

12.53 hrs.

**INDIAN TELEGRAPH (AMENDMENT)  
BILL**

**THE MINISTER OF COMMUNICATIONS (SHRI H. N. BAHUGUNA) :**  
Sir, I beg to move :

“That the Bill further to amend the Indian Telegraph Act, 1885, as passed by Rajya Sabha, be taken into consideration.”

This is a simple Bill in which it is proposed that section 29 of the Act be deleted and on the other hand, the requirement of placing the change in rates and other information about the foreign mail may be dispensed with; that it need not be laid on the Table of the House.

The Bill has already been passed by Rajya Sabha. It relates to a very important measure, namely, deletion of section 29 which lays down that a telegram may be stopped by the post office if in their opinion it is likely to contain information which is inciting or otherwise not conducive to general good.

The other amendment is about foreign posts. Under the existing rules we are required to lay on the Table of the House all the changes that are made in relation to foreign post, change of rates, change of post offices in other countries, closing or opening of new offices in other countries, etc. which in the opinion of the Government is not at all purposeful in so far as it relates to the placing of these things on the Table of this House.

I have therefore only to say that this is a very innocuous measure but a measure for which there was a great public demand

namely, deletion of section 29. The Press Council demanded that that section should be deleted, because in 1969 a journalist in Jamshedpur was arrested on the ground that he was sending a wire which contained some wrong or false information. The Government of Bihar and the Government of India intervened and the journalist was released and the case was withdrawn.

Subsequently Mr. A. D. Mani, a member of the upper House broght forward a private Member's Bill and the Government gave an assurance that they would look into the matter and consider the desirability thereof and give the matter their best consideration.

At a number of meetings of the All India Journalists Federation similar demands were repeatedly made—for deletion of this particular section, because in the opinion of the journalists it was tantamount to providing an apparatus in the hands of the telegraph department to harass the journalists. *(Interruption)* I was saying that voices were raised at the forum of the All India Press Federation; voices were also raised at the Press Council.

**SHRI SHIVA CHANDIKA (Banka) :**  
In Jamshedpur the principal of the workers' teaching institution is being harassed under this section.

**SHRI H. N. BAHUGUNA :** It is additional information for which I am grateful to my friend. All that I say is that this clause was liable to be misused because the telegraphist is not a person with either legal or judicial knowledge to determine the quality or nature of the information, whereas under section 153 IPC and some other sections we have all the powers to see that any information likely to incite communal tension etc., is punished and can be taken cognizance of.

It was, therefore, decided that this particular section, which was likely to be misused, might be deleted.

13.00 hrs.

So far as rates and other information about foreign mail are concerned, the requirement of placing them on the Table of the House is being deleted because experience indicates that there are ten or twelve changes every month, and some of the changes are beyond the control of this House. We cannot determine and decide where a particular post office should be located in Canada, America, Congo or Brazil. We cannot determine and decide whether they should devalue or re-value their currency. All these factors go to bring about changes in the rates of our foreign mail.

It is, therefore, requested that through this measure the House permit us to avoid the necessity of placing the foreign mail rates on the Table of the House. But they will certainly be notified in the Postal Guide, Volume No. II, and continue to be sent to the Library of the House for the information of the Members.

May I submit, therefore, that the House may kindly accept this innocuous measure which on the one hand meets the requirements and demands of the people, and on the other hand, omits some unnecessary work? I move.

MR. SPEAKER : Motion moved :

“That the Bill further to amend the Indian Telegraph Act, 1885, as passed by Rajya Sabha, be taken into consideration.”

SHRI D. K. PANDA (Bhanjanagar) : I beg to move :

“That the Bill further to amend the Indian Telegraph Act, 1885, be referred to a Select Committee consisting of 8 members, namely :

- (1) Shri H. N. Bahuguna
- (2) Shri S. M. Banerjee
- (3) Shri Jyotirmoy Bosu
- (4) Shri Indrajit Gupta
- (5) Shri M. Kalyanasundaram
- (6) Shri Shyam Sunder Mohapatra
- (7) Shri Arjun Sethi; and
- (8) Shri D.K. Panda

with instructions to report by the last day of the first week of the next session.” (2)

The reasons for moving this motion is two fold. Firstly, with regard to the rates of telegrams fixed by the Government, I have to say that both telegrams which are sent as telegrams and telegrams sent by post as express letters are being charged the same. To consider whether that is justified, it is necessary to send the Bill to the Select Committee. According to my information, 30 per cent of the telegrams are sent by post. If it is not sent as a telegram, the same charge should not be levied.

With regard to the penal provision which is going to be deleted by this amendment, I submit that there must be some provision to detect the real culprits who send false news. In the name of one journalist, another man who is opposed to that man can send some news and see that the innocent person is punished. Therefore, some device has to be there to identify the real culprit and punish him.

[Shri D. K. Panda]

From these two points of view, I feel that the Bill should be sent to a Select Committee.

SHRI H. N. BAHUGUNA : Sir, I very much welcome the concern of the hon. member about the basis on which we fix our rates with reference to internal mail. We also appreciate his view that the real culprit should always be apprehended, who sends false news in somebody else's name. This is exactly the reason why we are deleting section 29, because under the IPC, there is ample authority for necessary police enquiry to fix the responsibility and apprehend the real culprit. That facility being available, it is no use having section 29. Therefore, the hon. member need have no apprehension on these points.

So far as the rates are concerned, the amendment now being sought to be made is completely different and has no relation to what the hon. member has in his mind, because foreign rates are determined in a particular manner not because we can in this House order that these shall be the rates for such and such country. There certain international commitments which we have to honour. It varies due to the devaluation or revaluation of certain currencies. We cannot say that the dollar shall not be devalued or the Mark shall not be floated. Therefore, the change in rates is governed by factors beyond our control. Each time the rates are changed, even if the paper is the laid on the Table of the House, and even if it is discussed by the House, the House cannot change or unmake it. Similarly if a new telex facility is opened, each time if I have to lay a paper on the table of the House, the House can hardly applaud or condemn the closing or opening of a telex service in relation to some other country. If the hon. member has some basic changes in his mind with reference to the Act as a whole, that is another matter. For the present, these two innocuous things may be per-

mitted to go. So far as the other things are concerned, they are matters for detailed consideration, if at all we need any other change in the Act itself, because, so far as the international rates are concerned, under the law I am required to place them on the Table of the House, and anything that is placed on the Table of the House can be the subject matter of scrutiny of the House. So, the House can discuss it. Therefore, that is already provided under the existing law and I am not disturbing that particular thing. So, I would request Shri Panda to withdraw his suggestion for circulation of this innocuous Bill, which is already overdue. The demand for this particular Bill, with special reference to section 29, had been made since 1960 and it is only now that we are able to make it. I hope he will help us to pass it. With these words, I would appeal to him to withdraw his motion for reference of the Bill to a Select Committee.

SHRI D. K. PANDA : I fully appreciate the stand he has taken and the point which he has already made. But the words are "the rate for the time being in force for transmission of messages within India". That specific point raised by me has not been answered by the Minister. To that effect distinction and differences are there. Suppose a person gives a telegram and it is not sent as a telegram. Still, he is charged for it, even though it is sent only as an express letter for which the charge is 20 paise. Since such type of telegrams constitute 30 per cent of the total number of telegrams, why should they not be charged only the charge for an express letter? That point has not been answered. If he answers that satisfactorily, I will withdraw my motion.

SHRI H. N. BAHUGUNA : Under the existing arrangement and our rules it is incumbent on the post office to send a telegram as a telegram. But suppose the lines are out of order, or some mechanical defect appears—there are some such occa-

sions though I do not agree that the percentage is 30 per cent—

**SHRI JYOTIRMOY BOSU** (Diamond Harbour) : It is more.

**SHRI H. N. BAHUGUNA** : If Shri Jyotirmoy Bosu helps me in Calcutta the occasions would be very few and far between. I would certainly call on him and seek his assistance in setting things right at that end.

So far as telegrams sent by post are concerned, a person who has despatched that telegram is entitled to complete return of his money, minus the postage charges. That provision already exists. Unfortunately, it was not being followed. But I must tell you that I have given strict instructions that even without a demand from him we should try to follow that rule and wherever we have not been able to send a telegram as a telegram a rebate should be made available to the person concerned in the shape of postage tickets or something of that type. That provision is already there.

**SOME HON. MEMBERS** rose—

**MR. SPEAKER** : If anybody wanted to speak, he should have spoken before the Minister got up to answer.

**SHRI JYOTIRMOY BOSU** : I have to speak on behalf of my party. He was speaking on the amendment.

**MR. SPEAKER** : We have followed a procedure, which was wrong. Actually, the Minister should have got up to reply at the end of the general discussion.

**SHRI H. N. BAHUGUNA** : I thought nobody was interested in speaking.

**MR. SPEAKER** : Shri Bosu can speak on the clauses.

**SHRI JYOTIRMOY BOSU** : I will speak either on general discussion or on third reading, not on clauses.

**MR. SPEAKER** : I am sorry, some departure from the procedure was made. Now, after the Minister's speech there cannot be any speech. Then I was looking for somebody to get up. Nobody got up and the Minister started replying. Now, what about the amendment moved by Shri Panda ?

**SHRI D. K. PANDA** : Sir, I want to withdraw my amendment.

**MR. SPEAKER** : Has the hon. Member the leave of the House to withdraw his amendment ?

**SOME HON. MEMBERS** : Yes.

*The amendment was, by leave, withdrawn.*

**MR. SPEAKER** : The question is :

“That the Bill further to amend the Indian Telegraph Act, 1885, as passed by Rajya Sabha, be taken into consideration.”

*The motion was adopted.*

**श्री हुकम चन्द कछवाय (मुरेना)** : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। हाउस में कोरम नहीं है।

**अध्यक्ष महोदय** : आप जानते हैं कि यह फैसला हो चुका है कि 1 से 2 बजे के बीच में कोरम का सवाल नहीं उठाया जायेगा।

**श्री हुकम चन्द कछवाय** : वह फैसला एक महीने के लिए हुआ था। लेकिन एक महीना अब खत्म हो चुका है। इस वक्त हाउस में सिर्फ 34 सदस्य हैं। आप या तो कोरम कराइये या फिर रूल में संशोधन कर दीजिए।

श्री रामावतार शास्त्री (पटना) : अध्यक्ष महोदय, इस बारे में फँसला बिजनेस एडवाजरी कमेटी में हुआ था, जिसमें माननीय सदस्य की पार्टी के प्रतिनिधि भी हैं। इस के बावजूद माननीय सदस्य यह सवाल उठा रहे हैं।

MR. SPEAKER : This was agreed upon in the Business Advisory Committee that no quorum question will be raised during lunch hour. I very much regret that any quorum question should have been raised.

The question is :

“That Clauses 2 to 4 stand part of the Bill.”

*The motion was adopted.*

*Clauses 2 to 4 were added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRI H. N. BAHUGUNA : I move :

“That the Bill be passed.”

MR. SPEAKER : Motion moved :

“That the Bill be passed.”

SHRI JYOTIRMOY BOSU (Diamond Harbour) : Sir, we have heard the hon. Minister with rapt attention and have cooperated with him as best as we could but from the performance of the Telephones Deptt. in regard to safeguarding the interests of its clients we have known at our own cost that our telephones have been frequently tapped. The Minister has surrendered the Telephone Deptt. into the hands of the policemen. When we were in power in West Bengal, Mr. Jyoti Besu, the Deputy Chief Minister's telephone used to be tapped by the policemen with the help of the Telephone Deptt.

MR. SPEAKER : Mr. Jyotirmoy Bosu please confine yourself to the Bill. When somebody will see the proceedings tomorrow perhaps he may excuse Mr. Jyotirmoy Bosu saving that he used to speak like that but what will he think about the Speaker. So, please be relevant.

SHRI JYOTIRMOY BOSU : We have come to this Parliament for exposing the Government.

MR. SPEAKER : You do it within the scope of this Bill as much as you like.

SHRI JYOTIRMOY BOSU : The scope is very big.

Coming back to censoring of letters, we have had enough confirming evidence in hand that some chosen letters are censored or destroyed in transit.

SHRI S. R. DAMANI (Sholapur) : In every country censorship is being done.

SHRI JYOTIRMOY BOSU : Mails are allowed to be censored by the police without the knowledge of the customer. The hon. Minister can deny it if he likes but we have enough evidence about it.

Coming back to service to the people, there is a severe deterioration in every sphere of postal service. As has been rightly pointed out, telegrams are often delivered as surface mail. It is a matter of regret that taking advantage of your position as a monopoly concern in that way, you are fleecing the customers. You are charging him for a telegram and are delivering the telegram as surface mail.

Then, look at the condition of the extra-departmental postmasters. They run in thousands in numbers in various villages on a salary which you cannot ever mention in the civilised world. When you go to the international conferences and if

somebody asks you, "How much do you pay to your village postmaster? If you tell him actually what you pay, I will tell you that will take a very dim view of you and your department."

About the satellite communication system we accuse Shri Bahuguna of neglecting Calcutta in this regard although the expert opinion was in favour of having this centre in Calcutta.

Then, what are you doing about the backbone of the Postal Department, the delivery peons? They are terribly overworked. And what have you done about catering to the needs of the skyscrapers in the big cities?

You have visited the Gole Post Office. But did you compare the workload with what it was ten years ago? You have not.

What are you anxious to do? You are anxious to subsidise the telex to monopoly press. They do not pay what it actually costs. There is an awful lot of arrears, I am told.

I would like you to think of producing telex machines in regional languages. The advantages gained out of that will be that at midnight when a Creed comes to the press agency, the sub-editors sitting at the other end would not be required to translate it in the regional language.

Then, make the top executive body at the Centre a body of the States' representation, not in the half-yearly coffee party, your Posts and Telegraphs Advisory Council, I am talking about the real body which decides policies and executes them.

About your performance, I am sorry to say, it had been very bad. The Comptroller and Auditor-General has been criticizing you. You had a telex exchange with a capacity of 100 lines which was commissioned in Poona in April 1966. Although the exchange had spare capacity and there

was demand for telex connections during April 1966 to March 1968, there was delay ranging up to 19 months in giving connections resulting in the loss of potential revenue. This is how you are doing and you come forward with a lame excuse.

The Auditor-General's report is really very bad. About excess requiring regularisation, it does not speak well of your department. Your total outstandings are Rs. 196.38 lakhs. Ten overhead tanks were completed between April 1967 and November 1970 for Rs. 2.93 lakhs without, however, arranging the source of water supply and equipment. This is ridiculous. Your arrears, standing with customers, are increasing every day. In Appendix II of the Auditor-General's report it is said that the total arrears have risen from Rs. 0.53 lakhs in 1964-65 to Rs. 137.05 lakhs in 1969-70. So deep-rooted mismanagement is there in your Department that it is no use bringing a small Bill to take certain advantages. I say, it requires a thorough probe and your Department must go through a thorough screening so that it is made to serve the people of the country properly and efficiently.

SHRI S. R. DAMANI (Sholapur): Mr. Speaker, Sir, I raise to support the Bill.

If you see the efficiency of the P & T Department in the last 5-6 years, we find it is deteriorating. The hon. Minister after he has taken charge of the Department is trying to improve it. But if he sees, he will find that letters posted today are cleared after 2 days; the telegrams booked today are delivered after 3 days and about trunk calls, in small towns, trunk lines are not working; not for a day, not for 2 days. But for days together.....

MR. SPEAKER: Mr. Damani, this is not a general discussion.

SHRI S. R. DAMANI: There are some very important points which I want to bring to the notice of the hon. Minister.

MR. SPEAKER : I will not permit it, specially from a Member like yourself.

SHRI S. R. DAMANI : I will take just one or two minutes.

MR. SPEAKER : You can taken one hour. But you should be within the scope of the Bill. There is no question of time.

SHRI S. R. DAMANI : I wanted to make some points to see how the efficiency of the P&T Department is improved. There is all the trouble by unions. They are instigating them not to work, to do less work and so on. That is coming in the way of efficiency. I want only to request the hon. Minister that he should look into the matter and bring about efficiency in the Department as quickly as possible. As you are not allowing me to raise all these matters, I just support the Bill and resume my seat.

श्री एन० एन० पांडे (गोरखपुर) : श्रीमन्, मैं पूरे तरीके से जो बिल माननीय मंत्री जी ने पेश किया है उस का समर्थन करता हूँ। जो इस बिल की मंशा है वह बहुत ही सुन्दर है और जो संशोधन आया है वह भी बहुत ही सुन्दर संशोधन है। लेकिन श्रीमन्, मैं अपने जिले की घटना के बारे में माननीय मंत्री जी का ध्यान आकर्षित करना चाहता हूँ। अभी इसी हफ्ते में गोरखपुर के टेलीफोन एक्सचेंज में पुलिस के स्टाफ के लोग पहुँच गए। माननीय मंत्री जी के पास भी तार आया होगा। मेरे पास भी तार आया है। श्रीमन्, मैंने आप का भी ध्यान आकर्षित किया है, माननीय मंत्री जी का भी ध्यान आकर्षित किया है... (व्यवधान)...

अध्यक्ष महोदय : यह इसमें कहाँ से आ गया ?

श्री एन० एन० पांडे : श्रीमन्, मैं उस की परिधि के अन्दर लाना चाहता हूँ। मुझे इजाजत दें।

अध्यक्ष महोदय : आप इम्पासिबल टास्क कर रहे हैं।

SHRI N. N. PANDEY : I am not doing an impossible task. I am just trying to put some suggestions, through you, before the hon. Minister.

अध्यक्ष महोदय : यह गोरखपुर के जर्नलिस्टों का मामला कहाँ है ?

SHRI N. N. PANDEY : As you are not allowing me, with only this much that I have said, I support the Bill and sit down.

SHRI D. K. PANDA : Now in the whole functioning of this Telegraphs Department, there is substantial and disastrous deterioration, and especially from my own experience in Orissa I can say that several Postmasters who are very poorly paid have been punished twice while our jurisprudence does not allow that, If some Postmaster has taken Rs. 2/-, then for that he is departmentally Punished and also outside and this has affected their morale and now they are being dragged to the courts and the cases are pending for years together. Being an advocate myself, I have been appearing in many cases where the charges are that they have taken Rs. 3 or Rs. 5 like that, such cases are going on.

As for the efficiency, such things must be put an end to and I want that there should be a comprehensive plan for bringing these things into proper order.

With regard to other persons, so many employees are there and in Bihar several

cases are even to-day pending and these cases should be disposed of immediately.

Now, as for the functioning of the Department, the customers who have taken.

**श्री एन० एन० पांडे :** अध्यक्ष महोदय, माननीय सदस्य जो बोल रहे हैं क्या यह विल के स्कोप के अन्दर आता है? आप ने मुझ को इजाजत नहीं दी, इसलिये मैं आप का ध्यान खींचना चाहता हूँ . . . (व्यवधान) . . .

That is more important—a Police officer entering into the Post Office and beating up a person.

**SHRI D. K. PANDA :** I have already suggested that a comprehensive plan should be made.

**MR. SPEAKER :** Kindly be relevant to the Bill before the House.

**SHRI D. K. PANDA :** With regard to safeguarding the interests of the customers also, with regard, to telephones now I find many a time they are cut off and in spite of our best efforts, on the second day or the third day, somebody comes to attend to it. This has also to be attended to.

With regard to runners in the village post offices, they are poorly paid and their pay scale has to be revised and that also requires immediate attention.

With regard to telegraph rates, this is a very vital problem because from every quarter of the country we find that the telegraph rates are charged though they are not being sent as telegrams. That requires special attention of the hon. Minister and I hope the hon. Minister will definitely make a statement here that such differential and unjust rates will be stopped.

**डा० लक्ष्मीनारायण पांडे (मंदसौर) :** अध्यक्ष महोदय, वैसे तो यह विधेयक जो प्रस्तुत किया गया है, बहुत छोटा है और इसके बारे में कोई विशेष बात कही जाय-ऐसी बात नहीं है। फिर भी इस अवसर का लाभ लेते हुए मैं कुछ बातों की तरफ आपका ध्यान खींचना चाहता हूँ, जो इस विभाग से सम्बन्धित हैं। इसमें दो-तीन धाराओं का संशोधन है - विदेश भेजे जाने वाले तारों के सम्बन्ध में, उनकी दरों के सम्बन्ध में, ऐसे समाचारों के सम्बन्ध में जो भ्रामक या असत्य हों, उस धारा को इस में से हटाने का प्रावधान किया गया है।

अध्यक्ष महोदय, जहाँ तक पहली धारा का सम्बन्ध है, उसके बारे में माननीय मंत्री जी ने बताया कि विदेशी सरकारों का कई बार उनकी आर्थिक दृष्टि से उनकी मुद्रा का अवमूल्यन होता रहता है, इस कारण से उनकी दरों के अन्दर संशोधन लाना आवश्यक होता है। यह तो ठीक है, लेकिन जैसा कि मैंने निवेदन किया है कुछ अन्य बातों की ओर भी आपका ध्यान दिलाना चाहता हूँ। प्रायः देखने में आता है कि हमारे यहाँ तारों की जो व्यवस्था है, उस में तार के मुकाबले पोस्टकार्ड या लिफाफा पहले पहुँच जाता है . . .

**MR. SPEAKER :** May I remind you that the scope of the Bill is not about that? This Bill is something very specific; the scope of the Bill is limited; it is not to be a general discussion on the whole range of the Posts and Telegraphs Department.

**डा० लक्ष्मीनारायण पांडे :** मैं यह निवेदन करने जा रहा था कि आप तारों के द्वारा ही अधिक पैसा प्राप्त करते हैं;



[डा० लक्ष्मी नारायण पांडे]

लेकिन उसके मुकाबले आपकी जो विभागीय व्यवस्था है, वह ठीक नहीं है उस में कुछ सुधार आये तो मैं समझता हूँ कि उससे हमारा बहुत बड़ा लाभ होगा ।

धारा 29 में ऐसी व्यवस्था है कि जो भूठे सन्देश भेजता है, वह दण्डनीय अपराध है, उसको सजा हो सकती है, उसके खिलाफ कार्यवाही हो सकती है । लेकिन अब इस को हटा देने से एक बहुत बड़ी कठिनाई हमारे सामने आयेगी । आप जानते हैं कि आजकल विभिन्न प्रकार के गुप्तचर हमारे देश में हैं, बंगला देश की समस्या हमारे सामने है, पाकिस्तान के बहुत से गुप्तचर हमारे यहाँ हैं, जो विभिन्न अवसरों का लाभ उठा कर हमारे यहाँ भ्रगडा-फिसाद करवाना चाहते हैं, अब वे भी भूठे समाचार भेज सकते हैं, जिस से हमारे अपने देश के अन्दर ही एक कोने से दूसरे कोने तक समाचार फैलकर अव्यवस्था और गड़बड़ फैल सकती है । इसके बारे में यह कहा जा रहा है, भारतीय दण्ड संहिता के अन्दर इसके लिये पहले से एक विशेष व्यवस्था है, यह ठीक है, लेकिन इस को हटाने का कोई विशिष्ट प्रयोजन मुझे दिखाई नहीं देता है । मैं जानना चाहता हूँ कि इस धारा को क्यों हटाया जा रहा है । मैं तो यह समझता हूँ कि सरकार स्वयं जानबूझ कर कुछ ऐसे गुप्त सन्देश भेजना चाहती हो, जो भूठे हों और उनसे लाभ उठाना चाहती हो, इसलिये उन्होंने इसको हटाने का प्रावधान इसमें किया है । आज देश में गुप्तचर जिस तरह का जाल बिछाते जा रहे हैं और स्थान-स्थान पर गड़बड़ी करवाते हैं, इस प्रावधान के हटाने से वह और ज्यादा फैलेगा, इससे शंका नहीं ।

जैसा मैंने अभी कहा है—इस अवसर का लाभ उठाते हुए मैंने इस विषय को

यहाँ पर रखा है, वैसे इसके अन्तर्गत इस को जोड़ा नहीं जा सकता, लेकिन फिर भी मैं आपका ध्यान आकषिप्त करना चाहूँगा कि आप जरा अपने विभाग की दशा को सुधारने का प्रयत्न कीजिये । तारों के बारे में या पोस्ट-आफिसिज के बारे में जिस प्रकार की अव्यवस्था आज चारों तरफ फैली हुई है, उसको आप ठीक करें, इस दुर्व्यस्था को दूर करें, तब ही आपका उद्देश्य सफल हो सकेगा ।

13.30 hrs.

[MR. DEPUTY SPEAKER *in the Chair*]

धारा 29 का हटाने का प्रयोजन क्या है, निश्चित उद्देश्य क्या है तथा विदेशी तारों की दर जो आप बढ़ाने जा रहे हैं, उससे जो रुपया आपको मिले, उसका ठीक-ठीक उपयोग हो, वह ठीक से व्यवस्था सुधारने में लगे जिससे जनता का सन्तोष हो, व्यवस्था को सुधारते हुए आप आगे बढ़ेंगे ऐसा मुझे विश्वास है ।

श्री रुद्र प्रताप सिंह (बाराबंकी) : माननीय उपाध्यक्ष महोदय, मैं आपका हृदय से आभारी हूँ कि आपने मुझे भारतीय टेलीग्राफ अधिनियम 1885 पर अपने विचार प्रकट करने का अवसर प्रदान किया । मैं इस संशोधन विधेयक का हार्दिक स्वागत तथा समर्थन करता हूँ । चूँकि माननीय सदन के पास समय का अभाव है इस कारण मैं इस माननीय सदन का बहु-मूल्य समय अधिक न लेकर इस विधेयक के खंड 4 की ओर ले जाना चाहता हूँ जैसे कि अभी मेरे पूर्ववक्ताओं ने विशेष रूप से भाग 4 के ऊपर ही अपनी अधिक आपत्तियाँ प्रकट की हैं । मैं भी अपने को उसी तक ही सीमित रखना चाहता हूँ । इस विधेयक के भाग 4 में जो व्यवस्था की गई है वह

धारा 29 को निकाल देने की है। अब प्रश्न यह उठता है कि माननीय सदस्यों के मन में इस प्रकार की शंका उत्पन्न होती है कि इसको सरकार किसी मंशा से निकालना चाहती है, सरकार इस धारा को निकाल कर कोई अनुचित लाभ उठाना चाहती है। मैं माननीय सदन के माननीय सदस्यों से यह निवेदन करना चाहता हूँ कि उस समय सरकार के सामने बड़ी कठिनाई होती है जबकि सरकार कोई जनतांत्रिक कदम उठाती है तब क्योंकि उस समय विरोध पक्ष की ओर से समर्थन प्राप्त नहीं होता है। जब सरकार देश की आर्थिक विषमताओं को समाप्त करने के लिये कठोर नियमों का पालन करती है तब कहा जाता है कि सरकार जनता के मूल अधिकारों का अपहरण कर रही है। और जब हम जनतांत्रिक मूल्यों की स्थापना करना चाहते हैं तो उनमें माननीय सदस्य हमारी सरकार की नीयत के ऊपर आक्षेप करते हैं। ऐसी स्थिति में यह बात समझ में नहीं आती कि माननीय सदस्य वास्तव में सरकार से चाहते क्या है। इस बिल के उद्देश्य तथा कारणों को देखते हुए मैं इस मंत्रालय के माननीय मंत्री जी को हृदय से बधाई देना चाहता हूँ कि उन्होंने भारतवर्ष की जनता की भावनाओं को ठीक से समझा है और उसको समझते हुए समाचार-पत्रों के माध्यम से जो हमारे जनतंत्र का मुख्य साधन हैं, उसकी स्वतंत्रता की रक्षा करने के लिए उसको अपनी दृष्टि में रखा है और इस बात का निर्णय लिया है जिससे पत्रकारिता की स्वतंत्रता बनी रहे और इस के साथ-साथ वे सारे समाचार देश की जनता

तक निष्पक्ष रूप से पहुँच सकें। इसलिए मैं माननीय सदस्यों से अनुरोध करता हूँ कि इस विधेयक में जो यह प्रस्ताव किया गया है कि धारा 29 को निकाल दिया जाये उससे आशंकित होने की आवश्यकता नहीं है। मैं यह भी अनुरोध करना चाहता हूँ कि जिन माननीय सदस्यों ने इस विधेयक पर संशोधन के प्रस्ताव दिए हैं उन्हें वापिस ले लें और इस माननीय सदन के बहुमूल्य समय को दूसरे उपयोगी कार्यों में लगायें। हमारा ऐसा विश्वास है कि इस विधेयक के द्वारा हम इस देश में जनतंत्र की जड़ों को और मजबूत करने जा रहे हैं।

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

SHRI H. N. BAHUGUNA : I am grateful to the hon. Members for making suggestions about the working of the P&T Department.

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, सदन में गणपूर्ति नहीं है। ... (व्यवधान) ... सदन में जो कोरम के संबंध में नियम बने हुए हैं उसमें आप परिवर्तन कर दीजिए तो मुझे कोई आपत्ति नहीं होगी।

MR. DEPUTY-SPEAKER : I think there was a gentlemen's agreement.

श्री रामाबतार शास्त्री : मैंने उस समय प्वांट आफ आर्डर उठाया था कि बिजनेस एडवाइजरी कमेटी में सभी दलों के रिप्रेजेंटेटिव रहते हैं और इनकी पार्टी के भी हैं। वहाँ पर तय हो चुका है कि दो बजे तक यह सवाल नहीं उठाया जायेगा फिर ये कैसे उठाते हैं ?

**SHRI H. N. BAHUGUNA :** Mr. Kachwai raised this point before the hon. Speaker and the hon. Speaker reminded Mr. Kachwai that up to 2 p.m. we had the sanction of the Business Advisory Committee, and even then he has raised this point. His objection should be ruled out.

**MR. DEPUTY-SPEAKER :** I can only request Mr. Kachwai not to insist on it, but if he does, there is no other way out. Please do not insist.

**DR. MELKOTE (Hyderabad) :** This question has already been decided at the Business Advisory Committee that the question of quorum should not be raised during this period. Once it has been approved, it cannot be objected to now.

**MR. DEPUTY-SPEAKER :** I think we are losing more time in discussing this. If you do not withdraw it, if you insist, I will have to call for the quorum. If you start arguing over it we only lose time. Will you kindly withdraw your demand ?

**श्री हुकम चंद कछवाय :** मैं इसके ऊपर जोर देता हूँ ।

**MR. DEPUTY-SPEAKER :** Let there be quorum. Let the bell be rung.—Now, there is quorum. The Minister may continue.

**SHRI H. N. BAHUGUNA :** Sir, I am grateful to the Members for pointing out the deficiencies in the working of the P & T department. But limited as the Bill is, I would only say that all the points raised about the working of the telegraphs, the telephones, and the postal services, during the budget debate, were answered by me, and I am trying my level best to improve the services. I hope I will have the co-operation of all hon. Members including Mr. Jyotirmoy Bosu in putting the house in order. I am facing great difficulties, and I must tell

the House that especially in the eastern sector, where full co-operation of the workers is still not available, I hope it should be possible for us to improve the situation with the assistance extended by every section of the House.

So far as the provisions of the Bill are concerned, I am grateful to the Members that they have not adversely said anything about it except for a doubt which Dr. Pandey raised about section 29. I want to assure him that the Government does not want to make use of that particular power because it is more safely exercisable under section 153 and section 505 of the Indian Penal Code. Since we have those provisions where a wrong or false information or a rumour is actionable, and the Government have power to take action, we do not think it necessary to have the power with the telegraphist to say, "I withhold the telegram; it is not correct." He is a person who cannot determine or decide—

**डा० लक्ष्मीनारायण पांडे :** जैसा मैंने पहले निवेदन किया था कि सूचना जाने के पहले खबर तो फैल चुकी होगी, अगर कोई गलत इंफार्मेशन गई तो वह एक कोने से दूसरे कोने तक फैल जायेगी और आप उसके बाद कोई कार्यवाही करेंगे। इसलिए इससे पूर्व कि कोई खबर फैले आप उस तार को रोक सकते हैं ।

**SHRI H. N. BAHUGUNA :** Section 29 was in the hands of the people who used it once, and the Government had to withdraw even that. That incident happened in 1969 in Jamshedpur; a journalist was held or something like that and action was taken against him. The Government had ultimately to express regret because it was not correctly done.

Now, for example, the Jan Sangh may feel that sending a certain type of wire by them is in the interest of the nation, and

