suggested certain specific, I would say generous payments to the news agencies on certain specific conditions. I cannot dissociate them it is not possible for me. If the question of laying more to the news agencies comes up it will have to be judged on merits. It cannot be said "Look, the Press Commission's recommendation regarding the corporation is this. We are not ready to accept it but you can give us the money that the Press Commission has suggested." That I cannot do.

SHRI H. N. KUNZRU: I did not say that if the Press Trust of India does not carry on its administration in a way that the Government of India considers satisfactory, it should still be entitled to the grants recommended by the Commission. What I said was that if the administration of the Trust was improved to such an extent as to satisfy the Government of India, then would the Government of India consider the payment of those subsidies and other things that had been recommended by the Press Commission?

DR. B. V. KESKAR: As I said, the Press Commission has made recommendations and suggested the sums in the light of that body becoming a public corporation, where it might not be able to have those sources of revenue to which it is entitled because it might give cheaper service to smaller papers and might be also put to some loss, and they have suggested special allotment of money. I am not prepared to concede that we should pay those specific sums allotted unless, as I said, any proposal in this respect is judged on merits and not because it is recommended by the Commission, because if the Commission's proposals stand together, they cannot be separated, as if one can be good in this and bad in the other. The same would apply to the other agency also. I know that both ways it is not a very satisfactory thing. But, as I said, there are in this Report a large number of specific suggestions made by the Commission for various bodies, shareholders of companies, shareholders of newspaper companies, this and that. It is no use on the floor of the House blaming the Government. I consider this as unfair to the Government because when Members are prepared to take up the Press Commission's Report as a good report and as being on the right lines, then they should also try to heed where the Report has tried to discriminate between governmental and non-governmental action. They should not try to reject that unless we can give some overwhelming reason. I would again say that we will certainly see that the news agencies which are necessary for the

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newspapers of the country are run on right lines and we will exert pressure to the utmost in a friendly way to see that they try to reorganise themselves in a proper manner.

Sir, I have taken so much of your time.....

SHRI BHUPESH GUPTA: We would like to have a little more light regarding U.P.I.

DR. B. V. KESKAR: There is no question of light. It is the same thing with regard to both the agencies. The agencies have to organise themselves according to what the Press Commission has suggested and this has been told in no uncertain manner and they know it. There is no question—in fact there have been discussions with them. I cannot do anything more than that excepting that I tell them how they can do it. If they do not accept it I will regret.

SHRI JASPAT ROY KAPOOR (Uttar Pradesh): We would like to know whether in the case of U.P.I. the Government will not make some contribution to help them out of their difficulty since the Press Commission has suggested to have more than one news agency in the interest of the country.

DR. B. V. KESKAR: That is coming to a different problem whether it is necessary to have more than one agency. It is good to have more than one agency, but the agencies must be properly functioning ones and simply because there must be two agencies we cannot have one more, and the question of giving extra help should be judged on merits. I am here dealing with the general recommendations of the Press Commission as such. A number of small points have been raised. I feel that if I speak on all of them it will take a lot of time. So I would deal with the most important points raised here.

SHRI BHUPESH GUPTA: The Hon Minister should speak on all other points; there is no dearth of time.

DR. B. V. KESKAR: I do not think it is worth while. Another occasion will be taken for talking on every specific matter. Also some Bills will be coming before the House about the Press Commission as a result of the Press Commission's Report very soon on which hon. Members will get full time to deal with all these matters. I commend the motion to the House.

SHRI BHUPESH GUPTA: One point remains, Sir. I understand that the next Bill that would come before the House, is the one concerning the conditions of the working journalists. Would it include also provisions for minimum wages? He could answer it and make the matter very clear.

SHRI S. N. DWIVEDY: In this matter of fixation of minimum wages, would it be left to the Regional Boards? What is the Minister's announcement?

DR. B. V. KESKAR: As I said the matter is under discussion at present and I will not be able to say anything at the moment. When you have the Bill you can say yes or no. Mr. Gupta wants to pin me down.

SHRI BHUPESH GUPTA: Then I take it that you have not come to a decision!

MR. DEPUTY CHAIRMAN: That is all right. Are you accepting any of the amendments?

DR. B. V. KESKAR: I have no objection to Mr. Govinda Reddy's amendment.

SHRI RAGHAVENDRARAO: Sir, I beg leave to withdraw my amendment.

The amendment* was, by leave, withdrawn.

BABU GOPINATH SINGH (Uttar Pradesh): Sir, I beg leave to withdraw my amendment.

The amendment* was, by leave, withdrawn.

*For text of amendments, vide col. 2676 of Debate dated 12th September 1955.

SHRI S MAHANTY: Sir, I beg leave to withdraw my amendment.

The amendment* was, by leave, withdrawn.

MR. DEPUTY CHAIRMAN: I will put Mr. Govinda Reddy's amendment to the House. The question is:

"That at the end of the Motion the following be added, namely:—

'and having considered the same this House generally approves the recommendations of the Commission and requests the Government to take steps to implement the same as early as possible'."

The motion was adopted.

MR. DEPUTY CHAIRMAN: I will put the amended motion to the House. The question is:—

"That the Report of the Press Commission be taken into consideration and having considered the same this House generally approves the recommendations of the Commission and requests the Government to take steps to implement the same as early as possible."

The motion was adopted.

THE RIVER BOARDS BILL, 1955

THE MINISTER FOR PLANNING AND IRRIGATION AND POWER (SHRI GULZARILAL NANDA): Sir, I beg to move:

That the Bill to provide for the establishment of River Boards for the regulation and development of inter-State rivers and river valleys be referred to a Joint Committee of the Houses consisting of 45 Members; 15 Members from this House, namely:—

1. Shri G. Ranga
2. Shri M. Govinda Reddy
3. Shri S. Venkataraman

*For text of amendments, vide cols. 2676-2677 of Debate dated 12th September 1955.

4. Shri Jagannath Prasad Agrawal

5. Shri H. P. Saksena

6. Shri Krishnakant Vyas

7. Syed Mazhar Imam

8. Shri M. H. S. Nihal Singh

9. Shri Jagannath Das

10. Shri Vijay Singh

11. Shri N. D. M. Prasadarao

12. Shri Surendra Mahanty

13. Shri S. N. Dwivedy

14. Shri N. R. Malkani

15. Shri Jai Sukh Lal Hathl

and 30 Members from the Lok Sabha;

that in order to constitute a meeting of the Joint Committee the quorum shall be one-third of the total number of Members of the Joint Committee;

that in other respects, the Rules of Procedure of this House relating to Select Committees shall apply with such variations and modifications as the Chairman may make;

that this House recommends to the Lok Sabha that the Lok Sabha do join in the said Joint Committee and communicate to this House the names of Members to be appointed by the Lok Sabha to the Joint Committee; and

that the Committee shall make a report to this House by the 21st November, 1955.

Sir, in presenting this measure to the House, I wish to make a few remarks. This Bill follows closely in the wake of another Bill, the Inter-State Water Disputes Bill. That was discussed in the House a few days ago and the House agreed to refer the Bill to a Joint Committee. In the course of that discussion, doubts were expressed, questions were asked, and I then took the opportunity to refer to this Bill—the Bill that I have now placed before the House—as an answer to those questions and those