

difficult to move in the area even by the sturdiest of vehicles, as almost all the main roads have been badly breached or washed away in the floods.

Considering the damage to the bridges and roads in the area, it might take quite some time to restore road communications in the Bhagirathi valley. Thank you.

(iv) REPORTED ESPIONAGE AND SUBVERSIVE ACTIVITIES OF FOREIGNERS.

SHRI JYOTIRMOY BOSU (Diamond Harbour): Mr. Chairman, Sir, Government have very much failed to stop espionage and subversive activities by foreigners. These incidents are again on the increase. Firstly, they have failed to clearly and finally identify the saboteurs belonging to CIA which had been causing unprecedented devastation by creating Bhagirathi river blockade very recently, according to reports published last week end.

Although the Government have arrested a foreign woman moving in that area without proper travel documents, prior to her apprehension she had reportedly thrown her passport in Bhagirathi river on the advice of a Swami and her identity had so far remained unestablished. Even the dust samples which were collected from the pits are not now available and the geologists who were sent to Bhatwarj on August 14 have come back to Lucknow on some flimsy pretext. This is a serious failure on the part of the Government.

Secondly, some foreigners including some Britishers, and others, secretly entered Zaskar area in Ladakh after trekking their way through protected area on their way from Manali. The leader of the group, one Mr. Hughes, was involved in an accident but left in a hurry the Srinagar Hospital

without even having been treated fully.

I request the Government to make a statement on these two incidents immediately.

15.29 hrs.

PRESS COUNCIL BILL—contd.

MR. CHAIRMAN: The House will now take up further consideration of the following motion moved by Shri L. K. Advani on the 24th August, 1978, namely:—

"That the Bill to establish a Press Council for the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers and news agencies in India, as passed by Rajya Sabha, be taken into consideration."

Shri Govinda Munda will continue his speech.

***SHRI GOVINDA MUNDA** (Keonjhar): Mr. Deputy Speaker, Sir, the other day I had said about the historical background of the Press Council Bill. In that context I had narrated how the media had been misused during the emergency. I do not like to repeat the same thing today. Rather I would like to confine myself on the composition of the Press Council. I would also like to draw the attention of the hon. Minister to some suggestions thereto.

Sir, the composition of the Press Council is quite good and justified. It is mentioned in Clause 5(e) of this Bill that there shall be three members from the Lok Sabha and two members from the Rajya Sabha. In this way five will be taken as members in this Council. Sir, the entire House is aware of the fact that the Adivasis and Harijans are always neglected. In this context I would like to request the hon. Minister to take at least one Adivasi or Harijan

[Shri Govinda Munda]

member either from the Lok Sabha or from the Rajya Sabha. Secondly, there is certain provision in this Bill to include some members from among the Editors and Journalists of Indian languages, Oriya, Bengali, Telugu, Tamil and Malayalam are also the Indian languages. In this context I draw the attention of the hon. Minister to give due representation to the editors and journalists of the regional languages.

Sir, Orissa is always backward in every respect. In Oriya language there are certain newspapers for example one is Samaj whose circulation is more than 50 thousand. Not only the people of Orissa but the people living in the neighbouring State like Andhra Pradesh, Bihar, Bengal and Madhya Pradesh also read this newspaper everyday. So the editors and journalists of this type of newspapers should be given due representation in this Press Council.

Now there are teleprinters in English and Hindi Devnagri script. If the teleprinters had been made in Oriya and other Indian languages the cost of newspapers would have come down. Not much money will be incurred if teleprinters will be made in Oriya language. The total cost of 25 teleprinters in Oriya language will be approximately one and a half lakhs of rupees. The State can use these teleprinters and news can be very easily and quickly sent to the district headquarters from the State Headquarters.

Sir, there are four main pillars in democracy. First is Executive, second is Legislative, third is Judiciary and fourth is Press. The role of Press is no less important than the other three items. But it is a matter of regret that the press is in a very weak position now. We will have to strengthen the press. I am happy that the press Council shall preserve the freedom of press and to maintain and improve the standards of newspapers and news agencies to maintain

their independence. It will build up a code of conduct for newspapers, news agencies and journalists in accordance with high professional standards. Further this Bill will ensure on the part of newspapers, news agencies and journalists, the maintenance of high standards of public taste and for a due sense of both the rights and responsibilities of citizenship.

I support this Bill wholeheartedly. With these words I conclude.

SHRI PABITRA MOHAN PRADHAN (Deogarh): Mr. Chairman, Sir, I rise to support the Bill. I am glad that the hon. Minister has brought this Bill.

SHRI VAYALAR RAVI (Chirayinkil): I hope, you will be following a certain procedure in calling the Members to speak on this Bill.

MR. CHAIRMAN: It would be following.

SHRI VAYALAR RAVI: You are not following; it should be one from that side and one from this side.

MR. CHAIRMAN: Not one from that side and one from this side but two from this side and one from your side. Mr. Ravi, you will also get your chance.

SHRI PABITRA MOHAN PRADHAN: Mr. Chairman, the Press is called by the society as the fourth estate of the nation or of the administration. When these terms were framed, the Press was not so much developed. Now it is developed and has other means of communications, that is, the radio and the television. At the same time, what is happening here is also known to the entire world.

The Bill is meant to protect the freedom of the Press. Really the freedom of the Press should and must be protected. But I apprehend that

at the time of urgency or emergency, the Press is not allowed to be free. We know and have experience how the freedom of the Press is curtailed; to what extent, I am not giving into it. The hon. Members and the country would expect that in future a situation demanding something like emergency may happen. When such a situation arises, an emergency is bound to come either in this form or that form. Under such circumstances, the freedom of the Press is and will be curtailed to a great extent.

I expect and hope that the hon. Minister while making provisions under this Bill will look into that. Another purpose of the Bill is to control the Press which is very influential in the society and in the administration. It can make a good or bad propaganda. So, the Press should be controlled to some, reasonable extent.

Mr. Chairman, uptill now, it was very difficult to check the reckless publicity that was being given sometimes by some section of the Press. And as a result they sometimes do immense harm to the society and to the nation, to the administration also; they do irreparable harm even to individuals. So, the Press must be controlled to a considerable extent. I see that arrangement rather provision has been made for control in the Bill itself. Newspapers, editors, news agencies and journals sometimes create things which are not at all in existence; sometimes they make a mountain of a molehill; at other times they make a molehill of a mountain. They exaggerate things or hush up things they propagate as they like. During the time of the emergency the government took to such tricky things. We have experienced what the previous government did during the twenty months of emergency. Therefore, I think the provisions made in the Bill will be sufficient to have control over the wanton, arbitrary and whimsical propaganda of

the Press. The Council is empowered to warn, admonish, and censure the Pressmen, newspaper editors, journalists and I think it is sufficient.

I want the hon. Minister to give special attention to one thing. Somebody gives out a statement to be published in some paper; the paper is interested in that statement and gives broad headlines or it publishes it in the editorial page; when a rebuttal comes, it is not at all given; or if it is given at all it is given in the advertisement page on which nobody casts a look. Such rebuttal should also be published in the front page or editorial page, in the same bold letters. I hope that when rules are made the suggestions I have given will be taken into consideration.

SHRI EDUARDO FALEIRO (Mormugao): There are several important aspects which the Press Bill seeks to cover but I shall limit myself to speak only on two of them about which I feel very strongly. May I draw your attention to the Preamble or the Long Title of this Bill which says it seeks to establish a Press Council for the purpose of 'preserving the freedom of the Press and of maintaining and improving the standards of news agencies'. It is a very pompous and unrealistic long title because you can preserve only what you have got. Something which does not exist cannot be preserved or maintained. When we talk of preserving freedom of the Press, the question I ask is: Is the Press free today so that you may 'preserve' its freedom? My submission is that it is not. Before talking of preserving freedom the Government will be well advised to consider this; the hon. Minister will have all our cooperation if he does first things first and the first thing to do is to create the freedom of the Press and then to ensure the freedom of the Press. To my mind, so long as the ownership of the Press rests in the business class—80 per cent or more of the newspapers are controlled by industrialists—so long as the editors, the dedicated editors, the

[Shri Eduardo Falcão]

sincere journalists, are treated merely as industrial servants and at the disposal of the business men who actually know nothing about journalism, who may know a lot about business, but utilise this knowledge to make newspapers merely a vehicle to propagate their business interests, so long as this situation continues, there will be no freedom of the Press. The question of preservation of freedom of the press will not arise. My submission is that so long as the opinion created by monopoly press exists, the question of freedom of the press will be a moot point, will be something non-existent, will be a dream, which nothing, in to-day's circumstances shows, that can be achieved.

Very often we lead an onslaughts against large newspapers. We say that the ownership of large newspapers should be diffused. We forget about the small and medium newspapers. I would like to say that in this country a large number of even small and medium newspapers are in the hands of the business interests, business families. I say wherever business interests and business families control the newspaper—it may be small, medium or large, their ownership must be diffused. This is the first step that Government should take in case they are really interested in safeguarding the freedom of the press, in building the freedom of the press. My submission and my suggestion is wherever a business family controls the newspaper, ownership of that newspaper must be diffused, 25 per cent of the shares must go to the Editors, 2 per cent to the journalists and 25 per cent to other workers in the newspapers. The remaining must be disposed of by sale to the public. Management or the Editorial Board of this newspaper should be in the same proportion—it should contain individual from different categories and not businessmen. The individuals should be persons who have experience as educationists, journalists or eminent public servants. The first step is the diffusion of

ownership of newspapers wherever the newspapers are controlled by business interests. We remember the great days struggle for freedom. There were, then so many papers which were not controlled by businessmen but were run by political leaders. Where are these papers today? They are nowhere. There has been more and more hold of businessmen over this industry. This has brought a bad affect for this country. There could not be over-embracing public opinion which is required.

We very often think about the controlling influence of Government in newspapers, I say, so long as business interests control newspapers, automatically Government influence in newspapers will exist. Businessmen do not have love for the public opinion. They do not have newspapers for charity, they do not have them for social work, they do not have them for contribution to culture of this country. They have them to advance their business interests. In exchange for painting or picturing a favourable opinion of the Government, they want to have a greater award comparatively by way of licences and other Government favours. So long as the press is in the hands of business interests, so long as this situation continues, Government will also have a hold over the press and both the things go together. The second is implied in the first. During Emergency many newspapers were there. All these big newspapers were there. During Emergency they were all supporting that Government. Now they have shifted loyalties. Tomorrow when some other Government comes, they will support that Government. They are not interested in any ideology. They are interested in knowing which is the Government of the day. They will always support the Government of the day. They are interested only in business because first and last they are businessmen. On this point, I would like to mention one instance to show how a paper which is controlled by industrialists and by big business interests will

automatically support the Government of the day. *Illustrated Weekly* became famous after Khuswant Singh became its editor. Till yesterday it was supporting the Government of Mrs. Indira Gandhi. But what happened when the Government changed? In the *Sunday Magazine* dated 20th August, 1978, pages 36-37 there is an article written by Mr. Rahul Singh, son of Shri Khuswant Singh, where he describes in detail why he was dismissed in a very un-fair manner. He says:

"The cat came out of the bag when Ashoke Jain, the Times of India proprietor, confessed to Khushwant Singh that the Prime Minister himself had asked him to find a new editor. And, being a businessman first, he had no option but to comply."

In fairness I should say that the Prime Minister has denied this. But why this denial should be taken at its face value and why what Mr. Jain has said should not be taken as correct? This shows that so long as business interests are there, they will support the Government of the day and automatically the Government will control the Press. Therefore, there should be diffusion of ownership of the Press not only in the case of large newspapers but also in the case of small newspapers, which are very often more subservient to the Government. So, wherever business interests are involved, there must be diffusion of ownership.

Secondly, a code of conduct is sought to be established for newspaper men for journalists. But how can we prescribe what is good or what is bad? What is good for me may be bad for you. I may like a particular type of food which you may dislike. Nobody can ask why I like it and why you dislike it. Let us forget food and come to art. I may like a particular type of painting or, price of music which you may not like. You may like some other painting or music. No one can ask the reason for it. Similarly, if

some newspapers are written in bad taste, in that case the public will be the ultimate judge. If they indulge in yellow journalism, the people themselves will reject those papers. It is not for me or for you or for the Government to say what is bad and what the public should or should not read. The point which is sought to be made is that this code of conduct will not be created by the Government or by the Press Council but will be evolved by the journalists. You will remember that odious piece known as the Code of Journalistic Ethics brought out during the regime of the previous Government. Clearly, that this code was odious to me and to you, but the Minister of Information and Broadcasting at that time, Mr. Shukla, said, "This was evolved by the All India Newspaper Editors Conference and it was finalised by this very conference!" The fact that the Press itself is evolving a code does not mean that the code is justified. I strongly oppose this code and strongly agree with the dissenting views expressed by Shri Srikant Verma and Prof. Mavalankar in the Joint Committee.

Sir, I have made two points. I will request the Minister to do a favour, not to me but to the House and to the country, by mentioning what drastic steps he is contemplating for diffusion of ownership of newspapers wherever they are controlled by businessmen. I request him also in all humility but with all the strength at my command that he should withdraw this clause which provides for the code of conduct, which is very bad and which will defeat the very purpose which he is trying to serve, namely, the freedom of the press.

श्री कंचर लाल गुप्त (दिल्ली सदर) :

सभापति महोदय, प्रेस काउन्सिल पहले भी थी और जैसे हजारों लोग हमारे ही का शिकार हुए, प्रेस काउन्सिल भी उसका शिकार बनी। अब यह जो बिल सदन के सामने आया है मैं समझता हूँ प्रेस

[श्री कंबर साल गुप्त]

काउन्सिल की दुबारा पैदाइश है। जैसे देश में प्रेस की आजादी की दोबारा पैदाइश हुई है; उसी तरह से प्रेस काउन्सिल की भी दोबारा पैदाइश हुई है। अभी मेरे छापी कह रहे थे फ्रीडम ऑफ प्रेस ऐम्बिस्ट ही नहीं करती तो प्रीजर्वेशन का सवाल कहाँ आता है। मैं समझता हूँ कि जो कुछ उन्होंने कहा, शायद उनका मतलब यह था कि जो प्रावलय उन्होंने पोज की है, वह बहुत बड़ी है। लेकिन इसका मतलब यह नहीं है, जनता पार्टी ने 15 महीने में फ्रीडम ऑफ प्रेस के लिए जो कदम उठाये हैं, वह हमारे दोस्त को मालूम हैं, पहले जब यह भाषण देते थे,

What was the reporting of the press?
"Mr. Nehru also spoke."

There was a censor officer also sitting in this Lok Sabha Secretariat. Even Rabindranath Tagore's sayings were censored even the Prime Minister's own speech was censored. That was the control over the press.

Now you are free to speak, free to read, free to think. That Press Objection Bill is gone, there is no control but the problem that you have posed is a serious one I agree. The monopoly press should be diffused, there is no difference of opinion on that, but how to tackle that is a very big and very serious question, and opinion differs from person to person.

You just mentioned one or two cases about business houses. May I point out one thing about the case of the *National Herald*? This is not a business house, this is not controlled by monopoly houses. This is controlled by Mrs. Gandhi. This is an old paper started by Jawaharlal Nehru, and let me quote, with your kind permission from *Sunday*. He says:

"But what happened to Chalapatih Rau of the *National Herald* into whose shoes Khuswant Singh stepped? Few people could have been more loyal than Chalapatih Rau has been to the Nehru family for the past 40 years. Many a time, against his conscience, he stood like a rock not only by Jawaharlal Nehru but by his daughter also. The only principled line he drew was on Mr. Sanjay Gandhi: he did not go out of his way to build up the rising star of the Emergency."
Again he says:

"One day last month, Chalapatih Rau's stenographer was on leave. As usual, he wrote his editorial. But the management gave instructions to all typists in the office to refuse to type out his editorial. Chalapatih Rau, like any other journalist, likes to see his writing in print, so he ignored the hint of the management. He sent down his handwritten manuscript to the press. But the management's arm reaches a long way. Instructions had been sent to the press—the linotype operator refused to compose the handwritten piece. The same day, when Rau was leaving office, the management did not allow him the use of the office car. The heart-broken Chalapatih was seen off for the last time from the office over which he had presided for 40 years by only his peon."

What was the reaction of the editor?
He says:

"Chalapatih Rau wrote: 'I am not writing it in bitterness. This is a short epitaph, which can later be extended, of 40 years of dedicated and frustrated journalism. ... I promise to forget *National Herald* ... I hope there will be no second "cremation" of Jawaharlal Nehru under new auspices and the value and traditions which he loved will be upheld and his name will continue to appear as founder of the newspaper."

This is the condition, not of the papers under business houses.

SHRI VAYALAR RAVI: Why are you surprised?

SHRI KANWARLAL GUPTA: I am not surprised. This is how Mrs. Gandhi functioned, this is how the Cong. (I) functioned and still wants to function. This is an example. So, it is not a question whether only the business houses behave like that. This is a question where politicians are behaving like that.... who are accusing every day that the press is not free, the radio is not free, the Television is not free and how they are behaving with the editor, this is a typical example and I think it is an eye-opener.

16 hrs.

मैं यह कहना चाहता हूँ कि प्रेस काँग्रेस के जरिये हमारे प्रेस की स्वतन्त्रता एक तरह से पूरी हो गई है।

Bill that even the Press Council can And I think that this will make the for the first time in this Press Council take up the matter against the State. It was not provided in the original to the Government, but responsible to the society, to the country and it is press more responsible—not responsible Bill, if I am not mistaken. I recollect that when the Haryana Chief Minister took certain action against a paper, *The Tribune*, and when this matter was taken up in the Lok Sabha, what was the reply of the then Minister of Information and Broadcasting? He said: "I am making an enquiry and I do not know the legal provision."

सभापति महोदय: अब माननीय सदस्य समाप्त करें।

श्री कंबर लाल गुप्त: श्री जी ती मैंने कुछ नहीं किया है। मुझे थोड़ा और बोलने दीजिए।

सभापति महोदय: और बहुत से सदस्य बोलना चाहते हैं।

श्री कंबर लाल गुप्त: उन्होंने कहा कि मुझे मालूम नहीं है कि कानून के मुताबिक इस बारे में क्या हो सकता है—कुछ नहीं हो सकता है। आज पहली बार जनता पार्टी ने कहा है कि अगर सरकार भी कुछ प्रवृत्ति करती है, तो प्रेस काँग्रेस को उसे कहने का अधिकार होगा।

प्रेस काँग्रेस एक सेल्फ-रेगुलेटिंग प्रोफेशनल बाडी होगी, और इसमें गवर्नमेंट का कोई इंटरफ़ेयरेंस नहीं होगा, कोई दखल नहीं होगा। मैं चाहता हूँ कि गवर्नमेंट का उसमें दखल नहीं होना चाहिए।

This is meant to build up a code of conduct for newspapers, news agencies and journalists in accordance with high professional standards, to help newspaper and news agency to maintain their independence, to encourage the growth of a sense of responsibility and public service among all those engaged in the profession of journalism.

मुझे प्रेस वालों से भी थोड़ी शिकायत है, और वह यह है कि आजादी के नाम पर येलो जर्नलिज्म को बढ़ावा दिया जा रहा है। हम देखते हैं कि हर जगह सेंसिशनल न्यूज़, सब या गलत, छापी जा रहे हैं और पिछले सवा साल से कैंसेन्सुर एंसेन्सिशनल सपातार चल रहा है।

सभापति महोदय: अब आप समाप्त करें। आप का समय समाप्त हो गया है।

श्री कंबर लाल गुप्त: पांच सात मिनट और दे दीजिए। मुझे कुछ पांचदस कहने दीजिए।

सभापति महोदय: पांचदस तो बहुत हैं। दस मिनट में सब पांचदस नहीं कहे जा सकते हैं।

श्री कंबर लाल गुप्त : मेरा कहना है कि प्रेस एक बहुत बड़ी फ़ोर्स बन गया है और मुझे आशा है कि प्रेस काउंसिल इस का रेगुलेट कर सकेगी। श्री राजगोपालाचारी ने कहा था कि प्रेस के हाथ में इतनी खतरनाक ताकत है कि अगर वह चाहे, तो वह देश में ऐसी स्थिति उत्पन्न कर सकता है कि देश की सारी फ़ौज उस इन्टरनेल डिस्टर्बेंस को रोकने में लग जाये। इसलिए मैं चाहता हूँ कि प्रेस काउंसिल यहाँ जर्नलिज्म को खत्म करने के लिए सख्तता से कार्यवाही करे। मैं यह नहीं चाहता कि प्रेस काउंसिल को पब्लिशमेंट के अधिकार दिये जायें, लेकिन वह सख्ती से एक कोड ऑफ़ कंडक्ट तैयार करे और जो उस पर अमल न करे, उसके खिलाफ़ कार्यवाही होनी चाहिए।

समापति महोदय : माननीय सदस्य अब समाप्त करें। बहुत से सदस्य इस पर बोलना चाहते हैं।

श्री कंबर लाल गुप्त : मैंने कुछ पॉइंट्स कहने हैं।

मैं इस बात का भी समर्थन करता हूँ, जो चैयरमैन के एलोकेशन की बात थी, उसमें पहले मतभेद था कि प्राया चीफ़ जस्टिस नामिनेट करें या जर्नलिस्ट नामिनेट करें, उसमें यह आप ने अछूटा किया कि उसमें जर्नलिस्ट्स के नुमाइन्दे भी हो गए, स्पीकर भी हैं और चाफ़ जस्टिस भी है, तीनों मिल कर करेंगे तो यह अछूटा होगा। मैं एक सजेरिजन देना चाहता हूँ कि जर्नलिस्ट्स के नुमाइन्दे तो रखें, और सब के रखें लेकिन जो रिजर्व हैं उन का कोई नुमाइन्दा नहीं रखा। उन की भी जरूरत है। प्रेस कंट्रोल की बात जहाँ कही गई, मैं कंट्रोल के हक में नहीं हूँ। लेकिन प्रेस लोगों को एजुकेंट करने के काम भी आता है, इसलिए रिजर्व का भी कोई नुमाइन्दा होना चाहिए।

प्रेस का एक काम यह भी है, जहाँ वह सेंसेशनल बातें उठाता है, वहाँ गांव में, देहात में, बैंकवर्ड लायों में, ट्राइबल एरियास में जो कुछ घटनाएं घटती हैं विशेषतः उन की एकात्मिक कंडीशंस हैं, एजुकेशनल और सांशुल कंडीशंस हैं, उनका बारे में जो बातें बहनी चाहिए उन्हें यह हाइ लाइट नहीं करता, दूसरी बेकार का जो बीज है वह हाइ लाइट हांती है या उन का स्फ़ेयर केवल शहरों तक ही होता है। लेकिन हिन्दुस्तान शहर नहीं है। इसलिए मैं चाहूंगा कि रेडियो, टेलीविजन प्रेस जितने भी मास कम्यूनिकेशन के साधन हैं, इनकी की तरफ़ भी ध्यान दें।

मैं इन बात का भी समर्थन करता हूँ कि आप ने जर्नियलर पेपर्स का ज्यादा रेप्रेजेंटेशन दिया है। उसके लिए मैं धन्यवाद देता हूँ। अभी तक प्रेरेजों का ज्यादा डागिनेशन रहा, अब जर्नियलर पेपर्स का भी आप ने रेप्रेजेंटेशन दिया है, इसका मैं समर्थन करता हूँ।

SHRI GIRIDHAR GOMANGO
(Koraput): Mr. Chairman, since this Bill was discussed in the Joint committee, I will not go into the details except to mention that there was some Note of Dissent which relates to the code of conduct for the press. But I could not follow the objects and reasons given for the Bill. On the one hand, Government propose to preserve the freedom of the press and, on the other, Government want to maintain the standard of newspapers and news agencies in India. When the press is free what is the necessity to bring in certain standard? The reason is to control the press so that it would not publish certain things. So, this Bill is desirable and it has to be passed by Parliament. Since we agreed in principle to almost all the clauses of the Bill in the Joint Committee, I am not going into the details of the Bill.

But I will emphasize only one point, namely, that by this legislation alone Government cannot give freedom to the press, because it deals only with very few aspects. If Government propose to give freedom to the press, then they should mention or adopt some procedures also as to how the monopoly of the press would be abolished. They should also mention how they will give freedom to the press from Government control, whether direct or indirect, and freedom from group or corporate pressure, big business mentality and social blindness. These are the things which have to be done so that the press can function freely, frankly and fearlessly. I have already given some amendments and I will go into them in detail when they are taken up. But I just want to make some submissions at this stage.

The papers carry the news of the cities only and not of the rural areas. There are a number of languages in our country, more than 1600 dialects and the newspapers are being published only in a few languages. The papers should carry the news about the people below the poverty line, the downtrodden people, who are being harassed. It is not that by publishing the nudity of a tribal woman in a magazine, they can say that they have publicised the economic conditions of the tribals. It is nothing but an attempt to capture the eyes of the reader and to sell the magazine. I want to urge that type of publications should not be allowed and the real picture of the economic condition of the weaker sections, the scheduled castes and the scheduled tribes, should be depicted by the press. I have given an amendment suggesting that the number of Members of the Press Council, which the President may appoint, be increased by two, to include one from Scheduled Caste and one from Scheduled Tribe so that they can go through the publications and can give their opinions in the Press Council. Only a very few people belonging to the scheduled castes and

the scheduled tribes are in the Press. You will find, none from these few press reporters, may be nominated, those belong to scheduled castes and scheduled tribes. This is my humble submission and I hope the hon. Minister would agree to this amendment to appoint a representative from scheduled castes and a representative from scheduled tribe in the Press Council so that at least something can be done for the people who have been neglected by the society so far.

With these words, I conclude.

SHRI SIVAJI PATNAIK (Bhubaneswar): Mr. Chairman, Sir, the Press Council came into being in 1960 and then it was given a goodbye in 1978 during the Emergency.

As you know, Sir, the Press in India had to pass through a period of traumatic experience during the days of Emergency. It was humiliated, victimised and suppressed. It was asked to join the chorus along with the psychopants in praise of the authoritarian regime. It was not only prevented from disseminating news but was also asked to misinform the people. Such was the condition during the Emergency.

It is good that the Press Council is being revived and the rights of the Press are being restored. It is better to have the Press Council than not to have it. But will the press, the fourth estate, be able to discharge its responsibility? Let us have a look at the facts. What is the position today in our country?

If we look to the newspaper coverage, we see that 25 per cent of the newspapers in India are English dailies and 31.2 per cent of them are published in the four metropolitan cities. These four metropolitan cities also account for 48.5 per cent of the circulation of these papers. Common ownership of newspapers account for 81 per cent circulation of all the metropolitan dailies.

[Shri Sinaji Patnaik]

It has been mentioned in the objectives of the Press Council that it will "concern itself with developments, such as, concentration of or other aspects of ownership of newspapers and news agencies which may affect the independence of the press." As to how it can discharge this responsibility, there is no indication about it.

What we see in India is that there is not only concentration of ownership of newspapers but there is also interlocking of industry and business with press. Naturally, its effects will be there and its effects are there. The press barons are so powerful that they even find to dictate terms to the Government by boycotting the wage board for working journalists.

The renowned jurist, Mr. M. C. Setalvad, in his Autobiography, has narrated a case with regard to a prestigious daily, the *Statesman* of which he was the Chairman of the Board of Trustees for some time. He has narrated how the then editor was sacked by the owners over the head of the trustees because he was not in tune with the big business moves against the U. F. Government of West Bengal in 1967-68.

In such a situation, the reporter or editor becomes a prisoner of the views of the proprietor. The earlier Press Commission Report has narrated a number of instances about them. The Press Commission had concluded on this point as follows:

"It would be rather naive to expect a newspaper or periodical run by a leading light of a chamber of commerce to advocate communism or support a proposal for expropriation of capital. It is, however, legitimate to demand that in reporting news of happenings, it should not over-emphasise one side of a picture or black out another, or otherwise distort a despatch so as to mislead the reader."

But it remains a pious wish.

Sir, there is an inherent threat to the freedom of press which arises

from the very system itself. The press of a country reflects the kind of society which exists there. Hence we witness in this country, by and large the press has been weighted against the oppressed people, against the down-trodden toiling people.

Although it has been proposed in the Bill that the language newspapers will be given adequate representation in the new Press Council, the press in general as well as the Press Council continues to be elite-oriented. Whatever you do, it is a question linked up with the system itself. Only when the social struggles of the masses will assert themselves, the things will be otherwise. New values created through these social struggles of the people will be reflected in the press.

Similarly, about the Government's interference, as long as the power of patronage is there, you cannot avoid interference. The earlier Press Commission Report is full such instances. So, the point is how far the press will be able to resist it. That also depends on the values that are created in this country. If the freedom of press is there, at least there will be some people who will come forward to resist it. Let us wish at least that the formation of the Press Council will help in a process where more and more people will come forward to resist various types of interference in the freedom of press.

SHRI YASHWANT BOROLE (Jaipur): The Press Council which remained in existence for nine years, was abolished by Mrs. Indira Gandhi. The abolition of such an organisation as the Press Council, which is a very powerful instrument in the country, has gone unwept, un-noticed, unsuspected and unchallenged from any quarter, excepting some bold persons who came forward; but they are negligible as compared to the whole lot.

Now, why was this done? The question is, why was the Press Council abolished? The Press Council was an

obstacle in the way of Mrs. Gandhi. She knew very well that the Press exercises an enormous effect on the public at large that news can spread like the wind and take to the minds of millions at a time rather than a speech delivered in one city. So, the enormous effect which is produced by the Press was felt by Mrs. Gandhi. She did not want that any opposition should be created in this country to Emergency and she did not want there should be deliberations throughout the country. She wanted that the people should never think about what is going on in the country. That was the basic idea and that is why the Press Council was abolished.

We know that the Press Council— if we go through the provisions of the particular enactment of 1965—was not equipped with power sufficient to punish anybody. But it had certainly the basic ingredients needed to expose completely even those persons in power. Of course, Niren De has advised the Haryana Government that there are no powers which vest with the Press Council at all to challenge the Government on any ground. Still, the Press Council's observations and findings had a tremendous effect and they could produce a different atmosphere, at least among the literate classes of the nation. That is why Mrs. Gandhi thought that the best way was to abolish it, and it was abolished.

It is surprising to note what even persons working and concerned with the Press Council and their organisations like the Indian Federation Working Journalists has to say. If you remember, what was the verdict given by it at the time of abolition? It said that the Press Council was fit to be abolished, that the Press Council had not been able at all to lay down a code of conduct for newspapers in this country, that it has been a complete failure. That was what was proclaimed by this organisation. In fact, it is wonderful that an organisation

which ought to encourage the Council should make observations of this type. But those days were like that. We find that even Kuldip Nayar has stated that when he want to make a complaint to the Press Council, he was not accompanied by more senior journalists. That is the statement he has made before the Shah Commission. Those were days of non-freedom of the Press. The question pertinent to be asked to my learned friends on the opposite side is, where was freedom of the Press at that time? There is freedom of the Press today....

MR. CHAIRMAN: Mr. Borole, please wind up.

SHRI YASHWANT BOROLE: Yes, we should hurry up; it is true. But the hurry was at that time: we are at leisure now. Everybody at that time was in a great hurry: today we are at great leisure.

I will make my submission only on few points: so far as the abolition of the Press is concerned, it was unjudicial and it was not at all in the interest of a free Press. The place of a free Press has high importance in any country and the immense influence it exercises is also greatly felt by all political, social and economic organisations in the country.

MR. CHAIRMAN: Please try to conclude.

SHRI YASHWANT BOROLE: The present Bill reconstitutes it now. I want to make certain suggestions.

The first suggestion would be this. The extent of monopoly in the press section is of the order of 80 to 81 per cent. That affects the Press Council also. Therefore, some arrangement has to be made so that the Press Council will be in a position to be bold enough to make its observations and findings against the monopoly houses working in the press section.

My second suggestion would be in regard to finance. Though there is to

[Shri Yashwant Borole]

be an independent financing arrangement which will be available now, considering the whole budget which is available to the Press Council—which is hardly Rs. 2,40,000—and considering the work which it has to carry, I think the budget is insufficient. It is good that now at least they have been empowered to levy a certain fee and make a collection. If necessary that should be supplemented.

My third suggestion would be in regard to the question of delay before the Press Council because certain matters which were taken up to the Press Council had lingered on for a considerably long time. Therefore, the working and functioning of the Press Council will have to be styled in a manner so as to curtail the delay which may be there, so that prompt action will be recommended and action taken immediately.

श्री श्याम सुन्दर दास (सीतामढ़ी) :

वह जो प्रेस काउंसिल बिल पेश किया गया है इसका मैं समर्थन करता हूँ। प्रेस काउंसिल भ्रामातकाल के दिनों में खास कर जब हिन्दुस्तान टाइम्स के सम्पादक श्री बी० जी० वर्गीश का मामला उस के समक्ष गया, खत्म कर दी गई थी। वह उसका एक प्रमुख कारण भी रहा है। इस प्रेस काउंसिल बिल के तहत प्रेस की स्वतंत्रता की पुनर्स्थापना का प्रयास किया गया है ताकि एक ऐसी व्यवस्था बन सके जो अपने आप अपनी मर्यादाओं की रक्षा कर सके, प्रेस की स्वतंत्रता को प्रक्षुण्ण रख सके। लेकिन कुछ ऐसे मुद्दे हैं जिन पर मंत्री महोदय को ध्यान देना चाहिये था। प्रेस की स्वतंत्रता का मुख्यतया दो प्रकार से हनन होता रहा है। एक तो प्रोप्राइटर्स के द्वारा होता रहा है और दूसरे सरकार के द्वारा। इस बीसवीं शताब्दी में जब जगह राज्य

सत्ता के सर्वबाही, सर्वव्यापक सत्ता के रूप में प्रतिष्ठित हुई है। इसलिए इस शताब्दी में समाज के जितने भी भ्रंग हैं उनकी रक्षा न केवल सम्पत्तिशाली वर्ग से होनी चाहिये बल्कि राज्य की बढ़ती हुई निरंकुशता से भी उसकी रक्षा होनी चाहिये। यहां पर यह कहा गया है कि सरकार से उसकी रक्षा की जाएगी। लेकिन पिछली जो प्रेस काउंसिल थी जिस की रिपोर्ट 1969 में दी गई उस प्रेस काउंसिल ने तत्कालीन सरकार के समक्ष कुछ सुझाव रखे थे। 1970 में प्रेस काउंसिल सम्बन्धी जो कानून था जब उस में संशोधन किया गया तो प्रेस काउंसिल ने जिन की धोर इशारा किया था उन की धोर ध्यान नहीं दिया गया।

इस प्रेस काउंसिल में संभवतः उन सिफारिशों पर उतना जोर नहीं दिया गया है। उसका एक सामान्य उदाहरण मैं रखना चाहता हूँ। प्रेस काउंसिल की पाबन्धी और फंक्शन्स की जो यहां चर्चा की गई है उसमें धारा 14 सबक्लाज (1) और उस की सुलना भंगर भाप करे क्लाज 15(4) से, क्लाज 14 में प्रेस, न्यूज एजन्सीज, जर्नलिस्ट्स उन के प्रति जो शिकायत है उस शिकायत के प्रति प्रेस काउंसिल को क्या अधिकार दिया गया है कि प्रेस काउंसिल इनक्वायरी कर सकती है। शिकायत भंगर सही पायी जाय तो they can warn, admonish or censure. लेकिन जहां सरकार और प्रेस काउंसिल का सम्बन्ध भाया है वहां कितना माइल्स हो गया है? वहीं इतना ही बिधा गया है कि :

"The Council may, if it considers it necessary for the purpose of carrying out its objects or for the performance of any of its functions under this Act, make such observations, as it may think fit...."

जब 14(1) में दार्लिंग, ऐडमिनिश और सैबर करने का है। लेकिन जहाँ सरकार और उभके अधीन दूसरी संस्थाओं में अंग्रेज प्रेस की स्वायत्तता और स्वतंत्रता पर आक्रमण होता है तो एक तो कहा गया है कि कोई शिकायत हो तो इनकायरी को जाय जिसक मतलब है कि प्रकाशनात्में यह अधिचार हो जाता है कि प्रेस काउन्सिल का यह अधिकार है। लेकिन प्रेस काउन्सिल की 1968-69 की रिपोर्ट में जो सुझाव दिये हैं उसकी स्पष्ट रूप से व्याख्या हो जानी चाहिये क्योंकि 1970 में श्री नीरेन डे ने हरियाणा सरकार की ओर और से बोलते हुए कहा था कि प्रेस काउन्सिल को राज्य सरकार को अपने परब्यु से लेने का कोई अधिकार नहीं है। उस मान में यहाँ इतना ध्यान नहीं दिया गया है।

दूसरी चीज यह कि प्रेस काउन्सिल का जो कम्पोजिशन है उस पर अंगरेज ध्यान दें तो उसमें 28 आदमी हैं। 6 सम्पादक और 6 एडिटर या मैनेजमेंट के आदमी हैं। इस तरह से 12 आदमी ऐसे हो जाते हैं, क्योंकि सम्पादक की नौकरी भी मालिकों की इच्छा पर निर्भर करती है। वो 28 में से 12 आदमी हैं जो प्रत्यक्ष या अप्रत्यक्ष रूप से मालिकों के हितों का प्रतिनिधित्व करते हैं। मैं समझता हूँ कि समूचे प्रेस काउन्सिल की संरचना में मालिकों के हितों का प्रतिनिधित्व ज्यादा हो गया है। दूसरी चीज यह है कि प्रेस काउन्सिल के अन्दर रेडियो और टी.वी. को भी शामिल करना चाहिये क्योंकि

इन के माध्यम से भी विचार निर्माण पर ज्यादा असर पड़ता है।

आचरण संहिता के बारे में अन्त में मैं निवेदन करता हूँ कि तिलक कमेटी का जो रिपोर्ट है उस में आठवें पेज पर लिखा है कि :

"The Committee is of the opinion that since the Council is not called upon to lay down any code of journalistic ethics for the Press, there could be no question of vesting it with the power to hold an inquiry into any breach thereof."

यहाँ लगता है कि जैसे सेलेक्ट कमेटी के दिमाग में यह धारणा है कि प्रेस काउन्सिल किसी तरह का जर्नेलिस्टिक ऐथिक्स कोड निर्धारित नहीं करने जा रही है, लेकिन बिल में सका प्रावधान है।

समापति महोदय : भाव भाप समाप्त कोजिये क्योंकि बहुत बोलने वाले हैं।

श्री स्वामि सुन्दर दास : मंत्री जी ने कहा है कि प्रेस काउन्सिल कोड आफ कंडक्ट ऐडजुडिकेशन के प्रोसेस से इवील्व करेगी। लेकिन मैं चाहता हूँ कि इसका स्पष्ट प्रावधान बिल में होना चाहिये।

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

*SHRI P. S. RAMALINGAM (Nilgiris) : Hon. Mr. Chairman, the Government propose to establish a Press Council for the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers and news agencies in India.

Sir, during the past 30 years this House has discussed several times in a heated manner the need for de-linking the newspapers from Press barons and about diffusion of newspaper ownership. The successive Ministers of Information and Broadcasting have

[Shri P. S. Ramalingam]

given solemn assurances on the floor of this august House that a Bill to that effect would be brought forward by the Government. But so far there has been no marked change in the policy of newsprint distribution and Government advertisements to the newspapers. In these two matters the language newspapers are given step-motherly treatment. As the poor people in our country are gradually becoming paupers on account of the economic policies of the Government, the language newspapers are marching slowly but steadily to the stage of extinction. Even if the State Governments condescend to give advertisements, these newspapers are short of newsprint. The large newspapers are assuming monopolistic proportions with alarming speed. As per the statistics supplied by the Registrar of Newspapers, 80 per cent of the newspapers in India is nourished by the neo-capitalists. I do not think that this Press Council will be able to realise the laudable objective of preserving the freedom of the Press, which is as elusive as an eel. Unless there is revolutionary reorientation in the Government's policy, it is not possible to raise the standard of the newspapers. I would like to give a few figures to substantiate my argument and to supplement my suggestions which I hope the hon. Minister will bear in mind at the time of his reply to the debate.

76.5 per cent of the newspapers in the country comes in regional languages. 68.3 per cent of such language newspapers is published outside the four metropolitan cities of Calcutta, Bombay, Madras and Delhi. Out of the total circulation of newspapers in the country, 51.3 per cent circulation is outside the four large cities. In these circumstances, it will not be possible for the Press Council located in Delhi to exercise its authority. Here it is pertinent to point out that the Press Council is at the moment an entirely nominated institution, which will reduce its impact.

If the working of the Press Council is not to be in vain, I would suggest that there should be one Press Council for each regional language. If that is not feasible, then there can be regional Press Councils. If that is also not practicable, then the representatives of all the official languages enumerated in the Constitution must find a place on the Press Council. If the Government does not favour this suggestion, then I would say that the Press Council should meet at least once in a year in all the State Capitals so that the problems of the language newspapers can be understood and appreciated.

Sir, the newspapers have become tabloids of political bickerings, baseless political rumours, mocking political cartoons, news items which would foment and fan linguistic and racial hatred among the people. The people of the country are not enlightened by meaningful political comments, but they are led on the path of anger and frustration by the fertile imagination of newsmen. In a democracy there is no place for yellow journalism, which goes counter to the concept of open society. The Press Council has to exert all its energy for extricating the gullible people from the guile of newspapermen.

In this Bill there is no provision envisaging co-ordination between the Press Council and the Registrar of Newspapers who exercises supervisory control on about 16000 newspapers and periodicals. This should be ensured in the interest of the Press Council. Similarly, the Registrar of Newspapers should be authorised to implement the punishment awarded by the Press Council on the erring newspapers.

There should also be a National Registrar of Working Journalists which will go a long way in improving the standards of newspapers and news agencies. Sir, I oppose the idea of association of Managing Editors with the

Press Council because of the fact that the Managing Editors are none other than the proprietors of newspapers.

In conclusion, I hope that the Press Council would become a potent instrument for guarding the Press freedom and not merely a patronising body.

SHRI G. M. BANATWALLA (Ponnani) : Mr. Chairman, Sir, the Press Council Bill is under discussion in this House and the Government deserves every credit for reviving the Press Council. However, I am constrained to remark that the present measure is a half-hearted measure and the Press Council proposed and envisaged in the Bill is devoid of teeth. It is quite clear, Mr. Chairman, that the concept of the freedom of press implies that the press should be free both from proprietorial oppression and government interference. When we scan the various provisions of the Bill we find that in both respects the Press Council is toothless. As far as the management is concerned, there is the power of censure and the matter ends there. But as far as government interference with press is concerned, it is sad that there are no provisions whatsoever. On the contrary, it is clear that the government is fighting shy of the Press Council. There is no provision to the effect that this Press Council will have jurisdiction with respect to complaints about interference from the government in the same manner as it has jurisdiction to see the complaints of proprietorial oppression, etc. Sir, if you look at Clause 13 sub-clause (2) (j) you will find that this Council can give its opinion on such matters as may be entrusted to it by the Central Government. In other words, the initiative of the Press Council has also been curbed. The point I am making is that an important aspect of the freedom of Press, namely, freedom from government interference has been totally left out from the jurisdiction of the Press Council.

Mr. Chairman, one of the objects of Press Council is to build a code of con-

duct for newspapers. In so far as the Press Council is an agency created and nominated by the government, I am afraid, this evolution of the code of conduct might in the long run prove a type of veiled censor as far as the freedom of the Press is concerned.

Sir, the body is heavily nominated. This is a rather undemocratic form, and it would have been better if instead of nominations the principle of election had been given full and fair play.

Lastly, a word about language press representation. It has been ensured but it is absolutely necessary that the language press of all the languages mentioned in the Constitution gets represented. This is necessary in order the the Press Council should have an adequate representation. Therefore, I submit that all the languages mentioned in the Constitution should be properly represented. I must specifically make mention of Urdu because that is a language-paper most neglected at the hands of the government. Here I may be a little irrelevant but I may suggest that the location of office of the Registrar of Newspapers in India in Delhi is creating a lot of inconvenience. Many Urdu papers are published from Bombay and for every little purpose, declarations have to be submitted to Delhi and then they shuttle between Bombay and Delhi which causes a lot of inconvenience to them.

This is a matter which must be looked into.

I would therefore plead with the Government for the setting up of regional offices, especially, as far as Urdu is concerned, especially in Bombay.

There are various other matters, but there is no time. I have given my amendments on various matters and I shall speak on them.

I wish to say only one more word about Clause 16 before I conclude.

[Shri G. M. Banatwalla]

Clause 16 provides for the levy of a fee by the Council on the registered newspapers. Sir, I am totally opposed to this levy of a fee. As it is, the economy of newspapers is very peculiar. Let the Government come forward with the necessary amount required by the Press Council rather than place any burden whatsoever on the newspapers in our country.

With these words, I conclude.

श्री राजभूषण तिवारी (खलीलाबाद) :
सभापति महोदय, यह जो विधेयक प्राज सदन के समक्ष उपस्थित है इसका स्वागत होना चाहिए। काफी लोगों ने इसका स्वागत किया है। जनता सरकार जब वही उसी समय इस ने विचार किया था कि इस प्रेस कौंसिल को हम पुनर्जीवित करेंगे क्योंकि 1954 में जो प्रेस कमिशन नियुक्त किया गया था उसकी सिफारिश थी कि देश में प्रेस कौंसिल का गठन होना चाहिए। उस के तहत 1965 में यह ऐक्ट पास किया गया। उसके बाद 1966 में प्रेस कौंसिल का निर्माण हुआ। दस वर्ष भी उस के बाद वह ठीक तरीके से काम नहीं कर पायी, 1976 में समरिली उस को समाप्त कर दिया गया। तो यह तो एक अच्छा काम है और इस के लिए मैं सरकार और सरकार के माननीय मंत्री और प्रसारण मंत्री को बधाई देना चाहता हूँ क्योंकि प्रेस की आजादी के लिए हम बचनबद्ध हैं, समर्पित हैं और हम ने जो संकल्प लिया उस संकल्प को हम ने पूरा किया है। प्रेस की आजादी जनतांत्रिक व्यवस्था में बहुत ही महत्वपूर्ण है।

यह सही है कि सरकार और प्रेस के बीच में लगातार संघर्ष होते रहे हैं और ये संघर्ष अमेरिका में, इंग्लैंड में, शताब्दी पहले से चले आ रहे हैं। सच्चा इतिहास है। बराबर माना प्रकार के ऐक्ट पास किए

प्रेस की आजादी को समाप्त करने के, उस को खत्म करने के लेकिन वहाँ पर प्रबल जनमत और वहाँ की जो अपनी परम्पराएँ और मान्यताएँ थीं वह जीवित रहीं जिन के बल पर हमेशा प्रेस को स्वतंत्र और निष्पक्ष रखने का माहौल बना रहा। आज अपने देश में भी यह हालत मौजूद है। वास्टेयर ने स्वयं कहा था कि चाहे हम आप से इत्फाक न करें, चाहे हम आपकी बात को स्वीकार न करें परन्तु आप के बोलने की आजादी की रक्षा अपनी जान को भी दाँव पर लगा कर करेंगे। यही सब से बड़ा मुख्य आधार है और इसी आधार को लेकर यह प्रेस कौंसिल बनी। अब यह प्रेस कौंसिल इस मकसद को कहां तक पूरा कर पायेगी इस के बारे में कुछ लोगों ने शंकाएँ व्यक्त की हैं, खास कर वह लोग इस में ज्यादा हैं, जिन्होंने इस प्रेस कौंसिल को ही समाप्त कर दिया और प्रेस की आजादी को ही समाप्त कर दिया। मैं यह जरूर चाहूँगा अपनी सरकार की तरफ से कि हम जितना भी वातावरण इस के लिए इस देश में बना सकें कि ये जो प्रेस हैं इनको स्वतंत्र रूप से काम करने का अवसर हो, उतना ही अच्छा होगा। इस के लिये जो व्ययधायें और प्रावधान किये गए हैं उनकी खूबियों का बखान मंत्री महोदय ने भी किया है कि इसका कम्पोजीशन कैसा होगा, इस के अध्यक्ष का मनोनयन किस प्रकार होगा। इस के अध्यक्ष सरकार के द्वारा मनोनीत नहीं किए जाएंगे। इस के लिये एक लोक सभा के अध्यक्ष, एक राज्य सभा के सभापति और एक ऐसा नम्बर जो उस कौंसिल से चुना जायगा, ये तीन बोध भित्तर उसका चयन करेंगे। उसी के साथ-साथ यह भी तय है कि आप लाख प्रेस कौंसिल बना लीजिए, उस को सारे अधिकार दे दीजिए, मगर यदि उस की किसी स्वतंत्रता नहीं होगी, आर्थिक स्वतंत्रता नहीं, होनी खबर

सरकार के ही पीसे पर प्राप्त होगी तो वह कौंसिल स्वतंत्र रूप से अपने कर्तव्यों का पालन नहीं कर पायेगी इसलिए उसे वित्तीय अधिकार या अपने साधन जुटाने के लिये भी अधिकार दिया गया है ।

तीसरी बात जो बहुत कही गई है, यह सही है कि उसको अधिकार मिलना चाहिए या जो उस समय में नीरेल डे साहब ने आपत्तियाँ उठाई थीं जिनका निराकरण पूरी तरह से नहीं हो पाया और जो अपेक्षा थी कि भ्रमण सरकार—चाहे केन्द्र की हो या राज्य की—प्रेस पर या प्रैस की आजादी पर हमला करे, आक्रमण करे, केवल सरकार ही नहीं कोई और एजेंसी हो, जैसे कोई पार्लियामेंट पार्टी या एडवर्टीजिंग एजेंसी, तो उस के लिए भी कोई न्याय या उपाय कौंसिल के लिए इस विधेयक में होना चाहिए—ऐसा मैं मानता हूँ ।

इस के साथ-साथ जो डी-लिंकिंग है, जो स्ट्रन्चर है, वह बहुत ही इम्पॉर्टेंट है । जो बड़े प्रबन्ध हैं, खास तौर पर जो प्रेसजी प्रबन्ध हैं उन्हीं का सब से ज्यादा प्रभुत्व है । इस के बजाय जो लोकल वेपर्स हैं, जो मातृ भाषाओं के वेपर्स हैं, जॉकि कि इस देश की विभिन्न भाषाओं में चलते हैं और जो कामन जनता तक पहुंचते हैं—ऐसे प्रबन्धों को ज्यादा प्रतिनिधित्व मिलना चाहिए और ऐसे प्रबन्धों के प्रसार को ज्यादा ध्यान देना चाहिये । साथ ही साथ डी-लिंकिंग का जो बहुत पुराना

सुझाव है उस के सम्बन्ध में कोई मजबूत और कारगर कदम उठाया जाना चाहिए । मैं समझता हूँ केवल सरकार इसको नहीं कर पायेगी, इस के लिए प्रबल जनमत और देश के सभी वर्गों के लोगों का पूर्ण समर्थन भी आवश्यक है ।

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

SHRI R. VENKATARAMAN (Madras South): Mr. Chairman, Sir, the term 'freedom of the press' has different meanings to different people. To the proprietors, it is a right to market their publications without let or hindrance; to the editors, it is a right to decide to publish or refuse to publish the matter in the press; to the public, it is really the right to correct information and fair comment; and I may add one more—to the politicians, it is to have the right to address the public through the press and to save themselves from character assassination. When the various people exercise these freedoms, this brings about a lot of conflict. In fact, Samuel Johnson has said very beautifully in his book, *Life of Milton*—it is a very interesting passage—

"If every murmurer at Government may diffuse discontent there can be no peace; if every sceptic in theology may teach his policies, there can be no religion. The danger of such unbounded liberty and the danger of bounding it have pro-

[Shri R. Venkataraman]

duced a problem in the Science of Government which human understanding seems hitherto unable to solve."

This is a problem before the Minister also. They have to reconcile the freedom of the press on one side and the rights of the individual on the other in the conduct of the press.

There are two diametrically opposite views on this matter. One school of thought maintains that—freedom of the press is incompatible with its ownership by capitalists that private enterprise press is merely the channel through which the opinion and the values of its capitalist owners are disseminated and that the so-called freedom is really confined to and exists only for those who own and control the press.

There is a nothing diametrically opposite view.

A newspaper is a private enterprise owing nothing whatever to the public, which grants it no franchise. It is therefore affected with no public interest. It is emphatically the property of the owner who is selling a manufactured product at his own risk.

As the truth lies in between the two, naturally one has to see that public responsibility of the press is ensured by a process. What is the process we will see.

In Sweden where the press receives a subsidy from the Government, it is subject the regime of law. There are a number of laws governing the press. In West Germany, there is a right of reply to a citizen in respect of anything which appears in the press against him and the press is obliged to publish the matter. Britain has earlier held

the view that the Press should have neither special responsibilities nor special privileges other than what a citizen has. But the way in which the press functioned in the later years and the need for national security, the need for the safeguarding the individual's reputation and privacy, this has induced the Royal Commission which had reported in 1977 in their report to reach the conclusion that the freedom of the press cannot be absolute and that there must be some boundary to it.

The Press Council is, therefore, a voluntary institution in England regulating its behaviour without any statute; whereas in our country, we had introduced this statute in 1966 and it was in existence till 1976. Now the hon. Minister had said something about, while introducing the Bill, most of the clauses.

MR. CHAIRMAN: You will take some time.

SHRI R. VENKATARAMAN: I will take 4-5 minutes.

MR. CHAIRMAN: Then you stop here. Today's discussion is upto 5 O'clock. At 5 Prof. Samar Guha's motion is to be discussed. Tomorrow, you can start it. Then we give preference to Prof. Samar Guha's motion.

10.55 hrs.

[SHRI SARVESHWA NAAYAN SINGH Is the Chair]