

*(Interruptions)*

SHRI BRAHM DUTT: The information given by the Home Minister is very inadequate and he has taken very nonchalantly and casually. Even the matter of abduction of a sitting Member, he has taken so casually...*(Interruptions)*

SHRI AJIT KUMARI PANJA (Calcutta North East): You cannot take one set of steps when Dr. Rubaiya was kidnapped and another set of steps when a sitting Member is missing. There cannot be different standards. You must inform us what steps you have taken...*(Interruptions)*

*[Translation]*

SHRI HARISH RAWAT (Almora): I have given notice of an Adjournment Motion of this subject.

SHRI JAGPAL SINGH (Hardwar): This may happen with anybody, with you as well as with us.

*(Interruptions)**[English]*

SHRI AJIT KUMAR PANJA: We want to know whether security men have been sent, whether Central Intelligence men have been sent to Punjab because president's Rule is there, whether sufficient steps have been taken in this case as in the case of the other abduction. We want to know whether similar steps have been taken or not for tracing a sitting Member of this House. It does not matter whether he is from this side of the House or that side of the House. Otherwise, next time you will find the House empty... *(Interruptions)*

MR. SPEAKER: The Minister wants to say something.

SHRI MUFTY MOHAMMAD SAYED: I have taken note of the sentiments of the hon. Members. At 6 O' Clock we will make a

statement giving whatever information we have... *(Interruptions)*

MR. SPEAKER: He will make a statement at 6 O' Clock.

12.14 hrs.

### PRASAR BHARATI (BROADCASTING CORPORATION OF INDIA) BILL\*

*[English]*

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): I beg to move for leave to introduce a Bill to provide for the establishment of a Broadcasting Corporation for India, to be known as Prasar Bharati, to define its composition, functions and powers and to provide for matters connected therewith or incidental thereto.

Sir, while seeking the leave of the House to introduce the Bill, I have the satisfaction of fulfilling a promise that the National Front had made to the people of the country. We had gone to the people with a manifesto containing a policy declaration to the effect that the National Front Government would liberate the electronic media from the control of the Government. The roots of this policy are to be found in the universal perception of the important role that Radio and Television Play in the lives of our people and the influence that they have come to wield on the development and evolution of our society. Starting from humble beginnings, Radio programmes have today become available to almost 97 per cent of the population of our country and even Television, which started relatively recently, is now beaming its programmes to almost 76 per cent of our population. These two media have, therefore, become the prime sources for the dissemination of information and for providing education and entertainment to the people. In such a situation, it is essential to zealously guard the inalienable rights of our citizens to a free and unbiased flow of information and

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their right to be informed about what they wish to know and not only what others think that they should know. We believe that no matter how enlightened the Government is, any control would, be definition, be an encroachment on this free flow of information and ideas. In a sense, therefore, the imposition of such control represents the beginning of the destruction of a really free and democratic society to the ideals of which we are firmly committed.

We have, in the recent past, seen the brazen and uninhibited misuse of these two media for narrow, partisan purposes, resulting in the total destruction of their credibility, which is, and must always remain the most prized asset of any broadcasting system. There have been aberrations in the manner in which news and current affairs programmes with political and social content have been presented. The media have too often been manipulated in total violation of the accepted norms. We had, in consequence, in keeping with our determination to bring in a fresh breeze of open comment, of a free flow of idea and information, promised to the people that we will not only stop such distortions and misuse, but, by law, free both the media from Governmental control. We have acted swiftly to end these distortions. I take pride in saying that even before the introduction of this Bill, we have taken decisive and energetic steps to free the broadcast media from day to day governmental control as regards newscasting and programming. The change is clearly discernible. The introduction of this Bill is a demonstration of our bonafides and our commitment to an ethos of true freedom and democracy.

I would like to draw your attention briefly to the background to the Bill which I am presenting today and to some of its salient features. The perception that electronic media can function unbiased only when they are autonomous, is now new. In our country, however, this perception has sharpened over the time, in keeping with the ever-increasing

reach of Radio and Television. As far back as in 1964, the Government had appointed a committee under Shri A.K. Chanda which had examined the functioning of AIR, the only electronic medium broadcasting regularly at that time. This Committee had observed as follows:

"It is not possible in the Indian context for a creative medium like broadcasting to flourish under a regimen (sic) of departmental rules and regulations. It is only by an institutional change that AIR can be liberated from the present rigid financial and administrative procedures of Government."

This Committee had recommended the constitution of a separate corporation for Akashvani with freedom to evolve its own methods of recruitment, regulated scales of pay and conditions of service according to its needs and devise a financial and accounting system appropriate to its creative activities.

In 1977, following the trauma of the Emergency, one of the major objectives of the Janata Government was the granting of autonomy to AIR and Doordarshan. A committee had been appointed, under the Chairmanship of Shri B.G. Verghese, to examine the functioning of the two media and to make appropriate recommendations. On the basis of their recommendations, a Bill called the Prasar Bharati Bill was introduced in the Lok Sabha in 1979. This effort, however, came to naught as the Bill lapsed with the dissolution of the Lok Sabha.

Since then, with the expansion and new projects which have been implemented in the recent past, the influence that the two electronic media have come to wield, have assumed really gigantic proportions. The present Bill, therefore, although borrowing from the earlier one, also takes into account the changed circumstances and the present ethos.

In the present Bill, we are proposing initially only one Corporation to be set up, with two wings, one for Radio and the other

for Television. There will be a Board of Governors, with four full-time Governors, namely, Chairman, Executive Governor, Governor (Finance) and Governor (Personnel). In addition, there will be six part-time Governors who will be people of eminence in various fields of relevance to the two media. The two Directors General—of Radio and Television—will report to the Executive Governor. We have provided for a method of appointment of the Chairman and Governors, which virtually does away with the Government's role in the process. They will be appointed by the President on the recommendations of a committee consisting of the Chairman of the council of states, the chairman of the press council of India and a nominee of the President of India. The independence of the Board of Governors has been further strengthened by providing that the Chairman and Governors, before the expiry of their terms, can only be removed in the same manner as prescribed for the removal of the Chairman and some members of the Union Public Service Commission in the Constitution.

Mr. Speaker, Sir, you will notice that we have been at pains to define, in some detail, the objectives which will guide the Corporation in the discharge of its functions. This is necessary to ensure that the aspiration of the people of this country, belonging to diverse cultures, languages and regions, are fully met in the programming of these two media so that the variegated culture of the country is allowed to evolve, flourish and grow. We have also been conscious of the need for incorporating, within the structure of the Bill, a mechanism which will ensure that the functioning of the Corporation is never allowed to stray away from these objectives.

It is equally necessary to ensure that the rights and sensibilities of individuals and groups of people, which could be hurt by insensitive or biased programming, are not allowed to be infringed. It is in this context that a provision has been made for the establishment of a Broadcasting Council. This Council will examine all complaints of unfairness and bias or those relating to pro-

grammes not being in conformity with the objectives of the Corporation. This Council will consist of a President who will function whole time. He will be assisted by ten other part-time Members, drawn from various walks of life, so that every aspect of programming could be brought under scrutiny. There is also a provision which will enable this Council to set up Regional Councils to cater to regional needs.

All senior appointments within the Corporation will be made by the Board of Governors and other appointments by Recruitment Boards to be set up by the Corporation under the rules. We have also provided, protection to all categories of employees of AIR and Doordarshan, including officers of Indian Information Service working with these organisations. It will be our endeavour to ensure that all employees are treated justly and are provided opportunities to grow and develop in their own fields. I would, however, like to emphasise that the primary objective at all times would be to achieve excellence and there will be no place for persons who cannot contribute to it in a positive manner.

Creativity and merit will have to be the focal point. Necessary steps will be taken to ensure this. The finances of the Corporation will be underwritten by the Government on the touch stone of public service. Nevertheless, financial autonomy is to be promoted by providing that the Corporation shall have its own funds, into which shall be paid broadcast receiver licence fee, if any, advertisement revenue, service fees and other earnings.

The external broadcasting and monitoring services shall be a charge on the Government. The capital budget, likewise, will form part of the plan expenditure. It is hoped that in due course Prasar Bharati will financially viable and financial liability will become a realisable objective.

A provision has been made to make the Corporation accountable to the Parliament. Its Annual Report, incorporating a report by the Broadcasting Council also will be placed

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before both the Houses of Parliament to enable this august body to exercise scrutiny, debate over the manner in which the organisation has functioned, and to give the required directions and guidance.

Sir, I am grateful to all the parties and their leaders, including the Leader of the Opposition, for their wholehearted support to the Bill, the main features of which have been discussed with them as well as several experts, in informal discussions.

Sir, we are conscious that we need to move fast to bring the Corporation into being and yet not be hasty in proposing a structure which does not achieve our stated goals. It is in this context that during the next few months, before the Bill is actually taken up for consideration, we have planned to encourage different institutions and organisations to hold seminars, debates and discussions on all aspects of the proposed Corporation in addition to the panel discussions on the two media at various levels. It will be our endeavour to generate a national debate and to benefit from the many suggestions for improvements that will emanate as a result of this debate. We do not have any inhibition on this matter and will incorporate into the Bill such suggestions and ideas that further the aims and objectives that we have in mind. If the Bill is taken up for consideration and passed around May 1990, it will still take time to draft the rules and regulations, appoint the governors, and other functionaries and place them in position. We shall endeavour to take the consequential steps following the passage of the Bill as expeditiously as possible. Even so, the appointed day may be about a year away. In the interregnum, Mr. Speaker, Sir, it is not our intention to be idle or let things proceed as they are today. We are aware that much can be done immediately to ensure impartiality, objectivity and to give to the media the much-needed independence which will enable them to improve the quality of programmes. We intend, therefore, to undertake a comprehensive review of the

programmes being broadcast and telecast by AIR and Doordarshan. We will examine all procedures and reconstitute the various Committees and other bodies involved with programming, wherever necessary. New kinds of programmes will be considered. For example, we will try to increase the number of current affairs programmes and encourage independent producers to make them so that fresh, thought-provoking ideas are placed before the audience. As regards Television, we will try to make the second channels in four metropolitan cities much more likely so that they can provide alternative programmes to meet the aspirations of the regional audiences.

To ensure that right from now all this is done through a process which is rooted in the concept of autonomy and independence, even before the law is enacted, we propose to immediately set up a compact five-Member Board, consisting of distinguished persons from the media, from the world of cinema, art and culture, the world of scholarship, agriculture and rural development, to oversee the functioning of AIR and Doordarshan. While it is true that this Board cannot at present be given statutory powers, we will give it sufficient authority so as to enable it to ensure that programming is objective, impartial and of the highest quality. I propose to set up this Board very shortly, within the next few days.

Mr. Speaker, Sir, the safeguards which have been built into this Bill with the objective of giving to the media the fullest protection from outside interference, both now and in the future, are as comprehensive as they can be. It must, however, be noted that ultimately it is the persons who direct and run the Corporation who will count. It is not only a structure that will bring the required independence, impartiality, objectivity, fairness and excellence. It is the people—the professionals who man the organisation—who will alone be able to do this. The structure will only enable them to bring these qualities to their work and protect them from the forces



of various partisan interests. The responsibility which then devolves on those who work for the Corporation is indeed very large and onerous. The strictest vigilance will be needed to eliminate corruption, arbitrariness and irresponsibility. The eyes of the entire nation will look to the Board of Governors to see how this goal is achieved. It will be our endeavour, as also the endeavour of my Ministry to provide all possible assistance.

Sir, the Bill I am introducing today is no ordinary Bill. It is a charter of freedom to give voice to the people of India, through the broadcast medium in fulfilment of their fundamental freedom of speech and expression as enshrined in Article 19 (1) A of the Constitution. This is a Bill for which the people have been waiting for long. I am sure it will be welcomed by all. The National Front has promised open Government, dialogues, consensus and conciliation. This Bill is part of that promise. It is in this spirit that I take great pride and deem it a great privilege to introduce this historic Bill and commend it to this House and to the nation. With these words, I beg leave of the House to introduce the Prasar Bharati (Broadcasting Corporation of India) Bill, 1989.

MR. SPEAKER: The question is:

"That the leave be granted to introduce the Prasar Bharati (Broadcasting Corporation of India) Bill, 1989."

*The motion was adopted.*

SHRI P. UPENDRA: I introduce the Bill

SHRI AJIT KUMAR PANJA: (Calcutta North East): This is the longest statement of objects and reasons. With your permission, can it be sent to the GUINNESS Book of Records?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): Sir, I support it.

12.31 hrs.

## LOKPAL BILL'

[English]

THE MINISTER OF STEEL AND MINES AND MINISTER OF LAW AND JUSTICE (SHRI DINESH GOSWAMI): Mr. Speaker, Sir, I move for leave to introduce the Bill to provide for the establishment of the institution of Lokpal to inquire into allegations of corruption against public functionaries and for matters connected therewith.

Sir, by asking for leave to introduce the Bill, the National Front is fulfilling another major commitment that was made to the people during the election time. This Bill is primarily meant for purity in public life. We firmly believe that corruption at high places not only affects our democratic structure but erodes the vitality of the nation. The Administrative Reforms Commission had in its report as early as in 1966 recommended for setting up the institutions of Lokpal and Lok Ayok. Though the Bills were introduced in 1968, 1971, 1977 and 1985 these could not mature into enactments. This Bill, for which I had asked for leave for introduction provides for an institution of Lokpal consisting of a Chairman and two Members. Only persons who are or have been Judges of the Supreme Court would be eligible for appointment to this Body. This has been proposed to create a greater assurance of justice and fair play in the minds of all. It is proposed that the jurisdiction of Lokpal should cover the complaint of corruption within the meaning of the Prevention of Corruption Act, 1988 against the Council of Ministers and the major departure that we have made in this Bill from the earlier Bills which were introduced is that it will include the Prime Minister of the country also. The Prime Minister after this Bill is passed, will not only be subject of public scrutiny but the citizens will have the quasi-judicial forum for redressal of their grievances of allegations of corruption. It is also provided that in case of complaints against a Minister, the competent authority