

**SHRI P. SHIV SHANKAR:** The first aspect of my friend's question deals with the policy decision. He wanted to know whether it would be an early policy decision and he deprecated the idea of picking and choosing people and appointing them as Chief Justices in different High Courts. I am one with him that however justifiable a case could be, if you transfer and appoint a Chief Justice from outside, you will be inviting the criticism based on discrimination notwithstanding the fact that it may be highly justified having regard to the facts and circumstances of the case. I can assure this hon. House that at the earliest of opportunity a proper policy decision would be taken which would be in the interest of the society at large keeping in view the independence of the judiciary.

My revered friend has referred to the Andhra Pradesh High Court and said that there is not a single Scheduled Caste Judge there. But for the sake of information to this hon. House I can tell that Andhra Pradesh High Court is one of the very few High Courts where a Scheduled Caste gentleman continues to be a judge even today. There is one gentleman who is a sitting judge, Mr. Justice Punnaiah, if you want to know the name also. There are only a few High Courts, viz. West Bengal, Karnataka and Andhra Pradesh which have got one Scheduled Caste judge. In Tamil Nadu, Mr. Basu you will be surprised to know, that there are two judges. But it is regrettable that we have only five judges belonging to the Scheduled Castes. I also regret that adequate number of judges belonging to the minorities and backward classes are not there.

I am not able to appreciate the idea of reservations as my friend Mr. Faleiro tried to put forth. I can assure the House that I will take up the issue of adequate and due representation to all these classes in different High Courts and with your kind cooperation I will assure you that I will assiduously fight for all these cases. (Interruptions).

Sir, on the question of the All-India Judicial Service, this matter is engaging the attention of the Government. In various cases the States have got their own objections. We are trying to sort out the matters with different High Courts and while the Central Government is in favour of having an All-India Judicial Service, the States are not very much appreciative of this approach. I assure you that I will take all possible steps to see that the States are persuaded to agree for the All-India Judicial Service.

13 37 hrs.

#### STATEMENT RE. REVISED TERMS OF REFERENCE OF THE PRESS COMMISSION

**THE MINISTER OF INFORMATION AND BROADCASTING AND SUPPLY AND REHABILITATION (SHRI VASANT SATHE):** I had mentioned in the House on 20th June, 1980 that I wanted to place the revised terms of reference of the Press Commission before the House after these had been approved by the Cabinet. Accordingly, the revised terms of reference approved by the Cabinet are being laid on the Table of the House.

Regarding these revised terms, considerable thought has been given to the matter. The concerned Press associations and organisations were requested to offer specific suggestions, if any, for making the terms wider and more comprehensive. The Press associations/organisations generally welcomed the proposal and responded by making a number of suggestions which have been taken into consideration while finalising the revised terms.

The revised terms enlarge the area of inquiry, impart to these a greater amplitude, add an element of social and national reference and signify the great importance Government attaches to the Commission's work.

The Indian press has a glorious past. It was an instrument in the hands of national leaders during the struggle for freedom which carried



information, political awakening and cultural enlightenment not merely to those who could read the papers but, through them, to others who had the papers read to them. We feel the press has a similar but distinctive role to play in our developing democratic society. This role cannot be copied from models or historical developments abroad.

We regard an independent Press functioning in a professional and efficient manner as essential to the society and also to the Government. In a developing country wedded to democracy, the Press has an important role not only as an industry but as a social institution and as a forum for informed discussions of public affairs. The nation-building efforts go on in a planned manner and communication|dissemination of information on the development policies and generation of debates thereon are essential elements in this. The Press has, obviously, an important role and responsibility in the communication and developmental policies.

The press is more than an industry. It is an institution with a wide social impact. We would like it to become a forum for informed discussion of public affairs. For this to happen, journalists themselves have to appreciate their interests, responsibilities and social significance. It is against this background that the terms have been amplified and made relevant to the current challenges. Hence also our emphasis on protecting the citizen's right to privacy.

Closely connected with this is the role of advertising, whether Government, private, educational or commercial, in the finances of newspaper. In the earlier terms, advertising figured only as a possible source of pressure.

While revising the terms, it had become possible to suggest that the Commission should study the Press as an industry, its links with other industries and the existence of chain newspapers and the effect this has on competition. For newspapers are

nothing but agencies for conveying information and ideas or viewpoints.

The earlier terms of reference did not make a specific mention of the essential inputs of newspapers. It has now been indicated that the question of production and supply of newsprint and printing machinery should also be examined. Government has stressed, time and again, the importance it attaches to the healthy growth of small and medium newspapers.

In the past decade, there has been great debate on flow of information, based partly on coverage of news, between one country and another. In a country of a continental size like India, it is equally important to look at the coverage of news in our newspapers from all parts of the country.

The new terms call for an examination of the perspective of newspaper development. The current debate on the proposal for a new international information order has been given due recognition. The Commission has been asked to deliberate on the role of journalism as a means of better mutual understanding in this context.

Newspapers can help in building up amity and friendship. In any picture that we may have of a new world, a new economic order and a new information order cannot be wished away. It is in this larger context nationally and internationally that we would like journalism to be studied and practised.

#### REVISED TERMS OF REFERENCE OF THE PRESS COMMISSION

The Press Commission shall inquire into the growth and status of the Press since the first Press Commission reported and suggest how best it should develop in future.

It shall, in particular, examine and make recommendations on:

1. The role of the Press in a developing democratic society.
2. The present constitutional guarantee with regard to the freedom of speech and expression; whether this is adequate

- to ensure freedom of the press; adequacy and efficacy of the laws, rules and regulations for maintaining this freedom.
3. Constitutional and legal safeguards to protect the citizen's right to privacy.
  4. Means of safeguarding the independence of the Press against economic and political pressures and pressures from proprietors and management.
  5. Role of the Press and the responsibilities it should assume in developmental policies.
  6. The Press as industry, a social institution and a forum for informed discussion of public affairs.
  7. Ownership patterns, management practices and financial structures of the Press; their relation to growth, editorial independence and professional integrity.
  8. Chain newspapers; links with industry, their effect on competition and on the readers' right to objective news and free comments.
  9. Economics of the newspaper industry; newsprint, printing machinery and other inputs for newspapers.
  10. Advertising—Government and private, educational and commercial.
  11. Government—Press relations and the role of official agencies.
  12. Relations that should subsist between different elements of the press, namely, publishers, managers, editors and professional journalists and others.
  13. Growth of small and medium papers and of the language press.
  14. Development of the periodical press and specialised journals.
  15. News coverage and news values; structure and func-

tioning of news agencies and feature agencies; flow of news to and from India.

16. Training of professional manpower; steps to improve professional; research in journalism and mass communication.
17. Journalism as a means of better mutual understanding in the context of proposals for a new international information order.
18. Perspective of newspaper development.

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13.42 hrs.

#### PERSONAL EXPLANATION BY MEMBER

**SHRI NIREN GHOSH (Dum-Dum):** Mr. Deputy-Speaker, Sir, on 8th July 1980, Shri Ananda Gopal Mukhopadhyay alleged that I threatened Shri Saradish Roy and Shri Ramavtar Shastri to walk out of the House. It appears in the proceedings of the House on page 11187.

There is not a grain of truth in the statement. It hurt my honour and prestige. I repudiate this statement *in toto*.

**SHRI ANANDA GOPAL MUKHOPADHAYAY (Asansol):** Mr. Deputy-Speaker, Sir, . . .

**SHRI JYOTIRMOY BOSU (Diamond Harbour):** Sir, he cannot make a statement.

**MR DEPUTY-SPEAKER:** No debate. Nothing will go on record. (Interruptions)\*\*

13.44 hrs.

#### ELECTION TO COMMITTEES

##### (i) ESTIMATES COMMITTEE

**THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI BHISHMA NARAIN SINGH):** Sir, I beg to move:

"That the members of this House do proceed to elect in the manner required by sub-rule (1) of Rule 311 of the Rules of Procedure and Conduct of Business in Lok Sabha,

\*\*Not recorded.