

lishing those names (Interruptions) If the hon Member mentions some names in the House, whatever names they are, the newspapers are completely free to publish all those names. But if those people whose names are mentioned, whomsoever they may be, from the highest to the lowest, if they find that their honour has been compromised, or they have been defamed it would certainly be open to them to go to a court of law. That is all. That does not mean that the newspapers are prevented from publishing those names.

SHRI INDRAJIT GUPTA That is assuming, that the newspaper will only be reproducing what I or somebody else speak in the House without any further comments.

MR SPEAKER He says they can do so. All these matters can be taken up when the Bill is debated.

SHRI DINEN BHATTACHARYYA (Serampore) May I say a word?

MR SPEAKER You will get a chance when the Bill is taken up.

SHRI DINEN BHATTACHARYYA You have allowed other members.

MR SPEAKER I do not want to allow a debate on it now. You will get a chance. No discussion at this moment. Let me now put the motion to the vote.

The question is:

“That leave may be granted to introduce a Bill to repeal the Parliamentary Proceedings (Protection of Publication) Act, 1956.”

The motion was adopted.

SHRI VIDYA CHARAN SHUKLA
I introduce the Bill.

STATEMENT RE PARLIAMENTARY PROCEEDINGS (PROTECTION OF PUBLICATION) REPEAL ORDINANCE, 1975

THE MINISTER OF STATE OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA) I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Parliamentary Proceedings (Protection of Publication) Repeal Ordinance 1975.

12.30 hrs.

PREVENTION OF PUBLICATION OF OBJECTIONABLE MATTER BILL¹

THE MINISTER OF STATE OF INFORMATION AND BROADCASTING (SHRI VIDYA CHARAN SHUKLA) I beg to move for leave to introduce a Bill to provide against the printing and publication of incitement to crime and other objectionable matter.

MR SPEAKER Motion moved.

“That leave be granted to introduce a Bill to provide against the printing and publication of incitement to crime and other objectionable matter.”

SHRI S M BANERJEE Sir, I rise to oppose the introduction of the Prevention of Publication of Objectionable Matter Bill. I find that in 1931 in the Central Legislature an Act on these lines was passed and that was proceeded by an Ordinance promulgated by the Governor-General. The Statement of Objects and Reasons appended to the Bill and the one placed before the Central Legislature in 1931 are practically the same.

I do not find any reason why it should be introduced. Suppose Government want to avoid some of the

¹Published in Gazette of India Extraordinary Part II, section 2, dated 27-1-76

wild statements made by some of the representatives of some of the reactionary forces, like the one calling on the army or the police not to obey the orders of the lawfully constituted government. In the present case, nobody revolted against the government in spite of that statement.

SHRI DINEN BHATTACHARYYA (Serampore): Nobody asked for revolt.

SHRI S. M. BANERJEE: It was suggested by the great leader, Lok Nayak, Jayaprakash Narayan, that the "illegal orders" should not be obeyed. But nobody followed his advice. It is quite clear that in our country, whether the armed forces, the police, the working class in the organised sector or in services, they will not listen to a call given by anybody, if it is a wrong call. In that sense, I do not know what is their fear.

The definition refers to inciting a person to interfere with the production, supply or distribution of foods or other essential commodities or with essential services. It is a laudable thing, but it will be used against the merchant class, against the trade unions, the organised section, on any small pretext. If they want to demonstrate as a manifestation of their hunger, immediately it will be said that it is objectionable and they will be arrested, fined and so on, and they will never see the light of day.

So, I am surprised that this Bill has been brought by my hon. friend, Shri Vidya Charan Shukla, for whom I have love and respect, both. He should have consulted the working journalists for whom he has the greatest regard. Were they consulted? No. So, I say that this Bill needs re-thinking. If you really want to avoid certain things,

you should consult the journalists and the trade unions connected with them, sit with them. I am sure that if that had been done, this Bill would have been different.

As it is, in the name of objectionable matter, anything under the sky will be brought and action will be taken against them. They have a huge majority and can get this Bill passed, but I want an assurance from the hon. Minister that at least it will be referred to a Select Committee for discussion, for giving a chance to the journalists and other voluntary organisations to come before the Committee and give their suggestions for defining objectionable matter.

So, I would request him to kindly withdraw the Bill or keep it in abeyance or at least decide to refer it to a Select Committee. Although we have opposed the whole of the Bill, if he promises that it will be referred to a Select Committee, we might reconsider our opposition.

The ordinance which this Bill is replacing is a document which everybody should read. These working journalists are known for their reputation. They have never been known to support the jute press. They have sacrificed their jobs in support of progressive action of the Government or other parties. They have suffered at the hands of the jute press and the monopolists. The jute press has played havoc with them sometimes, but they feel that this Bill will give a handle and that ultimately the small newspapers will suffer because they will never be able to influence the Government, or defend themselves in a court of law.

In the larger interests of the working people and those who are tillers, I would request the hon. Minister to

re-consider this, to sit with us I can assure him that if there is a sitting of the Select Committee, we shall not let him down. We shall certainly make suggestions which will improve the Bill. But if they go on eroding the rights of the press and of the people of this country, we shall definitely oppose it lock, stock and barrel with whatever strength we have got.

SHRI VIDYA CHARAN SHUKLA
 The hon. Member has taken the attitude that this Bill is against the working journalists or the working people. Actually, this Bill is against those who are all the time working against the interests of the working journalists, not against the working journalists, because none of the working journalists do the objectionable things which are listed in the ordinance, and I am surprised how a knowledgeable person like Shri Banerjee says that this will affect the working journalists and not the jute press. Really it is meant for all those people who have been violating the ethics of journalism day in and day out. It is going to affect them only. Those who do not violate the well-accepted ethics of journalism have nothing to fear from this.

SHRI S M BANERJEE I say that the workers and the trade unions are going to be affected by it.

SHRI VIDYA CHARAN SHUKLA
 I can quote that the working-class as well as working journalists need not fear anything out of this. It is only mean for such people who have been defying the freedom of the Press by misusing it in various ways. The hon. Member might have noticed that the objectionable matters that have been listed are already crimes under various statutes passed by this Parliament. The only thing that we are doing is that we are listening them in a proper manner so that in case they are represented by visible represen-

tation of printed matters which are published and circulated, only then they will be subject to certain penalties and other things to which, today, they are not. Even though it is a crime, when it is printed in the newspaper, printed in the shape of pamphlets or posters, then it is difficult to take action against them. Now, with this thing coming on we will be able to take action against those people. But those people who are saying things for the benefit of the working-class and the general people of the country, need not fear for this. Only such people who violate the ethics of this, have to fear this. I did not suspect Mr Banerjee to stand up and oppose the introduction of the Bill. It is not possible for us to refer it to the Select Committee because of obvious reasons. This being an ordinance, it has to be ratified by Parliament within a certain time.

MR SPEAKER The question is—

That leave be granted to introduce a Bill to provide against the printing and publication of incitement to crime and other objectionable matter."

The motion was adopted.

SHRI VIDYA CHARAN SHUKLA
 I introduce the Bill.

STATEMENT OF PREVENTION OF
 PUBLICATION OF OBJECTIONABLE
 MATTER ORDINANCE, 1975

THE MINISTER OF STATE OF
 INFORMATION AND BROADCASTING
 (SHRI VIDYA CHARAN SHUKLA) I lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Prevention of Publication of Objectionable Matter Ordinance, 1975.