

SHRI P. CHIDAMBARAM(Sivaganga):
What is the idea that the High Court will
revive the Assembly?

SHRI MANDHATA SINGH: Before the
High Court pronounces the judgment, what
is the sense? What is that politician talking?
Who is that politician? Let us identify them,
who can pre-judge the decision of the Punjab
and Haryana High Court. I am simply hinting
that this kind of a situation and propaganda
has aggravated the issue in spite of the best
intentions of the rulers today and in spite of
the sentiments expressed by the Prime
Minister regarding his visit to villages and
also about the healing touch. Now, every-
body talks about the revival of the political
process in Punjab and Kashmir. Let us not
talk about Kashmir for a while; let us talk only
about Punjab. What do you mean by the
revival of political exercise? I do not know
whether the so-called revival of the Assem-
bly is coming about or not. It is in the womb
of the future. Who is presuming as to what
the High Court is going to do? That is the
current main cause which has aggravated
the situation. I again express my solidarity
with the sentiments expressed by various
leaders and various sections of the House. I
would like to suggest that merely by deliver-
ing sentimental and emotional speeches in
the House, the political process in Punjab
cannot begin. Let us muster courage to go to
every village and township in Punjab with
this message of peace and solidarity and
without mustering courage on our part, no
tall talk is going to deliver the goods.

07-56
14.22 hrs.

Bill (C)

PRASAR BHARATI (BROADCASTING
CORPORATION OF INDIA) BILL - Contd.

[English]

MR. CHAIRMAN: Now, we move on to

further consideration of the Prasar Bharati
Bill, Motion for consideration of which was
moved by Shri Upendra on 21st August 90.

SHRI P. CHIDAMBARAM (Sivaganga):
Madam, before you call upon the next
speaker, I would like to make one point. Last
Friday, it was suggested that the Govern-
ment should call us and consider our amend-
ments. The Minister for Information and
Broadcasting was kind enough to call us. We
discussed with him for about an hour-and-a-
half. We explained to him each of our amend-
ments. Now, except for a brief telephone call
which he made to some of us yesterday,
where he said they are still considering and
there are some difficulties, we do not yet
have a formal answer from the Government.
What we read is only in the newspapers that
the Government was not going to accept
these amendment and the Government had
difficulty in accepting those amendments.
We expected that there would be a discus-
sion and the entire House said that if the
Congress Party wants a discussion, what is
the harm in discussing. Now, we have dis-
cussed with the Government; we have ex-
plained our amendments. Why should the
Government fight shy of calling us to tell us
whether they are accepting our amendments
or not? If they are accepting, they should tell
us whether they are accepting with or with-
out modifications. Why should we have to
know about them from the newspapers when
we have briefed them about our amend-
ments. I think, this is treating us with scant
respect and treating us with a great deal of
casualness. All the parties have supported;
Advaniji and Somnathji said that if the Con-
gress Party is serious about pressing its
amendments, why don't they have a serious
discussion? We have had a serious discus-
sion. Why can't they give us a serious an-
swer? I am told this debate will go upto 4.00
p.m. and at 4.00 p.m. the Kuwait debate will
start. But, I still think the Government should
take us more seriously and consider our
amendments and give us answer to those

amendments. After all, these amendments have been drafted and submitted after very careful deliberations within our Party. Why should they be rejected out of hand and why should we be treated with such scant respect? I do not understand at all.

THE MINISTER OF INFORMATION AND BROADCASTING AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI P. UPENDRA): Madam, I had a discussion with the representatives of the Congress Party on Friday. I told them that I would revert back to them after discussion among ourselves. I promptly conveyed our views to Mr. Chidambaram on telephone and told what we can accept and what we cannot accept. He promised that he would consult his leader last night and ring me back his reactions. I was waiting for his call the whole night yesterday and I did not get a call from him. After having failed to get a reply, I have contacted Mr. Kurien and requested him to give their views. After that, I myself tried to see Mr. Rajiv Gandhi today, to find out this party's views. I was told that he was unwell and he was unable to speak and all that. I cannot be blamed for that, if they cannot make up their mind.

SHRI P. CHIDAMBARAM: I am sorry, this requires to be clarified. Mr. Upendra telephoned me to say that he was holding consultations within Government. They have some idea about one amendment. So, he said, he would come back and tell us in what modified form, he would be able to accept that amendment. Regarding the third amendment, he has got some difficulty; he is looking into the matter; regarding the fifth amendment, they have not even formed a view. This is what he said. Then, I said, you formally call us and in the meanwhile we will consult.

Where has he called us? After discussing with five or six of us, he telephones once and says: "I would like to see Mr. Rajiv

Gandhi." I said, of course, you can see Mr. Rajiv Gandhi. But he is ill.....

SHRI P. UPENDRA: Even this morning, they did not respond. (*Interruptions*) They have not made up their mind.

SHRI P. CHIDAMBARAM: He very conveniently puts the ball in our court.

SHRI P. UPENDRA: Are you ready? Even in the evening, I will sit with you. You want to avoid the issue. That is not fair. (*Interruptions*)

MR. CHAIRMAN: My I appeal to both the sides. After all, the discussion will not be over today. Therefore, let us take up the discussion and carry it on up to 4 O'clock. After that again, you can discuss all these things.

I hope and believe that since you are all inter-acting still, the chapter is not closed. Therefore, I will proceed with the debate and I will call upon Shri Lokanath Chaudhary to speak.

510-16
SHRI LOKANATH CHOUDHURY (Jagatsinghpur): Madam Chairman, first of all, I thank the Government for bringing forward the Bill to give autonomy to the electronic media. Giving autonomy to the media, under the circumstances is urgent. Though the Bill confers some autonomy to the media and have deficiencies yet is a laudable move. It creates a basis for autonomy and I think, in course of time, by experience against it will be amended and the autonomy will be complete.

Moreover, I also thank the Minister because he has tried to bring a consensus on this Bill. This was never like this before. The very fact that the Minister agreeing to discuss with the Opposition to bring correctives and take the advice of the Opposition—they may accept or may not accept—but Invit-

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ing the advice of the Opposition itself is a good chapter. I think, it is a beginning and let us start with this beginning and we will go ahead with this type of attitude.

I would also request our friends in the Opposition to make some suggestions, taking all factors into consideration because they had the experience of utilising the media, not for the Government but for them as party in power. I differentiate—just like Mr. Upendra differentiates between censoring and editing—between the Party and the Government. But unfortunately, the Congress friends who were in the Government never differentiated between the Government and their Party. So, they always thought that they were the Government and they were the Party. So, the media had become an instrument of a particular party. Therefore, the necessity for making the electronic media free from a particular Party which was in the Government assumed great importance. Before the elections, all the parties in the country promised the people to make the electronic Media autonomous. Before saying something on what should be the limit of autonomy, I want to say that today in our country, the newspaper media is mostly held in the hands of big businessmen. They always try to give information, educate the people in their own interest.

In this context, the importance of the electronic media is very great. It has more coverage and it is interesting to the common people because you know most people are illiterate and so they can learn more from the electronic media. They can be informed and educated by the electronic media than by the press. I am not speaking from the party position. The media has so far been vulnerable to focus the different interests of our society and, therefore, the abuse of media is not only from the Government side. There is the danger of its being abused from many

other positions. As you know, in our society which is full of contradictions, different sections of the society want their position to be strengthened in the society and they try to use the media. In their interest. To protect against all abuses, when we think of autonomy, our autonomy should be to the extent that this media is not abused by those who are opposed in one way or the other to the principles enshrined in our Constitution along with the Directive Principles of State Policy. So, keeping this in view and taking our society as it stands today, we have to consider from which position the media should be protected so that it is not misused but used to strengthen democracy and socialism and to our democracy. It should be kept in mind that abuses can come from the commercial houses, from big business, from the dominant classes in the society to incite communal passions and abuses can come from vested interests who are detrimental to our democracy.

The objectives for which the media will work have been defined in Clause 12 though there are deficiencies. But I would take this opportunity to say that along with other abuses, we always expect the abuse from the bureaucracy. We have taken many good measures in our country. Most of the good measures have been distorted and have not worked because the bureaucracy distorts and they have greater power in our administrative set up. The bureaucracy was created by Lord Hastings and you know what sort of man he was. He has laid down the basis of Indian bureaucracy which was within the framework. But still after that, what are the mistakes that we have committed by not making social and administrative reforms? So, the bureaucracy may also distort all the things that we desire to achieve through this act. While telling this, I would like to say that the present Bill has been brought forward after a great deal of consultation. It has limitations. I have said that it has got deficiencies. In our province there is a saying

that when there is no maternal uncle, even a blind maternal uncle is accepted. In this connection I want to bring some features of the Bill. Now, I would like to touch on the Board of Governors. As per this Bill, there will be 11 persons in the Board of Governors. As far as the Board and the persons working in the media are concerned, there is no organic link. This is a set up which is an example of beaurocratic set up. There is the danger that the media will not develop. Therefore, the organic link is required. I think the Government, which is advocating the workers participation in the management, has forgotten to accomodate the employees, who are working in the media, in the Board of Governors. As you know, we support the Government. We have different perceptions and different programmes. We do not want this Govt to implement our programmes. We support you that you will honestly implement your programmes. The National front has in its programme declared the participation of workers in the management. There was a time when it was not necessary to have the workers participation in the management. But today, with the scientific and technological revolution, it is the worker whose mind works, whose intelligence works. He is not a mere physical worker. So, how can you assimilate him? You cannot assimilate the worker by keeping him away from the Board of Governors—I mean the artists and the employees. Therefore I would suggest to the hon. Minister that he should accept that at least two of the Members of the Board of Governors must be from among the employees and artists. This is a vital thing which will ensure the democratic functioning of the Corporation. If you want the Corporation to be democratic, if you want to protect the interests of the people and if you want that it should work in the desired direction, then it is necessary that representatives of the employees and the artists must be there in the Board of Governors. I would request the Government to accept this suggestion.

Secondly, we have decided to form a Committee to nominate Governors the Vice Chairman will be the Vice President. But there is a suggestion that the Chairman of the Press Council should be the Chairman of this nominating Board. I think it is better if the Vice President is made the Chairmen. The concept of the Committee, which will nominate the Board of Governors, is reasonable. There should not be any change in it. But one thing should be there. What would be the mechanism, what would be the nodality by which the Members will be nominated should also be clarified. You are tailing about the Executive Governor. Who will be the Executive Governor? The qualification of Executive Governor has been defined keeping only a bureaucrat in mind. I think, there should be an improvement in that and so that people from other fields should also have the chance to become the Executive Governor and the modalities for nominating the Members should also be worked out. If the modalities are not worked out properly, then there is apprehension that again it in the bureaucrats who will rule.

The Government has said that in the original Bill here is a provision that there will be a Broadcasting Council. I welcome that the Broadcasting Council has been opposed. I thank the Minister that he has changed it. In the original Bill it was mentioned 'in consultation with the Chairman'. Now it has been changed. It is a welcome step. Instead of 'consulting the Chairman', it will be rather better if a Committee is set up like other Committee consisting of Members of the Public Service Commission and other people and also nominating some Vice-Chancellors as Members of the Broadcasting Council. What will be the powers of the Broadcasting Council?

When there will be difference, when Governors will return the noting giving reasons, I think, there should be a provision that when the recommendations of the Broad-

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casting Council are rejected, that should also be announced, that should also be broadcasted and thereby people will know everything. That way, the Board of Governors will function under the full view of the Public and the people will now how the Government is working. I think, here the provision should be changed.

About removal or suspension of the Board. There was a provision which has now been amended. It is a welcome step. But the Board can only be superseded not by the Parliament, having two-third majority.

The time for Broadcasting for commercial Houses should be fixed in the Act and that should not be more than 5% of the total broadcasting time. Once you do not fix the timing, you leave it to the Broadcasting Corporation. There is a possibility of abuse after by the monopoly houses. Therefore, we are of the serious view that there should be a definite time limit for advertisement for the commercial houses. There should be another provision in the Act that the prime time should not be given to them. There should be another provision in the Act is that what is broadcasted that should be consistent with the democratic, secular and socialistic values which are enshrined in the Constitution. If that is not there, there is a possibility of its being again abused. So, with all the corrections that have come, I know there is a view now that there should be privatisation and private houses will be given the licence to have the broadcasting. I think it is the most dangerous proposition. It will lead to privatization. The Doordarshan cannot be handed over to the monopoly houses. I know those who are advocating this idea. It should be rejected and should not be accepted because it is not in the interest for which the broadcasting and Doordarshan should work.

My next point is about the finances,

about the transfer of the property of the broadcasting corporation. There may be some changes. Different propositions may be tried; but the Govt. must finance the Corporation besides the income it will be from. Sources that is given in the Bill. All the Hardware of Doordarshan will be handed over to the corporation on lease basis.

While welcoming it I will commend the Minister that in bringing this Bill forward he has definitely done a good thing. But if he does not change it as I said earlier, if it is used by the party in power, if he allows it to be used by the commercial houses, if he allows it to be used for communal purposes, the worst will take place. Against all these possible dangers in our society, there are so many contradictions, So there is a need to strike out a balance and getting the society transformed in the direction as enshrined in the Constitution and its Directives Principles for which the media will educate, curtain, inform and motivate our great people.

With these words, I thank you for giving me the time.

516-27

SHRI S. KRISHNA KUMAR (Quilon):
Madam, I beg to oppose this Bill to the extent to which it goes beyond the genuine requirements of functional autonomy and takes this powerful media outside the influence and control of not only the political executive, but also of the sovereign Parliament and the people. I oppose the bill because theoretically at least the political executive or the Government on India seems to abdicate its responsibility of utilising powerful medium of the people as an instrument of nation building, for social-economic development, for building a modern socialistic welfare state and they are attempting to create a private fiefdom of a coterie of individuals called the Governors whom they seek to invest them with unbridled power without even a semblance of accountability to the Parliament.

It requires no clairvoyance to foresee that the new Prasar Bharati is going to sink into a morass of uncontrollable inefficiency and corruption.

What the Janata Dal seems to do is possibly best summarised by one of their own mentors and or acts. Shri Morarji Desai, who speaking on the autonomy of the media said, 'one should not go from the frying pan to the fire; a corporation can also be completely destructive' November 4th, 1977.

Is the intention of this Government in bringing the Prasar Bharati Bill *bona-fide*? We are all aware, it is not the structure of the corporation but the attitude towards fairplay in the media; it is not the letter of the law but the spirit in which the media is managed which is relevant in ensuring that the media conforms principles of justice and fairplay especially when it is portraying news and current events. Much is made out of the model of the British Broadcasting Corporation. In actual fact, the assets of the BBC are owned by the British Government. The Home Secretary of UK has enormous powers with respect to the BBC. But by convention, by tradition, they do not use them. Also, the BBC's reputation was built brick by brick by the first legendary Governor, Lord Reeth, who created tradition, who set the norms for operation of the BBC, who withstood partisan political interference. What do we have here? Do we think that Mr. Upendra is the herald of a new era of media freedom in this country?

What is the track record of this Government in the last eight months in dealing with the media? This Government has indulged in for crass, blatant misuse of the media for partisan political propaganda. These *Khula Manchans* have thrown all sense of objectivity and truth to the winds. Here is an Information and Broadcasting Minister who censors his own Cabinet colleagues, and this is a subject-matter of a privilege motion before

you. He is packing every single current affairs programme of Doordarshan and All India Radio with his apologists. He has already made a *Prachar Bharati* out of the media. Here is an I & B Minister who is personally subverting the freedom and autonomy of the media and the people's right to information.

Today, we have heard from the newspapers that the Cabinet Sub-Committee, which was formed as one of the first acts of this Government for considering citizen's right of Freedom of Information Act, has been disbanded by this Government. This is the attitude of this Government towards freedom of information.

The Government's intention is very clear. They want to give the Prasar Bharati a veneer of autonomy and respectability. But they want to pack the Governing Body with fellow-travellers, henchmen and hangers-on. They want to run the media by proxy without having to answer anybody, including Members of Parliament or the public. The intention is confidence trickery. The intention is to commit a phenomenal fraud on the people.

The stand of the Congress Party about this Bill is clear. It has been only presented to the House by my hon. senior colleague, Shri Vasant Sathe. It is a tribute to the vision of Indiraji and our leader Shri Rajiv Gandhi that in the last decade, All India Radio and Doordarshan infrastructure has been built up into one of the foremost broadcasting organisations in the world. In the Seventh Plan itself, infrastructure of All India Radio was doubled from 90 to 180 transmitting stations. The infrastructure of Doordarshan was trebled from 171 transmitting stations to 520 stations. We believe that this massive infrastructure built with the people's money should be utilised for spreading literacy and for the task of human resources development, for achieving participation of the people in build-

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ing a socialist State. We believe that in a parliamentary democracy, this task should be led by the political executive of whatever hue, whether it is the Congress or the Janata Dal, whoever gets elected by the people, It is their political mandate and through the implementation of this mandate, the country has to be carried forward and the media has to be legitimately used for this. Even the Verghese Committee said, "Absolute autonomy is not conceivable in the context of national planning." We believe that the fundamental responsibility of the elected representatives should not be diluted or abdicated. There was even a mention even from that side that the Ministry of Information and Broadcasting should be extinguished and the whole field has to be actually handed over to media persons. Madam, if they carry forward this logic, then why can't they extinguish the Ministry of Education and hand over the field of education to educationists, hand over the Industry to industrialists and multinationals? The Government of India has a cardinal role to play in carrying this nation forward and this Bill abdicates this responsibility as far as the Government media is concerned. That is why we always believe that if anybody in this House or outside advocates that there is a public morality in this country which is higher than the morality of the elected representatives of the people, then any sense of justice above the sense of justice of the elected representatives and the political executives, so long as they do not act within the Constitution and Law, is a dangerous thesis which is antithetical to the very survival of democracy in this country. That is why, Congress Party is only for functional autonomy and not for divesting the electronic media totally of the direction and control of Parliament and the Executives. I would like to quote the words of Jawaharlal Nehru and we stand by Nehru's vision about the media. Nehru's vision and ideology are now becoming the global ideol-

ogy. He said: "It would be better if we have a semi-autonomous corporation under, of course, Government with a policy controlled by Government but otherwise not conducted as Government Department." This is his words on 15th March, 1948. When Mr Sathe said yesterday that the media should be owned by Government, he was reflecting this vision. Madam, the Bill bristles with infirmities and deficiencies. The main infirmity, according to me, is that there is no provision in the Bill to make the Governors conform to our national priorities and objectives. When I say national priorities and objectives, I am taking a non-partisan posture where the consensus is for secularism, the consensus is to fight against communalism and the consensus in building a socialist welfare state in this country. There is no constructive role for the political executive in the Bill. For example, if the Governing body, in its wisdom, decides to de-emphasise any vital national programme of Government like that of empowerment of women, family welfare programme, maternal and child health, anti-poverty programme or any other legitimate programme, then where is the provision in this Bill which can make this Governing body conform to our priorities? I say that there is no provision in the Bill and it has been emphasised by fellow members from the left. Supposing they want to de-emphasise educational programmes and want to increase advertisements or give a free run to the multi-nationals, then does it does not come within the ambit of misconduct or moral turpitude? In such a case, there is no way out in which this Governing body can be made to conform to our national socio economic priorities.

The Information and Broadcasting Minister was uttering falsehood when he stated that the Bill provides for adequate control by Parliament over Prasar Bharati. If the Members ask questions about the media, which is our inalienable right, then the Minister can very well say that he cannot answer as

Prasar Bharati is outside the control of the Government or that he has to collect information and so on. Prasar Bharati is not bound to give any information within any time limit. As Mr. Sathe said, we can only express our dissatisfaction. Let me state another situation. A couple of years ago, in power when we were in power, Members of the Eighth Lok Sabha would at least remember that the Parliament News slot was changed from prime time to some other time. There was a hue and cry in this Parliament and the Government was made to restore the timing and the importance of the Parliament news. If the proposed Governing body of this Corporation decides to de-emphasise the Parliament News and takes it away from the prime slot, then what is the remedy in this Bill? There is no remedy at all. They say that the Bill has been fashioned after the BBC Act. I am quoting Clause 13(2) of Licence under which the BBC functions. It says: "The Corporation shall broadcast an impartial account day by day prepared by professional reporters of the proceedings of both Houses of Parliament."

15.00 hrs.

This is the British Broadcasting licence condition. Where is the corresponding safeguard for Parliament in this Bill? They are taking this powerful media through their shortsightedness beyond the control of Parliament, abridging the rights of individual Members as well as the whole Parliament.

Another vital lacuna in the Bill is with reference to external broadcasting. We are aware that the external broadcasting is an important function of Government, linked to our foreign policy imperative. Information aggression is taking place all over the world by the developed countries, for instance by the United States against Cuba from Florida coast. We ourselves in India are facing information aggression from Pakistan in our border areas and they are using their media

for subversion in Kashmir and Punjab. This Government through this Bill wants to hand over the external broadcasting also without any control whatsoever to these eleven wise men, these eleven super Ministers called Governors unaccountable to Parliament.

And what about the possibility of subversion and infiltration into these powerful media by foreign intelligence agencies such as CIA? Do you think that it is beyond the realm of possibility? If there is anybody who has studied the destabilization of countries in Latin America and the Third world, it is entirely within the realm of possibilities that the organizations as such CIA can buy up the Executive Governor or the handful of Governors without our knowing. One day we would wake up and see that this powerful medium which was so far under the Central Government has been *inflated* top to bottom by these agencies. Where is the safeguard in this Bill against something like this happening?

The B. G. Verghese concept of trusteeship is absent in the Bill. Here the trusteeship as well as the day-today management of the Prasar Bharati has been telescoped with the result that the Ombudsman function or the guardian function which was expected of the trustees would be extinguished and the power of the Executive Governors would be dangerously enhanced. Shri Sathe had emphasised that no autonomy is being given to the Directors-General of the electronic media. The seniormost officers who have grown up with the media, Doordarshan and All India Radio, are going to be simply subordinates of these Governors Boards; outside the Governing Boards. They are not members of the Board. The Thirty-eight thousand work force is going to be dis-empowered, not powered; the engineers, the programmers, the professionals are not going to be invested with additional powers. On the other hand the power that they now have is being taken away. The Congress Government can

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be proud that under them the Directors General of Doordarshan and All India Radio were some of the most powerful Heads of Departments of the Government of India. Normally, in the Government the Head of the Department cannot transfer his immediate subordinate. This power is vested with the Government, but the Director General, Doordarshan and Director General, All India Radio can transfer their immediate subordinates, the Directors of the Kendras. Such autonomy, such decentralization had been achieved under the Congress Government. Now, the erstwhile Chief Executives of the organization as well as professionals in the organization are going to deal not only with Shri Upendra, but eleven Upendras, who are going to be supra-Ministers, who are going to be supra-executive and who are going to be supra-Parliament. This 38000 work force can be divested, of their states anybody can be brought from outside and introduced at any level. They cease to have the protection of Government service and they do not have recourse to administrative Tribunals. Do you think that this is investing autonomy on the existing system. The new Czars of the media can exercise tyranny over these 38000 strong work force and this is what is going to happen.

The Broadcasting Council, as contemplated in the Bill, is redundant because it is toothless, it is impotent, it is a mere white elephant and a futile exercise.

It is against this background that my party had made a strong demand that the Bill be referred to a Select Committee, not to reinvent the wheel not to go through the entire seminar and consultative procedure, as have been the various opinions which have been voiced in the last three months, but only to consider the amendments which have been put forward by the hon. Members and arrive at a consensus.

Mr. Upendra, has of course, discussed with us but he has not come forward with any concrete response to our requests. We are for constructive cooperation. We are for functional autonomy. The amendments which have been moved by me, by Mr. Chidambaram and Mr. Madhav Rao Scindia have been moved on behalf of the Party after a great deal of discussion within the party. Madam, these amendments are reasonable. They are to cure the anomalies and lacunae in the Bill. We request that they get due consideration of the Government.

In a nutshell, the amendments are: in order to preclude partisan choice, we have asked that the selection committee may include elected Members of Parliament from both sides. We have also demanded that in order to have a modicum of control by Members of Parliament; in order to protect their interest the Director Board should have at least three members elected by the Parliament like many other Boards in the country, reflecting representation of all political parties. We have demanded that the Director General of Doordarshan and All India Radio should be in the Governing Council in order to give them adequate status so that they may function effectively. We have said that there is no need for giving them the designation of Governor. This exalted designation has been given in the Constitution to the Governors of the State and the Governor of the Reserve Bank. This is not a constitutional bill. So, let such designation be not given to the members of the Board insofar as the officials of the Government of India of the rank of Joint Secretary, etc. are going to be the members of the Board. Instead of the Broadcasting Council, which is a white elephant, we have suggested two bodies: one a Statutory grievances Committee of the Director, Board itself which will hear day-to-day grievances, day-to-day complaints and its decision shall be carried out by the Executive Governors. And the other is an Appellate Parliamentary committee on the media fashioned on the lines of Public Accounts Committee and the Public Undertakings Committee which will be the watch dog body and which will ensure the supremacy of Parlia-

ment in this important aspect of Parliamentary democracy. It can be appellate to the Director Board and it will ensure that this media is used for building our nation. We have also suggested that new Kendras should not be opened without the prior approval of the Government. I had been in the Ministry, Madam, and I am aware that each of the people representatives have their grievances, their own ideas as to where these kendras or the transmitting stations should be located. They are going to give this power to these 11 outsiders who are bureaucrats and who are not amenable to the views of public representatives. They will not listen to us give some technical opinion and locate these transmitting stations wherever they like and there is no redress for the Members of Parliament. If this power is retained by the Government—whoever be the Minister—he will have to listen at least to a certain extent to the peoples representative. We believe, Madam, that the power to give direction—let me make it clear that it is not partisan political direction but power to give direction about socio-economic development programmes—should remain with the State. Now, in the Bill the entire power to give direction is confined to the matters of public order and internal security. Supposing, they de-emphasise some programme like the Family Planning Programme, what are we going to do? Supposing they cut down Broadcasting term on the economic development programmes of the State, what will we do? There should be sufficient safeguards.

Madam, we need a stricter provision for external broadcasting. It may be handled by the Prasar Bharti but its planning and control should remain with the Government.

Much ado has been made of our shall amendment, the enabling provision for competition. It should not be taken to mean that we are advocating privatisation. Even now under the Indian Telegraph Act, under which licence has been given to A.I.R. and Doordarshan. It is within the competence of the Government to give broadcasting licence to any social service organisation.

Madam, the boundaries of science are expanding fast. Even now, if you pay Rs. 1,000 and get a small equipment, you can get broadcasts and telecasts from anywhere in the world, whether U.S.S.R., U.S.A. or Europe.

We want Prasar Bharati to face competition not from outside world but from within India. There is nothing wrong in an enabling clause. That does not mean, tomorrow, you should start giving private licences. But in so far as the Scheme of this Bill is monopolistic, it is necessary that this Clause is also there so that, in its wisdom, if the Government decides to do so, it is empowered to do so.

We have made all these suggestions in good faith and in all sincerity. In our Amendments, we have added a very pertinent Clause that is having safeguarded the interest of the State and of the nation, there can be a Clause in the Bill. It has been taken from the Australian Broadcasting Corporation Act—"Save as otherwise provided in this Act, this Corporation shall not be subject to any direction or interference from Government." That will preclude partisan, daily political interference, whichever be the Government. In order to insulate this Corporation—after all the crux of the debate is about the news and the current affairs, how they are handled—this specific Clause will ensure that "the Government can only interfere in the stated situations and not generally."

We would beseech Mr. Upendra and the Government to consider our Amendments dispassionately and accept them. If they do not and try to steamroller this Bill with all its infirmities, they will be doing incalculable harm to the electronic media and the nation's vital interest. They will be releasing an evil gene in the procession of injuries, his is a minority Government—minority Government according to Mr. Advani also. It is inflicting on this nation, in the train of price rise, in the disastrous economic management, in the train of a caste war, they have unleashed on this nation, in the religious and linguistic fanaticism they are storing. One

[Sh. S. Krishna Kumar]

more thing will be added, i.e. destruction of electronic media, which was built up over the last forty years.

They is a famous statement of Winston Churchill during the Second World War about valour of the pilots of the Royal Air Force:

"That England owed so much to so few people in so little a time."

If I make a parody, this nation is going to say when they make an assessment, when they make an analysis, a historical judgement on the Janata Dal Rule, that never in the history of India, has so much harm been done to the country by so few men, in so little time.

15.15 hrs.

[SHRI NIRMAL KANTI CHATTERJEE *in the Chair*]

SHRIMATI MALINI BHATTACHARYA (Jadavpur): Madam, Chairperson, I rise to support this Bill with some important modifications. let us start by saying that we are not enamored of autonomy per se, autonomy for the electronic media is an abstract idea. But we are trying to understand the implications of autonomy for the electronic media in a particular context, in the context of a country, which is poor, a country which is underdeveloped, a country which suffers from unever developments. We are trying to understand the implications of an autonomous Corporation for electronic media in this country.

Now, it has been said by the hon. Members of the Opposition that if Government control is taken away, there is a danger of commercialisations.

Let me start by saying that we are entirely aware of this danger. We are ourselves very much concerned with this danger. They a have spoken about the possibility of giving more freedom to the 34,000 employees

working in the media now. Let me also say that this also concerns us. But, at the same time, I want to say that we have found from experience that simply if electronic media are kept under Government control, commercialization cannot be prevented. The tyranny of big business interests, multi-nationals, cannot be prevented simply if Government control is there. That has been our experience in the past.

In the past, we have seen an unholy three-cornered alliance between the Government machinery, the ruling party and the big business interests. So, there has been autonomy, an autonomy for a very small minority indeed. The people at large, the people of this country have remained largely invisible and inaudible. The electronic media have not been used for their benefit. So, it is more autonomy for the people that we want. We know it is very difficult to break this three-cornered alliance that I have been speaking on. It is well nigh impossible. But we want to drive a small wedge somewhere in this alliance; and if this present Government and if the present ruling party is amenable to this, I thank them for it. I thank them, because they have come forward to regulate to a certain extent this possibility of an unholy alliance between Government machinery, big business interest and the ruling party. If they have come forward to do this, that effort is to be welcomed.

I would also recall here, since electronic media are of the range of what we might call a consciousness-producing industry, what has been said in the Haksar Committee Report, about the generation of cultural values. The Haksar Committee Report also knows the predominance of the market forces in the generation of cultural values; and it says:

"The market needs to be tamed, and harnessed to serve the interest of man, nature and society."

We agree with this recommendation, and we are concerned that the new Act should represent autonomy from a tyranny which al-

ready existed in the electronic media for some time, and a tyranny which has worked through Government.

Autonomy in the sense in which I am speaking of it, is not opposed to the use of Government funds for the Corporation. In the Financial memorandum of the Bill, it has been said that the Corporation must gradually reduce dependence on the budgetary support of the Government.

Now this may have some sense in our present context, in our present social context where it is said that the government is really constrained for funds. So, out of dire necessity, the government itself has to explore other sources of funding. Thus, we find that while we think that education should be completely in the public sector, it should be subsidised completely by the government, in actuality, we cannot altogether reject private funding of education. So, out of dire necessity, government might say that the Corporation for electronic media may have to tap other sources of funds. But I want to stress that government funding should have a predominant role as it still has in education. This search, this exploration for funds from private sources should not be done in the name of autonomy. In other words, it should not be said, simply if government funding is taken away then there will be more autonomy. After all, government money is public money. If the government abdicates its responsibility of supplying certain basic public services to the people, then what will ensue is not autonomy but a complete slavery to big business and to the multi-nationals in our country. So, we don't want the government to abdicate its responsibility so far as this very important public service is concerned. It is not a sector which is meant to generate profit; it is meant to be a public service. There is a saying in English that "He who Pays the Piper calls the tune." This is not an attitude which should be taken in regard to government funding of electronic media. Government is supposed to have control over media because it is supplying funds; this should not be the attitude; rather the government supplies funds because it has a

certain responsibility, and in order to fulfil this responsibility it is supplying funds. This is why we feel that certain constitutional guarantees, certain constitutional ideals have to be accepted by this Corporation as well; this is why we have suggested that lines 30-31 on page 9 where it is said "That Corporation must not advocate any opinion or ideology of its own" should be dropped. Of course, our nation does have a certain ideology of its own—democratic, secular, social ideology—and that must be propagated.

So, one of the amendments that we have brought forward is to preserve the pre-eminence of government funding. It has been mentioned by the earlier speaker that at present the outlay of the government is Rs. 463.45 crores. The gross amount of money coming from commercial advertisements is Rs. 230 crores. Now if the predominance of government funding has to be maintained, we must also ask from what sources the government may fund this sector. In this case, the possibility of reviving the licence fee need not be ruled out; we can consider graded licensing for radio, a certain degree of licence fee for black and white TV set.

The maximum licence fee may be there for colour television sets. But this has to be seriously considered. And there must be not only a limiting of time from commercial advertisements, but also a limiting of funds. We have said that the maximum funds which the Government can take from commercial advertisements must be specified in the rules. Also, as far as time is concerned, the time given to commercial advertisements must be limited and this delimitation must be done not only in the totality of the time available but also segmentally. Because, while we find that if we take the totality of programme time, really the time taken by commercial advertisements is not very great; yet at certain peak hours we find that the rate of commercial advertisements rises even up to 20 to 25 per cent. That is why we have suggested that time should be limited both in the totality and segmentally.

Thirdly, the programmes which are to

[Shrimati Malini Bhattacharya]

be sponsored by the commercial advertisers should not be completely under the control of the sponsors. In other words, these commercial companies have their own ideas of what is saleable. The Corporation should not give in to their idea of what is easily saleable.

Educational and informative programmes made independently must also be sponsored. Again, there is an overwhelming number of advertisements of consumer goods. Advertisement of consumer goods affecting only a very small minority of our population, such advertisements should be curtailed.

Of course, the programmes which emphasise the diversity of our national culture also must be sponsored.

The Corporation, should of course have the final say in these matters, but—there is a but here—the Corporation also, as an autonomous body, may not be able to retain its autonomy; it may also give in to certain external influences. This, we have already found in the case of various autonomous research institutes and cultural organisations. We have found how these become small empires ruled over by a small coterie of vested interests and Government money is wasted and mismanaged in these institutes. This is why we have been very specific and here we agree with the Members of the Opposition that there has to be parliamentary accountability and on this my party colleague will be speaking; so I am not elaborating this point. However, I think, that there are certain other ways in which possible arbitrariness, possible bureaucraism and possible coterie rule within the Corporation may be prevented.

On the one hand we find that there is a welcome move on the part of the Government that certain clauses by which the Government might have breathed down the neck of the Corporation have been removed. For instance, Clause 19 has been revised. Then, the supersession clause has been

dropped. Now we think that some arrangement for supersession of the Board in certain extreme cases has to be there, but the ultimate responsibility for supersession must not lie with the Government but with Parliament. We also feel that when the Government demands information, the sources of information must be protected as in the case of the press.

We have also talked about employees' representation and staff artistes' representation. There is one clause on page 9 lines 10 to 18, where certain rather arbitrary measures about the dismissal or demotion of employees have been stated. Now even if this has something to do with the formal rules of the Government, I think, these formal rules have to be altered in the interest of employees. No employee ought to be sacked or demoted without any enquiry being conducted against him or her.

Now I come to my final point. Hence, I disagree with the Opposition entirely. They have suggested the dropping of the Broadcasting Council altogether because they have said that it has no teeth. Now if it has no teeth, it should be given more teeth. There is no reason why it should be dropped. Some people have said that to give the Broadcasting Council more teeth would mean having a dual authority, no one would know whether more power is vested in the Corporation or more power is vested in the Broadcasting Council. Now here again, I should say that the Broadcasting Council should not have the decisive power over the Corporation but the matter has to be brought to the Parliament and it is the Parliament which will decide whether the Corporation has transgressed its limits or not. However, the Broadcasting Council is the only means of contact with the public that we have in this Bill, the direct means of contact with the grassroots. Not just Members of the parliament, but ordinary men in the street also can come to the Broadcasting Council and complain. So, it can serve as the eyes and the ears of the Corporation. It can prevent the Corporation from remaining immured within itself. I think, in our amendments we have added certain

clauses, whereby the recommendations of the Broadcasting Council will have to be brought before the Parliament and the Corporation will have to answer if it has not abided by the recommendations, it must give reasons. So, the Broadcasting Council should remain and should be strengthened as a forum for the people to exert their pressure.

I agree with some Members of the Opposition who have said that there is a very grave danger with which we are confronted today, that is the danger of cultural imperialism. Media has become a worldwide affair, a worldwide network in which naturally advanced capitalist countries, multinational companies have a great stranglehold. We do find this worldwide network importing media software continually to poorer countries. There are good programmes. There are ordinary programmes. There are bad programmes. But the fact of the matter is that information comes from these sources, these agencies, as structured information and a process of brain washing inevitably goes on. So, the point is that the Corporation may be the channel for this but if the control remains with the Government entirely—we have seen that this can happen—the Government also can become a channel for such cultural imperialism.

The only safeguard against this is the people and we want *Prasar Bharati* to promote indigenous software industry to be of the people, for the people and by the people.

SHRI L.K. ADVANI (New Delhi): Mr. Chairman, Sir, I rise to support the *Prasar Bharati* Bill and commend it to the House with all the emphasis at my command. I would particularly commend it to my friends in the Opposition, who in their 1989 manifesto, for the first time in the history of the Congress promised the people that they too stand for an autonomous Corporation though on closely looking at the manifesto, I found that the word 'autonomous' has been omitted as an epithet from the word Corporation. I have a manifesto with me here and I found that the 'autonomous' word was not there though the

impression given all through the campaign and even in the course of the press briefing was that the Congress Party also was in favour of an autonomous Corporation, whereas the text does not quite indicate that. As I said, Shri Vasant Sathe began his speech by saying that there is no difference of opinion that the media should be autonomous. He quoted his manifesto, he quoted the Janata Dal or the National Front manifesto, he quoted my Party's manifesto, may be the CPM manifesto and also several other manifestoes. He quoted to say that on the question of autonomy itself, we do not disagree. Having said this I am not quite able to understand the various positions that have been taken by the Party between 1989 and 1990.

Shri Krishna Kumar, who is not here at the moment, tried to explain away the amendment that has been given notice of by Shri P. Chidambaram, which stands at Serial Number 300, in which Shri Chidambaram has said:

"that notwithstanding anything contained in this Act or in any other law for the time being in force, the Central Government may entrust to any person or authority any functions entrusted to the Corporation under this Act and such person or authority shall have the right to organise and conduct public broadcasting services subject to the conditions of the licences granted in that behalf and such persons or authority may also be required to observe such a direction as the Central Government may give in order to inform, educate and entertain the people or to ensure a balanced development of broadcasting the radio and television."

If this amendment is not a plea for privatisation of broadcasting network in India, what is it? I can completely respect the view, the view point of a person who favours privatisation of the network. That is one view. Whereas what Shri Krishna Kumar Ji said today or what substantially Sathe Ji said the other day, amounted to opposing autonomy

[Sh. L.K. Advani]

as such and insisting that the present governmental control over the electronic media should continue, otherwise these 11 wise-men, whom Shri P. Upendra is going to appoint and whom he is going to make super ministers and whom he is going to make 11 Upendras, they will play havoc with the country. (Interruptions)

Till now my experience has been that no one wants to give away powers and here Shri Upendra, in his very wisdom or whatever mood he is in, is in a mood to give away anything.. (Interruptions)

SHRI SOMNATH CHATTERJEE (Bolpur) Mood of benign dispensation

SHRIL K. ADVANI Yes, benign mood

SHRI P. CHIDAMBARAM Advaniji, he wants to set up eleven Upendras who are not answerable. He wants to rule by proxy. If one Upendra is answerable, he will be grilled in Parliament. Privilege Motion will be against him. So, he wants to set up ten Upendras there. And do you know whom he has in mind for Governors? Two years on deputation, no employee of the Corporation.

SHRIL.K. ADVANI. Mr Chidambaram, I am not yielding. Perhaps someone reminded me—Krishna Kumarji himself—that you addressed this Government as a minority Government. It is a statement of fact...(Interruptions)

SHRI P. CHIDAMBARAM: We are glad you recognised it after nine months.

SHRI L.K. ADVANI: I wish you went through my first speech. When I spoke in this House why my Party is giving support to this Government, at that point also I emphasised this particular aspect very strongly, which I generally emphasise. Whenever the Government goes wrong, I would like to emphasise that, not on an occasion of this kind where I think it is your track record which has given a near unanimous support to this

government on the question of Prasar Bharati and on the question of autonomy. Krishna Kumar was asking about the track record of this Government, eight months old Government.

AN HON MEMBER: Khula Manch

SHRI L K ADVANI: *Khula Manch* I said myself is indefensible. But I can point out hundred *Khula Manch*s so far as your Government is concerned.

SHRI P. CHIDAMBARAM: In ten years

SHRI L K ADVANI. I need not go into it because the track record of one Emergency and the role that you had during that period, is sufficient to tell the whole country that it is only when this Government and the media is broken that there can be some democracy in the country.

AN. HON MEMBER: Where is Mr. Shukla?

SHRI L.K. ADVANI I am not answerable for anyone, I am answerable for myself...(Interruptions) Mr. Chairman, I am not going through the amendments now because the amendments can be interpreted in hundred ways. But what is the rationale of the amendments? Here I have with me the interview given by the Leader of the Opposition, Mr. Rajiv Gandhi to Sunday, in which he is asked about Doordarshan and Prasar Bharati...(Interruptions)

SHRI SOMNATH CHATTERJEE: That juvenile speech?

SHRI L.K. ADVANI: No, it is an interview, it is not a speech. He has asked about the Prasar Bharati Bill and the reply Mr. Rajiv Gandhi has given is: "What they are now proposing in the Prasar Bharati Bill is a total capitulation of Doordarshan. It is absolutely against the Preamble of the Bill."—which means that you agree with the Preamble of the Bill—"What we need here is to open up T.V. Broadcasting to private Indian channels. The formula can be the U.S. formula or

the British formula. In fact, I have forced an Amendment in the Prasar Bharati Bill. Chidambaramji has put it in to bring this about." Frankly, Chidambaramji, I am unable to understand. It is baffling how, on the one hand, you oppose the Governmental control over Prasar Bharati or Akashvani and Door-darshan to be broken, as is proposed in the Prasar Bharati Bill...(Interruptions)

SHRI P. CHIDAMBARAM: We do not oppose it.

SHRI L.K. ADVANI: You are opposing totally. You see what Krishna Kumar Ji has said that the Government is totally removing the control the Government had...(Interruptions)

AN HON. MEMBER: Satheji said.

SHRI L.K. ADVANI: I am afraid, you are tying yourself up into knots. Both these viewpoints can have their logic and rationale. You are opposed to it. And even Nehruji, who was the first to talk about BBC, talk about autonomy. It was way back in 1948 that Nehruji said...(Interruptions)

SHRI P. CHIDAMBARAM: Semi-autonomous body

SHRI L.K. ADVANI: Yes, he said semi-autonomous body but akin to the BBC. He spoke about it and he said we are not ready for it now. He said that in 1948: "My own view of the set up for broadcasting is that we should approximate, as far as possible, to the British model, the BBC. I do not think that is immediately feasible. I have merely mentioned this to the House. I think we should aim at that." This is what he said in 1948. And it was not an off the cuff remark. It was not a pious intention, so much so that after that whenever anyone, any officer, was appointed in the All India Radio—TV came much later—the appointment letter contained the stipulation which said: "you will be liable to transfer at any time to service under public Corporation, if formed and that on such transfer you will be liable to conditions of Service to be

laid down for the employees of that Corporation". Now, this was the stipulation contained in the letters of appointment given to AIR officials at that time and perhaps even till today, I do not know. So, the point is that when Nehruji spoke about this, it was his considered view that he expressed and he went on to say "the country is not ready as yet". Then in 1964, after Panditji's death, Shastriji became the Prime Minister and Shrimati Indira Gandhi was appointed Information & Broadcasting Minister and it was she who set up the Chanda Committee to go into this particular question. Apart from other issues connected with the functioning of the broadcasting network, the Chanda Committee came out with an excellent report on Radio and TV in which they strongly commended that the All India Radio and the TV—TV was in its infancy at that time—should be converted into an autonomous Corporation. And it gave a very weighty reasons and the suggestions were akin to what have been in the Prasar Bharati Bill. 7 wise men were conceived, not 11, at that time. At that time the Chanda Committee even suggested that it should be by the Chief Justice or by some other bodies, this and that. They said: "No, it is not necessary. The Government can be trusted. The Government should appoint all these Directors. There is no reason why there should be a special body for the appointment of these". And they recommended that it should be run entirely by the Committee. The arguments that it gave were remarkable. It said: "Why should it be?" They referred to the All India Radio and recalled Nehruji's desire that it should be converted into a Public Service Broadcasting and they said that "we have today a system which conforms to a pattern which is in vogue in some Asian countries—perhaps Pakistan may have been in mind—and the nation of Soviet Socialist Republic and the countries in Eastern Europe which are changing now one by one. Even in the USSR and the East European countries the broadcasting media are changing. Then it went on to say that the Chanda Committee deprecated the situation and observed that "radio and Television in these countries are instruments of a monolithic State for propagating

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an ideology of function inappropriate in media in a democracy'

Now even at that time, the broadcasting media were not being abused in a manner as to create a sense of revulsion in the people in those early 1960's. This started later. I do not want to go into the entire analysis of it as to how it started, when it started and who started. But there is no doubt that it is agreed by all that in 1975, 1976 and 1977, during the emergency period, abuse of this media touched the lowest depth, so much so that there was an AIR Code, which was scrapped even though the Code had been adopted by the Cabinet. It was scrapped even without reference to the Cabinet.

SHRI P CHIDAMBARAM Who was the I & B Minister then?

SHRI L K ADVANI I am not concerned with him. (Interruptions) I can only say that your party might have spoken of autonomy in 1989. Even the National Front Government—it was formed only in May 1989—and the Janata Dal may have spoken of autonomy in 1989. So far as my party was concerned, as far back as in 1962, we spoke about autonomy of the media when there was no such problem.

SHRI SONTOSH MOHAN DEV You did not do it in 1977-78.

SHRI L K ADVANI Yes, I could not do it. (Interruptions) I will certainly come to that. (Interruptions) If the Chair gives me time, I will deal with it at length.

SHRI P CHIDAMBARAM He must tell us what happened in 1977. (Interruptions)

SHRI L K ADVANI It was scrapped during the Emergency and it was scrapped even without reference to the I & B Minister at that time. (Interruptions) There was a White Paper on abuse of media during the Emergency which goes into this question at

length. If you want, I have with me the Akash Bharati Report.

[Translation]

DR RAJENDRA KUMARI BAJPAI (Sitapur) Smt Indira Gandhi was the strongest Prime Minister the country has seen. (Interruptions)

[English]

SHRI L K ADVANI My friends are keen to know the history, so I will remind them. I quote from the Verghese Committee Report as follows—

% 'The then Prime Minister told the Conference of Akashvani Station Directors in September 1975 that she did not understand what the concept of 'credibility' implied since there was no doubt that Akashvani was and was going to remain a Government organ. The AIR Code which was finalised with the Cabinet's approval in 1967 and amended in March 1970 again with the Cabinet approval was according to the White Paper summarily scrapped in a meeting presided over by the Minister for Information and Broadcasting.'

SHRI KAMAL NATH (Chhinowara) Who was he?

SHRI L K ADVANI He is not here.

SHRI KAMAL NATH There must be some name.

SHRI L K ADVANI The name has not been mentioned here but I know and so do this House. (Interruptions)

[English]

SHRI P CHIDAMBARAM If it is not Advani, then who was that?

AN HON MEMBER It may be Gujral. (Interruptions)

SHRI L.K. ADVANI: Not Gujral. During the Emergency it was. (*Interruptions*)

SHRI SOMNATH CHATTERJEE: Your memory is so sharp.

SHRI L.K. ADVANI: I need no be apologetic.

"...In this it was tated that strict adherence to the existing code by Akashvani was not feasible in view of the changed circumstances. It was further decided by the Minister that if the Prime Minister approved the action, it would be necessary to go to the Cabinet. The Prime Minister noted on May 4, 1976, as follows: 'The guidelines given to the broadcasters are now obsolete. Hence the Code should lapse. But I do not think that it is necessary to formally inform Parliament.'.."

(*Interruptions*)

SHRI KAMAL NATH: I have no intention to offend Mr. Advani...(*Interruptions*)....on the Verghese Committee Report, but he forgot what he himself has said in 1979...(*Interruptions*)

SHRI P. CHIDAMBARAM: You must tell us what did you do at that time.

SHRI L.K. ADVANI: We revived the code immediately.

MR CHAIRMAN: Mr. Advani, I believe that you can say sometimes by addressing me and not them.

SHRI L.K. ADVANI: They are addressing me all the while. I address them through you because this is a matter about which I feel strongly and I hold that the moment this Bill is passed—and it can be passed unaniously also if my friends on the Opposition support it: if this is passed, it would be a landmark in the history of broadcasting in this Country. If it is passed, it would be a

major stride forward in strengthening democracy in the country. And personally speaking, it it is passed it would give me immense satisfaction that a task that I had started in 1979, which remained unfinished because of a political earthquake that intervened is now finished. It is because of this that I try to persuade my friends stating that 'your stand today is contradictory.' I could understand if you were all out, that the Government control should end and it should be privatised/either on the American model or the British model.

SHRI P. CHIDAMBARAM: You are distorting us.

SHRI L.K. ADVANI: I am not distorting; I am quoting.

SHRI P. CHIDAMBARAM: I request Mr. Advani to yield for a minute so that we can explain.

MR. CHAIRMAN: Mr. Chidambaram, you know the rules. You have to request through me only. You will be allowed to explaine all your contradictions.

SHRI P. CHIDAMBARAM: Sir, I am sorry, the Chair should not say we are contradictory. The Chair should not say that the Opposition has got contradictions.

MR. CHAIRMAN: I have not said that you are contradictory. I have only said that you would be allowed to explain all your contradictions.

SHRI L.K. ADVANI: Sir, there was a time in 1985 when the government that assumed office in 1985, it came out with a rationale as to why it was a post-autonomy. Earlier, no one opposed autonomy except saying that the country was not ready for it as yet. But in 1985, when Mr. Rajiv Gandhi, the Leader of Opposition today, became Prime Minister he was subjected to a very irritant questioning at a Press conference. This Press conference was held sometime in June-July, 1985 and in this one of the journalist asked him about autonomy and said:

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"Sir, except for a mercifully brief period, we have been a functioning democracy for about 40 years. We have a vigorous Parliament, we have an independent judiciary and we have an articulate press. All these have only enriched our democratic system. It is, therefore, rather too late in the day to try to convince the world that giving freedom to radio and television would be a risky venture."

His answer was that he did not want to give autonomy to radio and television because he would not like them to behave like the Press. "I do not think you have behaved responsibly at all." This is what he told the press. He did not want the radio and television to become as irresponsible as the press. When he was questioned again on this, he said:

"That may be your submission. I do not think the Janata Party gave any autonomy to radio and television; neither did the BJP, nor did anybody else."

The BJP came out even at that time. The BJP was not there in the Government. Mr. Rajiv Gandhi further said:

"It is when you are in Government that you realise the responsibilities that you have. It is very easy for BJP to talk about autonomy, but when they had the responsibility to bear, and shoulder the responsibility, they realised that the time was not for it and they did not do it."

I think I am not a Minister today; at least given credit to Upendraji. Why did you shirk in it? Even while he is in office, he is giving autonomy. The accusation was that the Janata Government did not pass the *Prasar Bharati* Bill because it had no desire and it was not bonafide in its intentions. That was the charge at that time. I refute it strongly. That was the Government which implemented something which, for the earlier 20 years the Election

Commission had been pleading for. That is about giving equal time to all recognised political parties during the election campaign and the Government, the ruling party used to say that they could not give equal time. They used to say: 'how can we give equal time? After all, they are a small party, the time allocation should be on the basis of the strength of the party.' When the Janata Government came to power and I had occasion to deal with this matter, within three months without any formal statute, without any formal legislation, I convened a meeting of all political parties and a unanimous decision was taken there that equal time should be given on the radio and television to all the political parties recognised by the Election Commission. That became a landmark in the history of broadcasting and in the history of elections in this country.

16.00 hrs.

That proved our *bona fides*. The *Prasar Bharati* Bill which we introduced in 1979 further proved our *bona fides*, our earnest intention to confer autonomy on the media. If it did not go through, the reason lies elsewhere. I must say, the Members of your Party who were on the Select Committee had a very positive approach. I wish you had a positive approach. Otherwise this kind of contradictions would not have been there.

I agree with one point made by Mr. Krishna Kumar and I told the Minister: I am not happy with the choice of the word "Governor". I would favour simple "member" or "trustee". I would agree to the major submission of yours, namely what Mr. Krishna Kumar has said that let there be a committee on the lines of PAC or Estimates Committee. Having said this, he went on to say that, it has to be an appellate body. I would like to know, since when PAC has become an appellate body or Estimates Committee has become an appellate body. I would agree to a parliamentary committee comprising of both the Houses of parliament functioning as a body to oversee the Broadcasting Corporation.

SHRI P. CHIDAMBARAM: You do that.

You move an amendment.

PROF. SAIF UD DIN SOZ: All of us support you.

SHRI P. CHIDAMBARAM: We have said, there must be joint parliamentary committee. We want a joint parliamentary committee to be an oversight committee, to oversee the working of this corporation, then there are words which must be changed, commas to be added, words are to be deleted. We are willing to sit with you and we can give a joint amendment. Unfortunately the hon. Minister does not want to contemplate the idea.

SHRI P. UPENDRA: Sir, this is untrue. This is one of the suggestions which I have accepted to consider. He is misleading everything. Last time, I have told them that we will consider it. (*Interruptions*)

SHRI L.K. ADVANI: Let everyone appreciate that today the composition of Parliament is of such a nature, where every group has its weight. But tomorrow as has been for the last 4 decades, it is very likely that the composition of Parliament would be no different from the composition of the Government. (*Interruptions*)

What I am saying is, when I talk of autonomy to the media, I do not want the Government to be controlling the media in the name of Parliament. I would never favour that. Therefore, a body similar to the Committee on Public Undertakings or Committee on Estimates or Committee on Public Accounts cannot be a substitute for the Government.

SHRI P. UPENDRA: Sir, when I conveyed the Government's readiness to consider the suggestions, the only thing is, I have some reservations about the word "oversee" because that should not be misinterpreted as day-to-day interference in the working of the Corporation. Therefore, I would prefer words like "to ensure accountability of the Corporation to Parliament". We can discuss that.

(*Interruptions*)

PROF. P.J. KURIEN (Mavelikara): There was a understanding between Mr. Satya Pal Malik and Deputy-Speaker, outside the House after the lunch break that at 4 p.m., we would take up Kuwait situation.

SHRI P. UPENDRA: No, Sir. Today at 5-30 p.m., there is an Half-an-hour discussion. Therefore, this discussion cannot be interrupted. Let Mr. L.K. Advani continue his speech.

SHRI KAMAL NATH: Let Mr. Advani finish. Then we will take it up.

PROF. P.J. KURIEN (Mavelikara): If the hon. Minister does not agree, then we cannot take it up.

SHRI P. UPENDRA: I said I am not agreeing to this now. There should be uninterrupted discussion. Tomorrow, after passing the Bill, we can take up that (*Interruptions*)

MR. CHAIRMAN: I have heard you. Kindly sit down. Let Mr. Advani speak.

PROF. P. J. KURIEN: Let Mr. Advani complete his speech and after that, we will take it up.

SHRI P. UPENDRA: Tomorrow after taking the vote, we take up Kuwait. I have no objection.

MANY HON. MEMBERS: No. (*Interruptions*)

MR. CHAIRMAN: You need not repeat the same point.

DR. RAJENDRA KUMARI BAJPAI: We are all speaking. It will take time. Tomorrow only it can be taken up and we need some time.

MR. CHAIRMAN: Thank you very much for reminding us that it will take time.

SHRI L K ADVANI As I said, at the outset, I strongly commend this Bill because I hold that in India there are a number of Bodies which are supposed to be autonomous. But, some times their functioning is worse than that of Government departments. They are so subversive because the Heads those Corporations survive at the pleasure of the executive. The Chairman can be removed at will, appointed at will. Even Universities which are supposed to be autonomous are hardly autonomous. They are not autonomous at all and it was, therefore, that when this Bill was conceived in 1979 adequate precautions were taken to see that those who are nominated to this Board are insulated from the arbitrary manner of the executive. I am surprised that this kind of insulation should be regarded as handing over to them and making them arbitrary. No. Because so far as Parliament is concerned any time it can repeal a Bill. It is an ordinary Bill. I do not agree with the Verghese Committee recommendation that this kind of Bill will be incorporated into the Constitution. I was not agreeable to that at that time also. Perhaps one of the points of criticism against my Government at that time was that this Verghese Committee had recommended that Prasar Bharati should be written into the Constitution. I said No. This should not be. Particularly when we are about to embark on a new kind of chapter a new adventure, we should wait and watch and see and therefore, this proposal for a parliamentary committee I immediately agreed to and said 'It is fine and particularly when the Government had agreed to withdraw all these amendments that it brought it later on which I did not agree to, namely the right to supersede the Corporation, the reference to the emergency, and all that. Those were the provisions which we could not find ourselves with agreement and, therefore, after mutual consultation they agreed to drop that. Now having done all these things, we have moved in the right direction. At this point of time, what the Congress party does is very very pertinent and, therefore, it is that I say that even if on certain points where there is consensus among us three and you are not able to agree, you wait for a time, some time may

come, but please for god's sake do not throw away the baby to the bath water. If you disagree on any point, a time may come when you also may agree after running this Corporation for some time. Today as it is, on the basis of the discussion which has gone on for the last two decades nearly and on the basis of what the Verghese' Committee said and what Chanda Committee has said and on the basis of what various people who are in this field have said, we have come to this proposal. This is the proposal before you. Therefore please do not reject it. Accept it. I am not among those who are in favour of scrapping I & B Ministry. In this House particularly, there are so many former I & B Ministers, that I keep counting. Shri H K L Bhagat is not here. Shri Vasant Sathe is not here. Shri V N Gadgil is not here. Shri S Krishna Kumar is here. Here, on our side also we have Kaushik-ji, we have Upendra-ji, we have Gujral-ji. So many of us are there. (Interruptions) This is in a way the sum total of our deliberations for the past three decades that has brought this Prasar Bharati Bill. I am grateful to the Government and grateful to Upendra-ji that he did not choose even to change the word change the title of the Bill that I had brought forward. He could have done it in order to show that it is this Government's legislation. But he introduced the same Bill. Though I am not in favour of scrapping of the I & B Ministry I am very much in favour of converting the I & B Ministry into a simple Information Ministry not the Broadcasting Ministry. Broadcasting here after, should cease to be Upendra-ji's direct concern. Let it be entrusted to the Prasar Bharati. The day it happens, I will be very happy. I would be particularly grateful to the Congress Party if it cooperates in doing so. (Interruptions)

SHRI P CHIDAMBARAM I want to make a submission. The understanding was that Kuwait will be discussed. The External Affairs Minister has also come. This is too important a matter. Let us not have a wrangle on that. Let us discuss Kuwait now, as agreed to among the Whip, the Minister and the Deputy-Speaker. Let us not have another wrangle on that. Let us discuss Kuwait now

The Minister has come.

SHRI P. UPENDRA: I am making a proposal.

MR. CHAIRMAN: Have we completed discussion under Rule 193 on atrocities on women?

SHRI P. UPENDRA: No. Nothing has been completed. They are all pending. The way they are raising the issues, nothing can be finished. I explain my difficulties. There are three Bills to replace the Ordinances which are to be finished within six weeks. There are three financial Bills. All of them have to be completed this week and next week. If we go on postponing the passing of these Bills, much of the time will be lost. What I suggest is that in case the hon. Members are agreeable to forgo lunch tomorrow, sit late tomorrow evening and finish this Bill tomorrow, on that ground you can take up Kuwait issue immediately. I have no objection in losing one more hour. (*Interruptions*)

SHRI P. CHIDAMBARAM: How can we say now what happens tomorrow? How do we know what happens tonight or what will happen tomorrow? (*Interruptions*)

SHRI P. UPENDRA: Something has to be planned.

SHRI L.K. ADVANI: Mr. Chairman, Sir, the Business Advisory Committee allotted 8 hours to this Bill. How many hours have been consumed? (*Interruptions*)

SHRI P. UPENDRA: We started it at 2.30 p.m. Now, we have not even completed two hours. That means, more than three-and-half hours will be required tomorrow, or may be four hours. If you agree to sit for four hours tomorrow, I have no objection. We will take up Kuwait now. Everything, they cannot have in their own way.

PROF. P. J. KURIEN: That is something different. (*Interruptions*)

SHRI P. UPENDRA: Please show some concern for the other issues also.

SHRI P. CHIDAMBARAM: Are you not concerned about what is happening in Kuwait?

SHRI P. UPENDRA: I am not saying that way. Please cooperate with us.

SHRI P. CHIDAMBARAM: We are cooperating with you. But you are putting pre-conditions that we should finish the discussion tomorrow. We are not standing in your way. (*Interruptions*)

MR. CHAIRMAN: Please listen to him. He is speaking now.

(*Interruptions*)

PROF. P. J. KURIEN: Cooperation doesn't mean that we should stick to that. Government should never feel like this. There is the BAC. The point is so many new issues are coming up. You are coming to the Lok Sabha with so many statements. Naturally, we will ask for a discussion. It is our right. As far as Kuwait is concerned, there is a grave situation. Hon. Minister Gujral-ji knows the Gulf situation. The whole country is concerned about it. When we ask for a discussion we say that it should have precedence. You should be prepared. You say that you are not prepared for it. (*Interruptions*)

SHRI P. UPENDRA: You are not reacting to my appeal. If you are prepared to sit tomorrow during Lunch hour and also after that, we can finish. We can take up tomorrow. I am agreeable to that. We will take it up.

PROF. P. J. KURIEN: There is time tomorrow. Tomorrow we can talk about it and discuss. I am bringing to the notice of the House that a consensus and understanding was reached among Shri Satya Pal Malik, the hon. Minister, hon. Deputy-Speaker and myself in the noon. I am only bringing to your notice this fact. Are you not going to honour it? If you are not going to honour it, how can we come to an understanding with you? (*Interruptions*)

SHRI BASUDEB ACHARIA (Bankura): Discussion on Kuwait can be taken up after 6 O'clock. (*Interruptions*)

SHRI P. CHIDAMBARAM (Sivaganga): Do they see any seriousness in that? Every discussion that we want, you want to do it piecemeal. (*Interruptions*)

SHRI P.J. KURIEN: Life of one lakh and twenty thousand people is more important. That is more important. (*Interruptions*)

MR. CHAIRMAN: Would you mind addressing me? Let him also say what he wants to say.

(*Interruptions*)

MR. CHAIRMAN: Would you sit down? You have to sit down first. I have allowed him. I will call you.

(*Interruptions*)

PROF. N.G. RANGA (Guntur): There is a way of addressing her.

MR. CHAIRMAN: I am addressing her on behalf of the House. I have to see that the House is respected.

(*Interruptions*)

SHRI BASUDEB ACHARIA: We also want that discussion on Kuwait should be taken up today. But discussion on this bill is also going on. We can take up discussion on Kuwait at 6 O' clock. (*Interruptions*)

PROF. P.J. KURIEN: What are you talking? (*Interruptions*)

MR. CHAIRMAN: Let him have his say (*Interruptions*)

SHRI BASUDEB ACHARIA: We can take it up at 6 O' clock.

[*Translation*]

SHRI L.K. ADVANI: Mr. Chairman, Sir,

I cannot understand why this heated exchange is taking place. One hon. Member suggested that discussion on the situation in Kuwait be taken up now and there came the other suggestion that it be taken up after 6 p.m. The hon. Minister said that there was no problem in taking up the matter for discussion now if the Prasar Bharati Bill is to be passed tomorrow. This is what he said, and I do not see anything wrong in it. There is no difficulty in agreeing to this proposal. This is because the discussion on the Prasar Bharati Bill has been continuing for the last several days and we have to devote eight hours to it. It is for that reason the hon. Minister made a request for it, or the sitting may be extended beyond 6 p.m., there is no problem in that. There should be no difficulty in opting either of these alternatives. There were many occasions when such suggestion came from your side when you were in the Government and we agreed to all that. Why did you adopt such an attitude today all of a sudden that nothing will be allowed to be taken up unless your conditions are fulfilled? This is not good.

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND MINISTER OF STATE IN THE MINISTRY OF TOURISM (SHRI SATYA PAL MALIK): Mr. Chairman, Sir, Dr. Kurien said it in my absence that I consented to this proposal which is not a fact. When he referred to this, I said that Shri P. Upendra ji is present in the House, you talk to him and see whether he agrees to it but I did not make any commitment on my part.

DR. RAJENDRA KUMARI BAJPAI: Mr. Chairman, Sir, under Rule 193, a discussion on the Atrocities on Women is slated on the Agenda paper daily for the last one week but the discussion could not concluded till date. It is daily written on the Agenda paper that further discussion under Rule 193 on the atrocities committed on women in different parts of the country will continue, but I would like to know from the Chair as to when will this be taken up? Should this issue not be treated on priority basis? This attitude shows that here in this House itself, there are atrocities on women there, not to talk of them being

committed outside. Are not the matters related to women worth priority? Atrocities are already being committed in the society but they are committed here in the Agenda as well. Why do not you take up this issue first and conclude it soon...(*Interruptions*)

The discussion 'Atrocities on Women' could not be conducted for the last one week. Why is it that you are not taking it up? It should be given priority. Why is it just getting dragged on?

MR. CHAIRMAN: You are right. I think today it cannot be taken up.

DR. RAJENDRA KUMARI BAJPAI: It will never come. It is a bad male society; it will never come. Injustice is done with women here also. There is atrocity on women in this House also. It should be taken up first. Why is it left out?

SHRI KAMAL NATH: I think we can take up discussion on Kuwait now. The Minister is here; he has got notes and he has got a mind to take it up also.

(*Interruptions*)

DR. RAJENDRA KUMARI BAJPAI: The Home Minister must come and reply to the debate. Why is it just dragging on? It is one week now already.

(*Interruptions*)

SHRI IBRAHIM SULAIMAN SAIT (Marjari): It is not the question of we and they. It is the question of precious lives of lakhs and lakhs of Indians in the Middle East, particularly in Kuwait. This matter was agreed; Shri Satya Pal Malik is here, he said that he will convey our views to the Parliamentary Affairs Minister and the discussion will be taken up at 4 O' clock. That is why the Minister for External Affairs has come here in time. The very fact that the Minister is present here in time shows that it was agreed upon. So we shall not avoid this and we should start the discussion just now.

SHRI SATYA PAL MALIK: We will dis-

cuss it on Monday. The House never fixes up time. (*Interruptions*)

PROF. P.J. KURIEN: I only request you to start the discussion on Kuwait. The Prasar Bharati Bill is important, I accept. But there are important emergency matters and urgent matters.

MR. CHAIRMAN: What I am asking you is, should we only start it or try to conclude it also.

PROF. P.J. KURIEN: We can start the discussion on Kuwait and conclude it today.

MR. CHAIRMAN: O.K., let us conclude the discussion on Kuwait today. There is a Half-an-Hour discussion at 5.30 p.m. also.

PROF. P.J. KURIEN: Then we will sit after 6 O' clock.

MR. CHAIRMAN: We will conclude the discussion on Kuwait today. The Minister is also here. After 6 O' clock also they will continue the discussion on Kuwait and conclude it

SHRI MANGRAJ MALLIK (Bhadrak): Today does not mean that it should go into night. We should fix up the time that by such and such time we will finish the discussion.

SHRI P. UPENDRA: Whenever it suits them they will sit beyond 6 O' clock and whenever we request them, they will not agree. That is what is looking like.

MR. CHAIRMAN: They are agreeable. Today we are going to extend the sitting in order to conclude the discussion on Kuwait.

PROF. P.J. KURIEN: We will start discussion on Kuwait and conclude today.

SHRI BASUDEB ACHARIA: We have an half-an-Hour discussion also.

MR. CHAIRMAN: The Half-an-Hour discussion will come in between; but the discussion on Kuwait will also be concluded today.

I believe it will not extend beyond eight. (Interruptions) Shri A.N. Singh Deo, now you just begin your speech but you take it up tomorrow. After that, we will begin with Kuwait.

SHRI A.N. SINGH DEO (Aska): Sir, after nearly 60 years, the electronic media, as we call it now, is going out of the control of the Government.

MR. CHAIRMAN: You may continue your speech tomorrow. We will now take up the next item.

16.26 hrs.

DISCUSSION UNDER RULE 193

Statement made by the Minister of External Affairs re, his recent visit to Moscow, Washington, Amman, Baghdad & Kuwait in connection with the situation in the Gulf

[English]

MR. CHAIRMAN: The House will now take up further discussion on the statement made by the Minister of External Affairs in the House on 23rd August, 1990 regarding his visit to Moscow, Washington, Amman, Baghdad and Kuwait in connection with the situation in Gulf, raised by Shri Girdharilal Bhargava on the 24th August, 1990.

Shri A. Charles.

SHRI A. CHARLES (Trivandrum): Sir, I share the deep concern of the entire nation on the unfortunate development in Kuwait and on the safety and welfare of over 1,72,000 Indians who live and work in Kuwait. We are thankful to the hon. Minister for his visit to that country and for his first-hand information he has been very kind enough to give us. In fact, about 1,72,000 Indians who live in

Kuwait are in deep agony. We are not able to get any information about their safety and welfare. Under the circumstances, the report, he has given, has, to a certain extent, thrown some light on what is happening in Kuwait. But on going through the report, I am very sorry to say that the statement has only increased our anxiety and our concern. I would draw the attention of the hon. Minister and this august House to some of the facts given on page 2.

16.28 hrs.

[DR. THAMBI DURAI in the Chair]

(Interruptions) It is stated that:

"There is naturally considerable anxiety about the future and a great deal of tension at present. However... while the law and order situation is not normal, there is no cause for grave anxiety."

This is a contradictory statement which we cannot understand. There is anxiety about the future. There is tension. The situation is not normal. There is looting. There is no food. Banks are not working and almost all shops are closed. The whole life is paralysed. But in spite of these facts, I am surprised that the statement is saying that "there is no cause for grave anxiety". There is cause for anxiety and grave anxiety to all those who are involved and their relatives who are here in this country. It has been stated in page 3 that the Embassy was doing excellent work. I would request you to kindly let this august House know as to what transpired there and what kind of work have they done from 2nd August on which Kuwait was occupied by Iraq till the day the hon. Minister reached Kuwait. It is true that some of the Indians and voluntary associations and a group of Indians have done some marvellous work. It is also true that the Embassy has also helped in feeding about 6000 people in different groups. I am sorry to say that