

CHIEF ELECTION COMMISSIONER
(CONDITIONS OF SERVICE) BILL

SHRI CHITTA BASU (Barasat): I beg to move for leave to introduce a Bill to regulate certain conditions of service of the Chief Election Commissioner.

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to regulate certain conditions of service of the Chief Election Commissioner."

The motion was adopted.

SHRI CHITTA BASU: I introduce the Bill.

15.50 hrs.

INDIAN POST OFFICES (AMENDMENT) BILL

(Amendment of Section 26)—Contd.
by Shri Atal Bihari Vajpayee

MR. DEPUTY SPEAKER: Now we take up further consideration of the motion moved by Shri Atal Bihari Vajpayee on 30th April 1982,

The Minister may now reply.

THE MINISTER OF COMMUNICATIONS (SHRI C. M. STEPHEN): Mr. Deputy Speaker, Sir, during the last Session, we had a similar a Bill. The only difference is that whereas this one is with regard to the Post Office Act and the other one was about the Telegraph Act. The question as the same in substance. At that time, I had put forth my arguments as to why any such amendment as has been sought, is not called for.

Now, there is one important aspect to the postal operations which I want to bring to the notice of the hon. House. The post offices are well-known as a very vast organisation with facilities to send communications far and wide. The rates are fairly subsidised. It is accepted everywhere throughout the world that the type of articles, postal articles that can take recourse to these facilities, cannot be unrestricted. It is not every type of postal article that will be allowed the facility of postal transmission.

1551 hours.

[SHRI CHANDRAJIT YADAV in the Chair]

The facility of transmission through the postal organisation is given in our Post Office Act itself. There are Sections 19, 19A, 20 and 21 which specifically say that such and such type of articles will not be allowed to be transmitted. Section 19 says any sort of dangerous thing or filthy thing will not be allowed. Section 19A says any literature that relates to any lottery, which is not a Government lottery, will not be allowed. Section 20 says, any obscene stuff or any seditious or provocative sort of stuff, photographs and all that will not be allowed to be transmitted. Section 21 says that the Government can from time to time specify such types of articles which will not be allowed to be transmitted by the postal organisation. I point out this to emphasise that nobody need get away with the impression that any type of literature or letter or any stuff can have the facility that the postal organisation offers. It is not only in India that this restriction is provided but in many other countries also which are acclaimed as democratic.

It was stated that this provision was brought in by England to put us under subjugation and all that. Well, Sir, the position is that even today in England, under their Postal Act, the Post-Master General or the Secretary of State has got the power to order that the postal articles at transmission may be intercepted. As in our Act, they too say that no postal article can be opened and all that with a proviso that nothing in this Section shall extend to opening, detaining or delaying of a postal packet or article under the authority of this Act or in obedience to a warrant in writing by the Secretary of State. This question came up before the Parliament of England and then the Home Secretary—not when we were under subjugation—on June 7, 1957, made a statement and answered the questions. He said that this power was one which the Parliament had always recognised to be essential for the protection of society. It is only used solely in cases involving the security of the State, or for the purpose