

impression should not be created that it is in any way going to help that class of people who are called the richer class.

Then, yesterday, an hon. lady Member raised a point about reduction of tax collection and said that our expense ratio has increased. She was not, unfortunately, in the House when I replied to that point. I said that our tax collection has also increased. Our revenue has increased and our proportionate expenditure is very very low. It is a matter to be really proud of. I would like to give her the figures showing the increase in the collection of taxes. In 1959-60 it was Rs. 254.71 crores, in 1960-61 it was Rs. 277.55 crores and in 1961-62 it is Rs. 321.34 crores. That is why I requested her to have a consolidated picture of the whole revenue position rather than to take an isolated position and then come to a conclusion.

Sir, with these words, I again express my gratitude to the House for supporting the Bill.

श्री काशी राम गुप्त : क्या सरकार को इस बात का अन्दाजा है कि इस स्कीम से कितना गोल्ड आ सकेगा ?

श्रीमती तारकेश्वरी सिन्हा : उस का तो अन्दाजा नहीं किया जा सकता है ।

**Mr. Deputy-Speaker:** The question is:

"That the Bill further to amend the Income-tax Act, 1961 and the Wealth-tax Act, 1957, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** The House will now take up the Bill clause-by clause. There are no amendments to any of the clauses. The question is:

"That clauses 2 to 5 stand part of the Bill."

*The motion was adopted.*

Clauses 2 to 5 were added to the Bill.

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

**Shrimati Tarkeshwari Sinha:** Sir, I beg to move:

"That the Bill be passed."

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

15.16 hrs.

WORKING JOURNALISTS (AMENDMENT) BILL, 1962

**Mr. Deputy-Speaker:** The House will now take up the Working Journalists (Amendment) Bill, 1962.

**Shri S. M. Banerjee (Kanpur):** How much time has been allotted for this Bill?

**Mr. Deputy-Speaker:** 5 hours.

**The Deputy Minister of Labour and Employment and for Planning (Shri C. R. Pattabhi Raman):** Sir, on behalf of Shri Nanda, I beg to move:

"That the Bill further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 and the Working Journalists (Fixation of Rates of Wages) Act, 1958, be taken into consideration."

Sir, we have had the benefit of consultation with representatives of the employers in the newspaper industry and the working journalists on most of the provisions in the Bill and it was possible to achieve understanding on some of the issues involved. The Statement of Objects and Reasons and the notes on clauses attached to the Bill give a brief background to the proposals. One of the most important provisions relates to the payment of gratuity on voluntary resignation and on grounds of conscience. On this issue it was not possible to secure agreement with the employers. It will be recalled that the Supreme Court in their judgment in the case of Express Newspapers versus Union of India delivered in March, 1958 struck down section 5(1)(a)(iii) of the

[Shri C. R. Pattabhi Raman]

Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 on the ground that it violated the fundamental rights under the Constitution. They observed that as gratuity was a reward for good, efficient and faithful service rendered for a considerable period, there was no justification for awarding the same when an employee voluntarily resigned and brought about a termination of service except in exceptional circumstances. The two exceptional circumstances indicated by the Supreme Court were, firstly, the operation of what was termed as the 'conscience clause' and, secondly, where the employee had been in continuous service of the employer for a sufficiently long period.

So far as the grounds of conscience are concerned, the Supreme Court referred to the practice prevalent in certain countries. The ground of conscience is peculiar to the profession of journalism. There is a possibility that on genuine grounds of difference of opinion on vital matters, a certain amount of embarrassment may be caused by the continuance of a working journalist under an employer. A provision for resignation in such circumstances without loss of gratuity earned by the journalists would appear to be justified and would provide a certain amount of sense of security in service. Gratuity under the original provisions of the Act became payable only after three years of service. It has, therefore, been provided that if after rendering the first three years of service, a working journalist voluntarily resigned on grounds of conscience, he should be eligible for the normal gratuity admissible under the Act. As there is a possibility of a claim for gratuity on resignation on grounds of conscience being contested by the management it is proposed to treat it as an industrial dispute and to afford the normal facilities available for resolving such disputes. The claims of a working journalist will,

therefore, have to be taken up as a dispute with the Industrial Relations Machinery after mutual negotiations have failed, and if the Conciliation Officer is unable to bring about a settlement, the appropriate Government would consider the merits of the case and refer it for adjudication. It is felt that this would afford sufficient protection to the employers against frivolous claims being raised.

So far as resignation after a long period of service is concerned, the position is that the Supreme Court themselves have in another judgment upheld gratuity schemes award by industrial tribunals providing for gratuity on voluntary resignation after ten years of service. Here, with your leave I will just refer to three sentences from a judgment which refers to the *Express Newspapers* case—I am referring to 1961-1 LL J—page 513. Mr. Justice Gajendragadkar was speaking for the court. The head note is as follows:

"Relying on the observations on the decision of the Supreme Court in *Express Newspapers* case (1961-1 LLJ. 339) it was contended that no gratuity should be admissible under any gratuity scheme until and unless fifteen years' service has been put in by the employee. Negating the said contention, held that the said judgment never intended to lay down a rule of universal application in regard to all gratuity schemes. Hence it could not be made the basis of an attack against a gratuity scheme where instead of fifteen years' service ten years' minimum service is prescribed to enable an employee to claim gratuity at the rate determined if he resigns after years' service."

So, the Supreme Court themselves have later on, subsequently, pointed out that it could not be a rigid rule for all time to come. This period appears to be fair and reasonable and has been accepted as a basis for the proposal in this Bill.

Another clause on which there was a difference of opinion among the employers and working journalists relates to a provision which stipulates that where a person committing an offence is a company or other body corporate or an association of persons, etc. every director, manager, secretary, agent or other officer concerned with the management shall, unless he proves that the offence was committed without his knowledge or consent be deemed to be guilty of such an offence. This provision is based on a similar provision already existing in section 32 of the Industrial Disputes Act and is on the general pattern relating to offences by companies which find a place in many other Acts.

It is also proposed to provide for the constitution of wage boards from time to time for the purpose of a review of the wage structure of the working journalists. Most of these provisions are really in consonance with the recommendations contained in the report of the Press Commission which is really a classic document. Here a review of the wage structure is visualized. In this connection, the pattern of the wage boards being appointed in different industries on non-statutory basis has been kept in view, and the Bill provides for a wage board for working journalists consisting of two persons each, representing the employers and the working journalists and three independent persons, one of whom is to be appointed as a chairman. The addition of two more independent persons than were provided for in the 1955 Act is intended to take care of the interests of the community at large and also balance the sectional interests represented by the employers and workers' representative in the wage board.

**Shri S. M. Banerjee:** Was the addition of two independent persons agreed to by all?

**Mr. Deputy-Speaker:** Order, order. He can ask for clarification when he makes his speech.

2355(Ai)LS-4.

**Shri C. R. Pattabhi Raman:** I can straightway answer that point. We have found from experience that this is working very well in so many other cases. This ratio of 2:2 and 3 independents is working very well. They are able to bring conflicting interests together. So, we are adopting a pattern that is in existence in very many other industries.

Then, no provision had been made in the original Act for the appointment of inspection staff for looking after the implementation of the provisions of the Working Journalists Act. This is also one of the recommendations of the Press Commission among many others. This lacuna is being remedied so that the State Governments can appoint inspectors and also require the newspaper establishments to maintain registers, muster rolls and other records etc.

Before I resume my seat, I would also like to refer to the provision in the Bill which relates to the exclusion of Government servants from the operation of the Working Journalists Act. The reason is that there are certain periodicals published by the Central and State Governments which may bring them within the definition of a "newspaper" for the purpose of this Act. Persons employed in connection with the preparation of these periodicals are Government servants enjoying the benefits of all Government service rules. The Government rules and regulations generally offer better terms and conditions to these officers than admissible under the Act. There is also administrative inconvenience involved if during the course of their service they are transferred to other Government posts in which they may not be doing journalistic work. It is, therefore, proposed to exclude them from the purview of the Working Journalists Act. The Service Associations concerned had been consulted and they had agreed.

With these remarks, Sir, I move the Bill.

**Mr. Deputy-Speaker:** Motion moved:

"That the Bill further to amend the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 and the Working Journalists' (Fixation of Rates of Wages) Act, 1958, be taken into consideration."

**Shri Bade (Khargone):** Sir, I rise on a point of order. Article 14 of the Constitution states:

"The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India."

Now the hon. Minister seeks to make a distinction between those journalists who are working under the Government and those journalists who are working in the private sector by clause 8, sub-clause 19(b) of the Bill. Those journalists who are working under the Government are excluded from the scope of this Bill by the said clause and it is applicable only to those journalists who are working in the private sector. So, a distinction is being made between two groups of workers whereas no such distinction or discrimination can be made under article 14 of the Constitution. Here I will read the relevant portion of the Nagpur High Court judgment on the same point:

"Where a law grants protection to a class which needs it, it has the effect of placing that class if not on a par with the rest of the community, at least as nearly as is practicable; it would, therefore, be correct to say that the whole object of classification is to minimise and not to accentuate inequality." (1951 Nagpur 646).

In the same way, in 1959 SCR p. 164 the Supreme Court has laid down:

"the only thing which is prohibited under the article is that persons belonging to a particular

group or class should not be treated differently as amongst themselves."

Here, though a group of people are working under the same conditions, they are treated differently under clause 19(b) of the Bill, which says that the provisions of the Bill are not applicable to those who are working under the Government. Only those who are working in the private sector will come under the scope of this Bill. So, this Bill is against the provisions of article 14 of the Constitution. Therefore, I am of the opinion that it cannot be proceeded with.

**Mr. Deputy-Speaker:** That may be a ground for throwing out the Bill, but there is no point of order in it. He may move his amendment or take objection to the relevant clauses. It is not a point of order. I hold that it is not a point of order.

**Shri Bade:** My submission is.....

**Mr. Deputy-Speaker:** It may be a ground to throw out the Bill. He can move an amendment.

**Shri Bade:** When the motion for consideration of the Bill is moved I can raise a point of order.

**Mr. Deputy-Speaker:** I hold that it is not a point of order.

**Shri Bade:** At least the House may be satisfied by your ruling.

**Mr. Deputy-Speaker:** We do not decide the *ultra vires* or the *intra vires* aspect of the Bill. It is a matter to be decided by the court. If the hon. Member has any objection to the clause, he may move amendments to it; or, he may oppose the Bill *in toto*, Shri Hiren Mukerjee.

**Shri H. N. Mukerjee (Calcutta Central):** Mr. Deputy-Speaker, Sir, my hon. friend, the Deputy Minister of Labour and Employment has just now moved for adoption by the House of the Working Journalists (Amendment) Bill and while there are some

good features about this Bill, I am afraid, it could very well have been a very much more . . .

**Mr. Deputy-Speaker:** Before he proceeds further, may I say that five hours is the time allotted for the entire discussion of the Bill. So, we may have 3 hours for general discussion and 2 hours for the clause-by-clause consideration.

**Shri Surendranath Dwivedy:** We may have four hours for the general discussion.

**Mr. Deputy-Speaker:** Then, we have to finish all the clauses and amendments within one hour. If the House co-operates, I have no objection.

**Some Hon. Members:** Yes.

**Shri H. N. Mukerjee:** As I was saying, while there are some good features about this Bill, I do wish Government had come forward with a better and more comprehensive piece of legislation. I say this because we have noticed for some time a kind of hesitancy on the part of Government regarding taking action in matters which refer to the conditions of work and the legitimate demands of the working journalists of this country. I know that it is quite the vogue now-a-days to say that journalism was at one time a mission and that today it is only a profession. But, I am sure, when the objective conditions of today are remembered, there should not be any kind of a qualitative reflection upon the conduct of the journalists of the present day in comparison with the great Journalists of the past. As a matter of fact, when we find the difficulties in the way of the working journalists from day to day, when we find how big money controls the press, it is almost a surprise that so much good work can be done by the working journalists in spite of the difficulties almost inherent in the situation.

I noticed, for instance, that the Press Commission, whose Report was described by my hon. friend as a classic, suggested in 1954 the formation of a Press Council and as early as 1955 a Bill on the Press Council had been passed by the Rajya Sabha, but up to now the Press Council remains somewhere in the region where objective concrete things do not take place. This delay of six years and more has taken place for Government to find out that the Act was not being properly implemented.

One good thing which the Government has done through this Bill is to provide for inspectors to find out whether the directives of the Bill are being implemented. As a matter of fact, I find that this matter has been brought to the notice of Government so many times, that is, the absence of inspectors. I discovered, for instance, that in the Maharashtra Legislative Assembly on the 18th July, 1962, the Deputy Labour Minister was expressing his distress at the absence of any provision in the law which would enable Government to appoint inspectors. It is a good thing now that inspectors are going to be appointed. But it is rather strange that it has taken more than six years for Government to discover the position in the newspaper industry where so many hurdles are put up so that the real conditions appertaining to the working journalists may not be properly discovered.

This brings me also to a recollection of the hesitant attitude of Government in regard to big business which is operating the newspaper industry so blatantly today. Everybody knows that a handful of big business houses own a large number of newspapers in different parts of the country and through their hold on the advertisement pool they dictate terms to other newspapers. We know also how the proprietors of the newspapers are very well organised. This morning, for instance, I got by post some instructions sent to me by

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the Indian and Eastern Newspaper Society's journal so that I would find out that the journalists case was not as good as we might think it to be. They are a very well organised lot.

In recent times there has appeared this whole tribe of managing editors—editors who perhaps cannot write a leading article to save their lives. But they are in the picture very much on the map and they appear in all kinds of committees and councils. They seem to dictate the position so far as Government is concerned.

It was quite a pleasant surprise for me to find that the hon. Law Minister went to Calcutta to address the last meeting of the Federation of Working Journalists. There he spoke about the dangers of monopoly as far as the newspaper industry is concerned. But I found that in the House only the other day in answer to a question, Starred Question No. 149 answered on the 12th November, 1962, the hon. Minister of Information and Broadcasting said:

“Government feel that concentration of ownership and monopolistic tendencies in newspaper industry do not exist to such an extent as to call for any immediate action.”

I do not quite understand this attitude of hesitancy in regard to problems of the working journalists and in regard to problems of the press in general.

This is not quite the occasion to go into details over the monopolistic nature of the newspaper industry as it is organised at the present day. We know what is what and in view of that, I think, we owe a payment of some tribute to the work of those journalists who, in spite of the difficulties of a system where big money is such a very important factor, are

trying to do their task keeping in mind the interests of the country.

As I said earlier, there are some provisions in this Bill which are good, but it is not understood why Government could not proceed more strongly. It did hold certain tripartite conferences and met representatives of the industry and of the working journalists last year as well as this year. The working journalists, through their own journal, have registered their protest that many provisions of the Bill are at variance with the decisions which were adopted at the tripartite meeting. For instance, it is pointed out that the representatives of the Federation of the Working Journalists had, during the tripartite conferences, urged that the provision regarding the payment of gratuity on resignation should be given retrospective effect from the 18th March, 1958. It is also stated in the journal of the working journalists that the then Deputy Labour Minister, Shri Abid Ali, had assured the Federation that retrospective operation would be given to the new gratuity clause at least with effect from the 1st July, 1961.

I note that hon. Members belonging to all parties in this House, not only the Opposition but hon. Members of the Congress Party also, have given notices of amendments whose object is that gratuities might be payable at least with effect from the 1st July, 1961. Here is a definite statement by the Working Journalists' Federation published in their journal that during the tripartite discussions there was an understanding that the Deputy Labour Minister of those days had given an assurance. That assurance is not being followed up. Government, I hope, would say something in regard to this because there are so many amendments asking for this gratuity clause being applicable with retrospective effect at least from the 1st July, 1961.

We are told also by the working journalists, again through their journal, that Government had assured the tripartite meeting that those lacunae and anomalies which had been discovered in the Act and which had specially been pointed out by the Supreme Court would be rectified and that the principal objective of the amending legislation would be to rectify those lacunae which had been pointed out by the Supreme Court. But, in this Bill as presently formulated, there are some rather material and not very happy alterations. For instance, the composition of the Wage Board, as envisaged in the parent legislation, has, now been sought to be changed. My hon. friend the Minister tried to justify it. He said that now the composition of the Wage Board is being increased and there would be three independent persons instead of a judge or somebody in that position who is independent enough. Now, the idea originally was in the Act that there would be representatives of the owners, representatives of the workers and there would be an impartial Chairman who would be a high court judge or had served in that capacity in the past. Now, there is an addition of two more independent members and the idea is put forward by my hon. friend the Deputy Minister that thereby independent opinion can be canvassed more effectively. I am not so sure about it, because, the importation of independent members might, in this kind of cases, lead to results which are not really desirable. The newspaper industry has very special problems. Those who are asked to work as journalists from day to day have a variety of jobs to do. From those who have to write leading editorials down to those who have to do reporting, they have a lot of work to do of varied sorts. A rather specialist knowledge is required in order to be able to assess and evaluate the kind of work which is being done by the working journalists of different categories. The categories can be expanded surely, because, even those who work on periodicals are also wor-

king journalists. I saw a letter written in answer to a query by a Member of this House Shri K. K. Warrior, from an Under Secretary of the Ministry of Labour and Employment which clarifies that even those who work on periodicals are working journalists and their case ought to be considered by whichever wage board is going to be formed. As for as mofussil correspondents of newspapers are concerned, they are also, according to the recent judgment of the Andhra High Court, entitled to all the right and privileges of working journalists. They are all a varied lot of people. They make different kinds of contributions to the total product which is the journal concerned. It is necessary to have specialist knowledge in regard to newspaper office, newspaper industry, production of newspaper. To bring in too many of these outsiders who would represent, God knows what interest, would merely be to confuse the whole proceedings. If there are representatives of the owners and representatives of the workers facing each other across the table, and if there is a third person who is independent and who is a man of great eminence, then, surely, that matter can proceed a great deal more expeditiously.

There might also be specialised ways of examining the conditions of working journalists. Somebody who is a correspondent posted in a particular area may have work which need not always be very obviously visible from time to time. He may not have much to do. But, on certain occasions, he would have had a great deal to do. The evaluation of the work of people who are posted in that kind of assignment requires some sort of familiarity with the industry. That is why it is necessary. When you have got representatives of the owners and the representatives of the workers sitting side by side propounding their particular propositions, when you have also an independent Chairman of judicial status to referee the entire proceedings, that is a good enough matter. Actually, the Supreme Court

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never made the slightest prejudicial reflection in regard to the composition of the wage board as it was envisaged in the earlier Act. Therefore, I see no reason for this change now being sought to be incorporated. I am fortified in my conviction, because, the working journalists themselves point out that this is something which would not be right because of the conditions which prevail in the industry.

In regard to certain other matters also, changes, perhaps, should be incorporated. In regard, for instance, to the provision about gratuity payment to working journalists resigning on grounds of conscience; I think the clause should be re-drafted and the limitation of 10 years service should not be there. The Government has agreed, and it is a good thing, to putting in this conscience clause. Instances happen, unfortunately, in rather large numbers these days, when questions of conscience do crop up as between owners of newspapers and their employees. These questions of conscience are felt more acutely and intensely by the better type of journalists. It might very well be that journalists are goaded by pricks of conscience to leave service which they only recently joined. If, in the newspaper industry, the situation is such that an eminent editor might walk into his room one day to find a letter of discharge on his table without rhyme or reason, if this sort of thing does happen—and it does happen with impunity in this country—if this is the way in which the big money interests of newspaper industry behave, then, surely, questions of conscience occasionally appear to be very acute and very intense. It might very well be that, in spite of not having put in as much as 10 years service, these prickings of conscience might produce results which would mean the severance of connection of the journalist with the newspaper.

Therefore, this time limit should go. If you once concede that because of conscientious reasons a man has gone out of the picture and yet he is entitled to certain gratuity, then, surely, this kind of limitation in regard to time should not be there.

In regard to the wage board, I have already said that the changes being sought to be incorporated in this Bill are not satisfactory. But, I was expecting that, when the Minister spoke, he would give us some idea as to when, if at all, the wage board is coming into the picture. In this House, over and over again, questions have been asked and Shri Nanda himself, in the last session, told this House that a wage board is going to be set up. In this letter also to which I have referred a little while earlier—a letter to Shri K. K. Warrior which is dated 1st December, 1962, from an Under Secretary in the Ministry of Labour and Employment—there is the statement that the Government are considering proposals for the appointment of a second wage board for working journalists. I discover that the Indian and Eastern Newspaper Society is asking us to beware of this movement and I have been advised by means of this postal memorandum that the cut in newsprint quota and pegging of circulations have effectively limited revenue while production costs have mounted and this is why, at the present moment, a wage board should not be set up. I do not know if the Government is going to abide by the instructions given to them from time to time by the barons of the newspaper industry. Is it right, is it proper that you should do so? Actually, what is the position? The working journalists have been asking for this wage board over and over again. The Government have been saying, yes, we are going to give you a wage board. On the 1st of December, a letter comes from the Ministry to a Member of Parliament, yes, Government are examining the idea of setting up a board. The I.E.N.S.

people are carrying on propa~~ganda~~ against it. What is the position? We had in this House the report of the Registrar of Newspapers. It says that groups and multiple units control 30.1 per cent of the total circulation. What is called the jute press monopoly controlled by the famous trinity Goenka, Jain and Birla, conduct their imperial activities in their own way and their revenue is increasing: advertisement revenue as well as sales revenue, and so on and so forth. These things are being pointed out with factual material to which I have not the time, nor is this the occasion, to make a detailed reference. Reference is being made to these facts in regard to the newspaper industry flourishing today and a wage board being more than overdue. When the Minister introduced this Bill, he could have sugar-coated the pill. The pill is not too bitter. Anyhow, he could have made the pill rather sweet by at least announcing that a wage board is going to be there very soon. But, I do hope that perhaps he is waiting for the time when this Bill is passed. Possibly he wants three independent members to be there before he commits himself. In any case, I do hope that the Government proceeds with great expedition and that the Government realises its responsibility in the matter. I do not think much is necessary to be said. There is a feeling with unanimity in the House, as far as notices of amendments are any indication, that there are certain very serious lacunae in the Bill which should be rectified. And I do hope that remembering the role of the working journalists in this country, and remembering the rather hesitant attitude of Government in regard to satisfying their legitimate demands, at long last Government will come forward and proceed more expeditiously to rectify the position and to remove their grievances.

**Shri D. C. Sharma (Gurdaspur):** I feel that there is hardly anybody in this House who does not have his sympathy for the working journalists.

A working journalist is only a worker, in some cases with the capital letter 'W' and in some cases with the small letter 'w'. He runs all the hazards which a worker runs in a factory. He is a prey to all those occupational diseases to which we were making a reference the other day. But let me be more explicit on this point that no worker in this wide world of ours—I do not speak only about India—suffers more risks and more hazards than a working journalist.

The lot of the working journalist is a very unenviable lot all over the world. But it is much more unenviable in this country of mine. It is because we are living in a transitional period.

Shri H. N. Mukerjee referred to the time when journalism was a mission. I think that even now some of the working journalists look upon journalism as a mission, but, I believe that being human they cannot do without bread also; it has been said that man does not live by bread alone, but being human, he cannot live without it. Most of these working journalists of whom we know so much look upon their profession as something sacred, as something which involves dedicated service of the highest kind. But living in the 20th century, they have to keep the pot boiling, or they have to satisfy their hunger or they have to make both ends meet. That is the problem. But, as I said in the beginning, they run many risks and hazards. A worker in a factory runs the hazard of losing a limb; sometimes, there are fatal accidents also, and sometimes, there are non-fatal accidents. A worker in a factory may suffer from some kind of occupational disease, and he may be running a great risk. But a working journalist does not run only the risk of physical injury; he does not run only the risk of occupational disease, but he has also to face something which all of us have, and sometimes pricks us, teases us, nags, harasses or haunts us, and that is conscience. Of all the

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hazards that mankind runs, the hazards of conscience are the most appalling, and I think that the working journalists have sometimes to forgo their very secure jobs because of the pangs of conscience. They cannot write to order. They cannot work in accordance with the dictation of some persons. They cannot do their jobs in a manner which goes against their very grain. Sometimes, they place their sense of duty above their desire for livelihood or desire for a profession, or desire for a career.

Therefore, as I said in the beginning, the working journalist is a person who has to be looked at in some ways like a worker and in other ways as some person who is more than a worker or less than a worker.

I think that our Government have been doing well by the working journalists. But I must admit that they have not done so well as they should have done. When I say that they have been doing well, I mean to say that they are sensitive to their demands. They have been conscious of their needs. They have been aware of the problem and they have been conscious of that. But Government—not to speak of our Government, but all Governments—move slowly and tardily. Governments do not try to redress grievances and remedy the defects as soon as they can.

**Shri Surendranath Dwivedy:** That is why my hon. friend says that they have done so well.

**Shri D. C. Sharma:** I have said that they have done well but not so well. I hope my hon. friend understands this little English.

16.57 hrs.

[MR. SPEAKER *in the Chair*]

I was submitting very respectfully that Government have been aware but not so acutely aware, and, therefore, the press council has not been

formed. Where is the Press Council Bill which was passed by Rajya Sabha? I think that the distance between the Lok Sabha and Rajya Sabha is not very great. I think that the distance is only a furlong or so. But where is that Bill hanging? I think it is hanging somewhere in the middle of the sky, and we have not yet been able to find it. I think that we shall have to get some kind of telescope or microscope to know the whereabouts of that Bill.

The Deputy Minister was very right when he said that the report of the Press Commission was a classic of its kind. But I am reminded of Chesterton who said that a classic is a book which everyone admires but nobody reads. I can say the same thing about the Press Commission's report also; it is a classic; everybody admires it, but nobody implements its recommendations. That is what has happened to this report.

**Shri Surendranath Dwivedy:** There also, Government have done well?

**Shri D. C. Sharma:** My hon. friend will have his chance to speak. So, he need not bother about it.

I was saying that Government had been slow in acting upon the recommendations of the Press Commission Report but I am glad that they have come forward with this Bill, and they have made some provision for gratuity. Every worker is entitled to gratuity, and there is no reason why these gentlemen workers, as they are called, should not be entitled to gratuity.

But I feel that the conditions for getting this gratuity have been made so stringent that I do not know how many of these working journalists will ever be able to qualify themselves for getting this gratuity. I say this in view of the fact that most of these working journalists are employed by those persons who have monopolist tendencies, so far as the running of

newspapers is concerned. There are newspaper chains, and there are newspaper cartels, and these persons are not going to be very much concerned about the quantum of gratuity when it comes to a certain number of years. Therefore, I would say that the period for qualifying for gratuity in the case of a working journalist should be very much lessened. I think otherwise very few of them will get any gratuity. The moment anybody is able to qualify himself for it, he will be given a quit notice. He will be asked to go with a notice and he will not be allowed to stay in that position. Therefore, I would like to say to the hon. Deputy Minister that the period should be shortened as much as possible. I do not want to lay down the law that the period should be so much. I say that the duration should be shortened because I know that in these days when we are passing through very critical times, it may not be possible for any journalist to qualify for gratuity after having put in that number of years in service.

I now come to conscience clause, Sir. I am glad that conscience clause has been put in by Government. I know some journalists who resigned very lucrative jobs and very secure jobs because they felt themselves to be incapable of doing things which were not in accordance with what they call, their *dharma*. Every one of us has his *dharma*. The journalist also has his *dharma*. The *dharma* of the journalist is tried almost every day of his life whereas our *dharma* is on trial only sometimes. So, sometimes, the journalists who do not want to violate the canons of their profession, the canons of what I may call *dharma*, want to quit office. Now, Sir, if you have that period for them, I think, they will be nowhere. Conscience is not subject to the limitations of time. Conscience knows no barriers of time; conscience can prick up, and can sting us any time. Therefore, so far as conscience is concerned, you cannot have any time limit. For the sake of conscience it is neces-

sary that you should waive the condition of this time limit because a man's conscience may prick him any time he likes. Therefore, I think, this conscience clause requires re-drafting and it should be made less injurious. Otherwise, I think, this conscience clause will lose all its point and Government will have taken away with the left hand what is given with the right hand. I think this aspect has got to be looked into and made as acceptable to all of us as possible.

These Wage Boards are going to be administered by the States and all the States are not as susceptible to the demands of journalists as others are. All the States are not very keen on satisfying the demands of journalists. I have seen and I know of some States where the journalist has to suffer a great deal because the people of that State do not understand the value of journalism, and they are not able to understand the dignity of being a journalist. But, whatever it is, Sir, I would say that this Wage Board should be a body which can function smoothly and effectively and swiftly. I would expect quick action from these Wage Boards. I would not like these Wage Boards to be like Juggernaut which moves slowly and slowly and slowly. I do not want that these Wage Boards should decide the issues when they have become dead or should decide problems when those problems have ceased to exist. I do not want them to do that. I think we have seen how these Wage Boards have been working during the last so many years. The Labour Ministry has been doing its best, but the State Governments have not felt as much urgency of the problem as they should. Therefore, I think that the Wage Board should be a small body and it should have the representatives of employers and the representatives of the working journalists and also some independent persons. One should be independent like a high court judge. I do not think you should make this body as cumbersome in its working as it is now.

[Shri D. C. Sharma]

I welcome the appointment of inspectors and I hope these inspectors will be of such standing and such qualifications (of course, these things will be given in the rules) as do not make them subservient to the wishes of some of the moneybags of the press. These persons should be able to hold their heads high and should be able to look these press barons in the face. These inspectors, I think, will be the keystone in the whole arch of the State. Otherwise the registers will be changed and everything will be changed. I feel that Government would exercise a greater vigilance so far as the appointment of inspectors is concerned.

At the time when India was under the British I used to find newspapers in Indian languages which had good circulation and which had their centres of printing and publishing in district towns. There were so many newspapers which had a circulation only within the precincts of the district or within the precincts of a few districts. Where have those newspapers gone? We used to have such correspondents in mofussil towns, in those towns where no newspapers are published, and they used to do wonderful work. They used to be the conveyor belt of information from the district towns and from those places where they served to the place where that paper was published. Where are those people gone now? Where are they? I would say that the definition of the working journalist should be so framed as to include as many types of workers who are doing journalistic work as possible and it should be seen to it that these persons should get all the benefits which are to be found in this Bill.

Sir, Professor Hiren Mukerjee referred to some circular which had been circulated by the I.E.N.S. I also got it. That has come to every Member of Parliament. Everyone of us has gone through it. Without reading what the working journalists have given us, I am convinced, Sir, that

the Indian Newspaper Editors' Society has no case of its own. It has not been able to build up its case against this Bill.

**Shri C. K. Bhattacharyya** (Rai-ganj): May I correct him? It is not Indian Newspaper Editors' Society. It is Indian and Eastern Newspaper Society.

**Mr. Speaker:** He says he is giving his opinion without reading it.

**Shri D. C. Sharma:** I stand corrected. He is President of that Society and he is referring to that. I was looking at you and I was referring to the Newspaper Society.

**Mr. Speaker:** He should only look at me and finish his speech.

**Shri D. C. Sharma:** They have not been able to prove their case against these working journalists. I find that their revenues are increasing and their circulation is going up. Even in these days of shortage of paper and other things they are going ahead so far as money is concerned and I think, Sir, they should welcome this Bill more than anybody else.

**Shri Krishnapal Singh** (Jalesar): Although Members of this House would welcome this measure, we feel that there are one or two matters with regard to journalism which have got to be mentioned in this House before we approve of the provisions of the Bill.

One of the things which is related to this Bill and which I would like to mention is, the influence of not only the big capitalists but of the Government, both directly and indirectly, on the newspapers, which affects the independence of the present-day newspapers. I was fortunate in having been very closely associated with one of the greatest journalists of these times, the late Shri Yajneshwar Chintamani, whom I regard as my political guru, the editor-in-chief of the *Leader of Allahabad* in those

days. I had occasion to follow how independently he published his articles without fear or favour. But at present we find that practically every newspaper has a photograph of one Minister or the other, giving publicity to some *udghatan* or some *bhashan* of the Ministers. It is all right that publicity is given when an important function is presided over by a Minister, but the frequency with which modern newspapers publish these photographs is somewhat astonishing. Although we have every sympathy with the working journalists, we would like them to be a little more independent.

The main point I was trying to make was that on account of the advertisements which are given to newspapers by Government, a good deal of patronage is wielded. If a newspaper does not act according to the wishes of the Government, it probably is deprived of some of the advertisements which constitute a fair share of the income of the newspaper. Therefore, I would wish that Government pays due regard to this and do not interfere with the independence of journalism in India these days.

The second point which I would like to make is that there are one or two omissions in this Bill. One of them is that Government servants, and especially those who work in Government presses and those who work in the publicity department, have not been given the benefit of this Bill. It is true perhaps that in bygone days they were better off, but at present I think the working journalists are better off than these Government servants, and therefore it would have been fair to include them here.

Another point which is of particular importance due to the peculiar conditions in which we are living at present is that the journalists have, as was mentioned by the speaker previous to me, to take certain risks. At present when we are fighting a sort of war, journalists may have to go to operational areas, and it would

be only too fair if Government provides some kind of compensation for injuries sustained by them in operational areas or, God forbid, in case of death. It is true that probably the Industrial Disputes Act or some other Act may come to their aid or their families' aid in time of need, but it would have been better if a special provision had been made in this Bill. This is a point which I hope Government would consider.

Now, I will refer to some of the provisions in the Bill. The first thing I would like to say is that the scales of gratuity mentioned in the Bill are rather low for those who have served more than ten years and are employed in the bigger or the smaller newspapers. I think these scales should be revised and increased in view of the very hard times in which we are living today.

The second point which I would like to mention has already been referred to by speakers who preceded me, and it relates to the provisions with regard to the Board which is intended to be formed for deciding the wages. It strikes one who reads the provisions as to why there should be three independent persons. Two will be nominees of the employers, two others will be nominees of the employees, and the fifth will be a person of the eminence of a High Court Judge or a Supreme Court Judge. Who will be the other two people, and why should they be there? There is a sort of suspicion lurking in the minds of some that probably they will be appointed with a view to create a sort of balance. Otherwise, they will be absolutely superfluous. Therefore, I suggest that a Board of five is quite satisfactory, and there is absolutely no need to have these two independent persons included in it.

Another matter which needs the attention of the Government and the House is that no period is laid down for the notice which is required for making a representation. It is left to the Board to decide as to how much

[Shri Krishnapal Singh]

period should be allowed for making the representation. I wish a period of 60 days is laid down so that a man has ample time to put in his representation. I think there is no harm if this period is laid down. As a very eminent President would be available to these Boards, probably there will be no difficulty, but there may be cases when people may have just complaints about not being allowed sufficient time for filing their representations. Therefore, I propose that a period of 60 days be provided in the Bill.

I certainly wish to support the very necessary provisions of the Bill which have been included, and I hope that the House, after suitable amendments have been adopted, will pass the measure.

**श्री बड़े (खारगोन) :** अध्यक्ष महोदय, यह जो बकिंग जर्नलिस्ट्स (अमेंडमेंट) बिल आया है, उस में चूँकि बहुत सी अच्छी बातें हैं और बकिंग जर्नलिस्ट्स के लिये फायदेमन्द हैं इसलिये मैं कुछ अंशों में उस का समर्थन करता हूँ।

इस के साथ-साथ जो ग्रैचुइटी का प्राविजन है उस में यह लिखा है :

**“नाट लेस दैन टेन इअर्स”**

जब कोई दस साल तक सविन कर लेगा तब उसे ग्रैचुइटी मिलेगी। इस के सम्बन्ध में मैं यह कहता हूँ कि जब शासन इतना उदार हो गया है तो साथ-साथ कंजूसी भी क्यों करता है। अगर उन की कंडीशन्स दरअसल खराब हैं तो बकिंग जर्नलिस्ट्स के काम की शर्तें उन को भी मुक्त हस्त से मिलनी चाहियें। लेकिन जहां तक मैं ने देखा है उन को हर जगह पर रेस्ट्रिक्ट कर दिया गया है। ग्रैचुइटी के केस में भी ऐसा ही हुआ है, आगे जा कर वेज बोर्ड के सम्बन्ध में भी ऐसा ही हुआ है। वेज बोर्ड का जब डिसीजन होगा तब उन को पैसे मिलेंगे, लेकिन उन के दरम्यान में उन

को जो वेज मिलनी चाहिये उस के लिये कोई प्राविजन नहीं है। जब मैं ने इस बिल के क्लॉज ८ के १९(बी) को पढ़ा तो मुझ को ऐसा प्रतीत हुआ कि शासन ने इस जगह एक बड़ों समस्या उत्पन्न कर दी है। यह सब क्लॉज १९(बी) एक सेविंग क्लॉज है। इस में लिखा है :

“19 (b) Nothing in this Act or the Working Journalists (Fixation of Rates of Wages) Act, 1958 shall apply to any working journalist who is an employee of the Government to whom the fundamental and supplementary rules shall apply.”

इसवास्ते शासन इस १९(बी) में यह चाहती है कि जो लोग गवर्नमेंट प्रेस में काम करते हैं उन को इस के प्रिविलेजेज और कंडिशनस न मिलें। इस के लिये मैं ने प्वाइंट आफ आर्डर भी उठाया था लेकिन चेअर से यह आदेश मिला कि कोई चीज अल्ट्रा वायस या कांस्टिट्यूशन के विरुद्ध है या नहीं इस को इस हाउस को देखने की जरूरत नहीं है। इसके सम्बन्ध में १९(बी) में जो है उस के अनुसार शासन का यह कहना है कि जो वर्कर्स गवर्नमेंट प्रेस में काम करते हैं उनको ज्यादा फेसिलिटीज हैं और जो प्राइवेट प्रेस में काम करते हैं उनको ज्यादा फेसिलिटीज नहीं हैं। मैं गवर्नमेंट के इस कथन से सहमत नहीं हूँ। एक रजिस्टर्ड सोसायटी है गवर्नमेंट वर्कर्स की जब उन्होंने गवर्नमेंट को नोटिस दी कि वह उन्हें भी वही फेसिलिटीज दे जो कि दूसरे बकिंग जर्नलिस्ट्स को मिलती हैं तो गवर्नमेंट ने कहा कि गवर्नमेंट गजट न्यूज पेपर नहीं है और गवर्नमेंट प्रेस न्यूज पेपर प्रेस नहीं है। मैंने देखा कि डिक्शनरी में गजट के माने हैं आफिशल न्यूजपेपर। जब उसका न्यूज पेपर अर्थ निकलता है तो शासन ने किस तरह से यह कहा कि यह न्यूज पेपर नहीं है, यह मुझे मालूम नहीं होता है। शासन ने यह भी लिखा है कि उन्हें दूसरे ऐडवॉन्टज मिलते

हैं। लेकिन मैं समझता हूँ कि दूसरे एडवांटेजेंड उन को नहीं मिलते हैं। जैसे कि ग्रैंड लीव है। प्राइवेट प्रेस के वर्कर्स को जिस तरह से ग्रैंड लीव मिलता है उस तरह से गवर्नमेंट प्रेस के वर्कर्स को नहीं मिलती है। उनको कम मिलती है। इसी प्रकार से जो लोग गवर्नमेंट प्रेस में काम करते हैं उन्हें ८ अवर्स काम करना पड़ता है और प्राइवेट सेक्टर में जो वर्कर्स काम करते हैं उनको ६ अवर्स ही करना पड़ता है। इसी प्रकार से उनकी ग्रैचुइटी के नियम अलग हैं। इसलिये गवर्नमेंट ने जो यह कहा है कि उनको शासन में होने से ज्यादा फायदा मिलता है यह ठीक नहीं है।

आनरेबल मिनिस्टर ने यह भी कहा कि उनका ट्रांसफर भी एक जगह से दूसरी जगह को उसी कार्य के लिये किया जाता है। लेकिन मैं नम्रता से कहना चाहता हूँ कि जो प्रूफ रीडर्स हैं उन्हें कितना वर्क करना पड़ता है क्या इसको कभी शासन ने देखा है? क्या जो प्रूफ रीडर्स गवर्नमेंट प्रेस में काम करते हैं वह अलग हैं और जो प्राइवेट प्रेस में प्रूफ रीडर्स हैं उनकी आई-साइट, उनका माइन्ड और उनके व्यूज अलग हैं। मैं समझता हूँ कि ऐसा नहीं होता है। दोनों जगहों के वर्कर्स एक जैसा काम करते हैं। आप शासन में ही देखिये। जो लोग पार्लियामेंट प्रेस में काम करते हैं उन पर बकिंग जर्नलिस्ट्स ऐक्ट लागू होगा लेकिन जो लोग गवर्नमेंट प्रेस में काम करते हैं उनपर यह लागू नहीं होगा। यहां पर गवर्नमेंट के १०० वर्कर्स हैं, उसी के साथ कलकत्ते, बम्बई में जो वर्कर्स हैं वह भी हैं, उनपर यह लागू नहीं होगा। इस तरह का डिफरेंस करने के सम्बन्ध में जब कंसेलेशन आफिसर्स ने नोटिस दिया तो उन्हें जवाब दिया गया:

"Please refer to the discussion you had with me on 17th August,

1962 on the above subject. As desired I am to say that the Government has held that the Gazette of India is not a newspaper within the meaning of the Working Journalists' Act of 1955 and therefore the dispute raised by the association has no basis. In case you wish to discuss further the merits you are advised to attend this office on 28th August 1962 at 2.30 P.M."

यह जवाब दिया गया है सेक्रेटरी, रीडिंग स्टाफ एसोसिएशन को, उसके बाद जब रीडिंग स्टाफ एसोसिएशन ने शासन को नोटिस दिया कि हम कोर्ट में जाते हैं तब यह बिल सामने प्रस्तुत हुआ है। फिर यह बिल भी कैसे प्रस्तुत हुआ है? आज तक यह बिल प्रस्तुत नहीं हुआ। इसके लिये हम ने इस सदन में आवाज उठाई। उसके बाद हमारे सामने हमारे राइट्स को न मान कर यहां यह बिल लाया गया है। लेकिन जब बिल प्रस्तुत हुआ तो बिजनेस कमेटी में नहीं गया। फिर यहां कामत साहब ने आवाज उठाई कि यह बिल यहां क्यों नहीं प्रस्तुत होता है? कामत साहब को यह जवाब दिया गया कि वह प्रस्तुत हो चुका है। लेकिन बिल को प्रस्तुत करने का कारण क्या था? लीगल नोटिस दी गई थी कि हम कोर्ट में जायेंगे, गवर्नमेंट गजट के वर्कर्स की तरफ से, इसलिये यह प्रस्तुत किया गया है। इम-जेंसी के टाइम में यह बिल नहीं लाया जाना चाहिये था और इससे शासन के कर्मचारी नाराज होत हैं तो इसको लाने की जरूरत नहीं थी। और अगर लाये हैं तो फिर सब क्लॉज १६(बी) को इसमें डालने की जरूरत नहीं थी।

हम देखते हैं कि गवर्नमेंट प्रेस के कर्मचारियों की पे कम है। प्राइवेट सेक्टर में लोगों को पे ज्यादा मिलती है। वहां पर ४२५ रु० तक वेतन जाता है और गवर्नमेंट प्रेस में १२५ रु० से शुरू होकर ३०० रु० पर जल्दी ही खत्म हो

[श्री बड़े]

जाता है। इस तरह से आप देखेंगे कि दोनों की पे में फर्क है, वर्किंग अवर्स में फर्क है, प्रैक्टिसी में फर्क है मैं कहना चाहता हूँ कि जिस को इंग्लिश में प्रेजुडिस कहते हैं। शासन के दिल में अपने कर्मचारियों के विरुद्ध प्रेजुडिस पैदा हो गई है, गवर्नमेंट गजट के जो वर्कर्स हैं उनके अन्दर यह कल्पना आ गई है। इस वास्ते यह बिल एक दम से यहाँ प्रस्तुत किया गया है। अब तक इस को सरकार टालती रही है, लेकिन जब हमने बहुत प्रेस किया तब फिर यह सामने लाया गया है। इस लिये मेरी विनती शासन से यह है कि जब गवर्नमेंट प्रेस के वर्कर्स वही काम करते हैं जो कि दूसरे प्राइवेट सेक्टर के वर्कर्स करते हैं, और गवर्नमेंट प्रेस कोई ज़ाब प्रैस नहीं है, जो गवर्नमेंट के बुलेटिन निकलते हैं वही उस में छपते हैं, गजट छपता है और तरह तरह का लिटरेचर छपता है ऐम्बेसीज के द्वारा दूसरे देशों में भेजने के लिये, तब कम से कम इन दोनों तरह के जो वर्कर्स हैं उन के ट्रीटमेंट में डिफरेंस नहीं किया जाना चाहिये।

इस के साथ साथ मेरा यह भी कहना है कि आज कल जितने न्यूजपेपर्स छपते हैं वे अधिकतर पूंजीपतियों के हैं, जिनके पूंजीपति या पैसे वाले हैं उन को प्रेस बेच दिया जाता है और उस के बाद उस में मिनिस्टर्स के फोटो निकलते हैं। दरअसल कुछ ही ऐसे प्रेस हैं जो सच्ची बातें सामने लाते हैं और उन को छापते हैं। लेकिन ज्यादातर प्रेस ऐसे होते हैं जो कि गवर्नमेंट की नीतियों और गवर्नमेंट की ही ब्यूज को सामने लाते हैं और सच्ची बातों को प्रजा के सामने नहीं लाते हैं क्योंकि एक तरह से वे प्रैस उन पूंजीपतियों को बेच दिये गये हैं।

मैं यह भी कहना चाहता हूँ कि प्रैस का विशेष रूप से बढ़ावा हमारे यहाँ हुआ है, प्रेस यहाँ पर जब इतना फायदा उठाते हैं तो दरअसल वर्कर्स को भी उस फायदे का हिस्सा मिलना चाहिये। जैसा यहाँ पर मुझ से पूर्व

एक वक्ता ने कहा कि यहाँ पर पैम्फलेट्स वगैरह भी बांटे गये हैं, मैं उस से सहमत हूँ और कहना चाहता हूँ कि वर्किंग जर्नलिस्ट्स को जो फायदा देना चाहिये था उसको सब-सेक्शन १९ (बी) बना कर शासन ने नहीं दिया है और इस सब-क्लाज को वापस ले लेना चाहिये क्योंकि आज इमर्जेंसी के जमाने में उस से वर्किंग क्लास में नाराजी पैदा होगी और शासन के वारे में शोभ उतार होगा। १९(बी) कलाज की वजह से दिल्ली में दंग के लिये जो एक विहस्परिंग कैम्पेन चल रही है कि शासन ने हमारे हकों के ऊपर कुठाराघात किया है, यह ठीक नहीं है। इस के लिये मैं ने प्वाइंट ऑफ ऑर्डर भी उठाया था।

इन शब्दों के साथ मैं सब-क्लाज १९ (बी) का विरोध करता हूँ और बाकी जो प्राविजन्स रक्खे गये हैं वर्किंग जर्नलिस्ट्स (अमेंडमेंट) बिल में उन का समर्थन करता हूँ।

**Shri C. K. Bhattacharyya:** Mr. Speaker, Sir, the history of this Bill goes back to the year 1958 as the Deputy Minister himself has said, when the Supreme Court struck down the particular provision in the Act of 1955, relating to the grant of gratuity to the working journalists. The Supreme Court decided that that particular provision was violative of the fundamental rights in the Constitution as embodied in article 19(1)(g). In the same judgment the Supreme Court also set aside the decision of the Wage Board appointed under another section for determining the rates of wages for the working journalists as being *ultra vires* of the Act itself.

After the judgment, the contingency that arose was met by the Government regarding the second. The first was left out. The President of India at once promulgated an ordinance constituting a wage committee to go into the question of the rates of wages for the journalists. This was in June,

1958, and it was later replaced by an Act in September of that year. Under that ordinance, a wage committee was set up and it went into the question of the rates of wages to be prescribed for the working journalists. It submitted a report, and on that report Government passed an order on 29th May, 1959. So, so far as the Supreme Court's judgment, striking down the decisions of the Wage Board, is concerned, Government acted very quickly, but, for reasons unknown, regarding the Supreme Court's judgment striking down the provision for gratuity, the Government betrayed a sort of unwelcome tardiness. It did not move.

After a long time, a tripartite committee was appointed and this committee again prolonged its proceedings, and it took a long time to come to some decisions. This was rather unexpected, because the Supreme Court, when striking down that provision regarding gratuity, had itself suggested that though gratuity could not be allowed on a general basis, it could be allowed for exceptional reasons such as a conscience clause or for long service in the newspaper concerned. But, in spite of this direct suggestion from the Supreme Court, the Government did not move and it left matters to prolong. As a result, we find today that though the Supreme Court judgment was passed in 1958, it has taken more than four years for the Government to come before this House to legislate what the Supreme Court itself has suggested, which is something like a small mercy shown to the hard-working class of persons.

Then, in the same sections under which the wage committee was constituted at that time under the Act of 1958, had also provided that another Wage Board will be constituted within three years of the passing of the order. So, by the middle of this year another Wage Board was due; the Government did not put into effect even that thing, though it was provided in the Act itself. The Government order was passed on 29th May, 1959.

So, according to section 8 of the Act of 1958, by the middle of this year, that order has gone out of effect and another Wage Board should have been constituted. As such, the matter is already late, and I would suggest that when this Bill is passed into law the Government may take no time to constitute a Wage Board as early as possible and as quickly as possible.

This Act should have been made more comprehensive and more consolidated, because the 1958 Act will go out of effect as soon as another Board is appointed. The 1958 Act is in effect because of section 8, because it provided that a Wage Board will have to be appointed on the expiry of three years from the date of the order, and as soon as a Wage Board is appointed, the 1958 Act will practically go out of effect, and only the 1955 Act will hold the field. In such a case, a consolidated Act for the journalists might have been proposed, but that is taking time, and I believe the Government has it in mind to put it quickly and see that the Wage Board comes into existence as soon as possible after the passing of this Act.

Regarding the rights, section 5 which puts into effect the clause for gratuity does not make it retrospective. As Prof. H. N. Mukerjee said, and that is what the journalists also have suggested—this section ought to have been made retrospective from the date of the Supreme Court's judgment. When the Bill becomes law, it will apply only to the journalists who come under its operation after it becomes law, but what about the journalists who have gone out of service between since the date of the Supreme Court's judgment and the date when this Bill becomes law? What provision is being made for them? They are practically being deprived of all possible help under this Bill which could have been brought in earlier. That is the reason why from all sides of the House it is being suggested that this Bill should be given retrospective effect, if not from the date of the

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Supreme Court's judgment, at least from 1st July, 1961 which was agreed to in the tripartite committee on behalf of the Government itself.

In this connection, I would draw the attention of the Government to a particular matter in which I believe they have been rather failing in doing justice to the working journalists. In every other Act, whenever the Supreme Court struck down any provision of the Act, Government at once came to the House to have the Act amended. Take, for instance, the Income-tax Act. Government at once came to the House to have it amended so that the requirements of the Supreme Court's judgment might be met and complied with. But this is the only Act which has been allowed to remain unmodified for four long years even after the Supreme Court had declared a particular provision as *ultra vires*.

**Mr. Speaker:** But in respect of the income-tax the Government was losing money every day!

**Shri C. K. Bhattacharyya:** But in this case the poor working journalists were losing money too. Government should have considered the poor journalists also. (*Interruption*). They should have been as much awake to the interests of the poor journalists as to their own interest. So, my submission is that since they have not done it, they should give retrospective effect to this clause at least from 1st July, 1961. That is the unanimous demand of the whole House.

In the amendment proposed, I seek to have this clause amended in that way. I also want to draw the attention of the Government to the Act of 1955. In that very Act it was suggested to the Government that after the Act was passed, certain classes of journalists would have been left out, because the Act was not given retrospective effect, and the Act was given retrospective effect only to certain cases of retrenchment effected

at any time between the 14th July, 1954 and the 12th March, 1955. If the hon. Deputy Minister will consult the 1955 Act, he will find that the 1955 Act also gives retrospective effect to a particular section. So, why not this Act also give the same effect to section 5?

After this, I come to the question of quantum of gratuity. The quantum of gratuity to be paid to journalists on voluntary resignation on any ground whatsoever has been limited to 12½ months' average pay, without taking into consideration the length of the service. The Press Commission laid particular stress on this that the conditions of journalism should be such that talents are attracted to it. But the limit that the Government has laid down in the matter of gratuity for the journalists who go out of service voluntarily will rather drive away the talent from this profession. This is also more unjustified because the Government itself has raised the age of retirement of Central Government employees from 55 to 58. So, what incentive will the worker have if he knows that the gratuity he will receive will be frozen to 12½ months' pay, irrespective of the period of service that is rendered to the establishment? That has to be considered. If the Government is not prepared to consider any amendment to the effect that the entire period of service should be considered in the matter of gratuity giving 15 days' average pay for every year of completed service for the whole period, at least 15 months' pay should be given. That is the suggestion of the Supreme Court even in the Express Newspapers case.

The Supreme Court made it clear in their judgment that the conscience clause should be made an exception, in spite of the fact that they struck down the gratuity provision of section 5. Regarding the conscience clause, the Supreme Court quoted from a UNESCO publication as to what conscience is. I say this because

Prof. Mukerjee referred to the circular issued by the IENS. In that circular, they have questioned the existence of conscience itself. It is rather an unkind thing. It says:

"To have a conscience is no doubt highly laudable."

What is this? Everyone has a conscience. This is something like bantering on the matter of conscience. It again says:

"Cases are conceivable where the journalists after completing three years' service may decide to have a conscience."

This is rather unkind. What the Supreme Court quoted from a UNESCO publication about the moral right of journalists is:

"Among the benefits which the status of professional journalists may confer (whether it stems from the law or from an agreement) is one of particular importance, since it goes to the very root of the profession. It is intended to safeguard the journalists' independence, his freedom of thought and his moral rights. It constitutes what has been called the "conscience clause". The essence of this clause is that when a journalist's integrity is seriously threatened, he may break the contract binding him to the newspaper concerned and at the same time receive all the indemnities which are normally payable only when it is the employer who breaks the contract."

Dwelling on the circumstances in which this clause will work, it says:

"a marked change in the character or policy of the newspaper or periodical: If the concern has no longer the same moral, political or religious character and if this change is such as to prejudice his honour, his reputation or in a general way his moral interests, he may demand his instant release. In these circumstances, he

may demand an indemnity payable in the same manner as his salary."

Sir, as one who has been long connected with newspapers in different capacities from News Assistant up to Editor, this conscience clause is very vital to me. If I had the time, I would go on citing instances to show how very distinguished editors went out of their posts on grounds of conscience. Mr. Bipin Chandra Pal left Pandit Motilal's paper *Independent* on grounds of conscience. Mr. Satyendranath Majumdar left *Ananda Bazar Patrika* on grounds of conscience. The person from whom I had my lessons in journalism, Mr. P. K. Chakravarti, who was editor of *Forward* founded by Pandit Motilal and Deshbandhu C. R. Das, went out on grounds of conscience. His resignation was tendered overnight. He had passed an article supporting Mr. J. M. Sen Gupta, to which the then Managing Editor took objection, when he received the information very late in the night. It was 1 o'clock in the night—he phoned up Mr. Chakravarti to say that that article should be withheld. Mr. Chakravarti told him that he would not withhold that article. The Managing Director said, "I withhold it". Mr. Chakravarti retorted, "You can do it only after you accept my resignation". So, his resignation was delivered orally over the phone at midnight without any ceremony. Such were the conditions in which the editors had to work and go out of their service. So, this conscience clause is very vital.

I might also refer to another instance. This is about *Amrit Bazar Patrika*. If younger journalists today have the enthusiasm, they might make research and find out. Lord Curzon who was ruling Bengal with a heavy hand and who was being criticised repeatedly in *Amrit Bazar Patrika* sent word to the editors of the paper, Mr. Sisir Ghosh and Mr. Motilal Ghosh that they should come to him together to settle what would be in the welfare of Bengal. The Ghoshes sent out the reply: "There should be at least

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some man in Bengal who works according to his conscience." This is the way journalists maintain their conscience even against administrative authority.

When Mahatma Gandhi went to Calcutta, to launch the non-cooperation movement some of the students met him in Wellington Square. One of us told Gandhiji that we must decide then and there that we shall leave our institutions. Gandhiji rose to speak. He said, "Disabuse your mind of whatever this young student has said." The question put to him was, "Our parents are against it. How can we leave our institutions?" The advice which Gandhiji gave, which influenced my life—I remember it word for word—was:

"If it be an alternative between my advice and the advice of your parents, I say unhesitatingly, follow your parents. But if it be an alternative between the advice of your parents and the dictates of your conscience, I say, follow your conscience."

That is how conscience works. So, this clause is vital and the Deputy Minister should take the trouble of removing the limitation of time laid on that clause.

**Shri Surendranath Dwivedy** (Kendrapara): Sir, three main changes are proposed in this amending Bill regarding gratuity, wage board and exclusion of working journalists working under the Government. About this Bill itself, it is better that I place before you the opinions expressed by the interests who would be affected by this Bill. Here is a document circulated to Members of Parliament by the Indian and Eastern Newspapers' Society, which says, "This Bill is the seed of discord". They have threatened that if this Bill goes through, it will open the floodgates of acrimonious litigation. That means, they are preparing even before the Bill is passed to go to the law court

So far as the working journalists are concerned, they say that in the tripartite conference and other places, the draft of the Bill was never placed before them and the provisions now contained in the Bill are at variance with the decisions taken in the tripartite conference regarding certain matters. From the amendments tabled in the House, it is quite evident that the Bill does not satisfy or does not serve the purpose for which it has been brought.

While moving this Bill, the Deputy Minister did not tell us why it took four years to bring this measure before this House. If they did not disclose the draft before the tripartite conference to reach some agreement, what was the delay due to? Why did they not issue an ordinance just after the decision of the Supreme Court or bring forward this legislation earlier enough?

I think I will not be wrong if I accuse the Government of partiality because there is a special significance attached to its introduction on the 7th September. Here is a letter with me—a copy of the letter rather—written by the Reading Staff Association, Government of India Press, New Delhi, who demand that they should also be included in the provisions of this Bill, that this should be applied to them. Some conciliation proceedings were going on. When conciliation proceedings failed, on the 30th August, they served a notice on the Conciliation Officer that he must move the Government of India for the appointment of a tribunal to go into this question. And, in order to avoid that, suddenly on the 7th of September, without giving any notice to the House even—that was objected to when it was introduced—this Bill came before us.

Sir, before I go into the merits of the question, I would like to quote this. In the year 1955, I had also the occasion to participate in the debate and I remember about this gratuity—much is being made about it now—

Then, Dr. Keskar, who moved this Bill, specifically said, "As far as we are concerned, after due consideration of the conditions which prevail in other industries and other professions, we came to the conclusion that retrospective gratuity should be given to working journalists and gratuity should be given to them as in all other professions." So, it is too late in the day now to argue, as has been done in this document, that in no other industry there is legally any provision for giving gratuity. The Press Commission also went into this question of giving gratuity to working journalists and they also took into consideration all these aspects. Now they make a variation. Even regarding the quantum, they say that a person who resigns on the ground of conscience will not get more than 12½ per cent. I fail to understand it. Is it suggested that after putting in 30 years of service, one's conscience would be dead? Suppose after 30 years of service he feels that it is not possible for him to continue in that paper or in the place where he is working. If he does not resign on the ground of conscience, he is entitled to 15 months, but because he has to resign under conscience, he is deprived of that opportunity. Even the Press Commission in this matter specifically stated that gratuity should be payable in all cases except where the termination of services is due to misconduct. We think that there should be uniformity in this matter of retirement benefits, in all resignations and in respect of all cases of papers.

Now, Sir, the Government must have taken into consideration all these things when they decided to change this gratuity provision and there is now this argument coming forward. They say that the papers have no capacity to pay. Again, the Supreme Court judgment is being quoted in which it is stated, "These provisions of gratuity are all unrealistic and unreasonable." But gratuity, according to the Court, as they say, is the reward for good, efficient and faithful service for a consider-

able period. I do not know how the present provisions go against this observation. But they oppose the industry-wise uniform basis of gratuity under the plea that the industry had not the capacity to pay and the individual units or groups are in a very difficult position.

Sir, here the Government must make up its mind. It is not a question that the newspaper industry is not in a position to pay. If we take the history of recent days, it is a boom period they are passing through and I know of cases where persons were getting Rs. 600 or Rs. 650 and they have been imported as editors and are drawing a salary of Rs. 3,000 and above. There are many such persons who are being paid high salaries without any consideration to their capacity or any other thing. They are importing experts from other places, paying them high salaries. In this case, there is this demand for giving it with retrospective effect. It is almost a unanimous demand from this House not only because the Deputy Minister of Labour at a certain stage gave this assurance that it would be made applicable from 1st July, 1961, but it should be considered from another point of view also that within these two or three years there have been many journalists who were working in certain establishments but for one reason or the other, after putting in about 11 to 12 years of service, had to leave those establishments and if this Act comes into force, just after we pass it and it is gazetted, then all these journalists would be deprived of this opportunity, and the benefits that are proposed to be given to the working journalists will be denied to them. Therefore, it is meet and proper that it should not only be 1st July, 1961, but I would say, it should be from 18th March, 1958, since the Minister, as I said in the beginning, when he moved the motion, has made this categorical statement that it should have retrospective effect.

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The next thing that I would like to mention is about the Wage Board. **Many things** have been said about it. I think there is no point in having three independent persons. The Supreme Court in its judgment did not refer to the composition of the Wage Board at all. As the Minister has rightly pointed out, only regarding one clause, they said, it violates the Constitution. What was the occasion for making this change now, unless you want to make it an unwieldy body? Specially, in an industry like the newspaper industry, the interests concerned, the newspaper employees and the owners, the proprietors, know the intricacies and complexities of this profession and they will argue among themselves. "If we demand for a judicial person to preside over it, it is because the judicial knowledge would be available before they come to a decision". More than that, if we import other persons and if we make this body larger than what was contained in the previous Bill, I think the work will not be smooth and the interests of the profession too will suffer. At the same time, I also would like to know when this Wage Board is going to be set up, because in this Bill there is no clear provision. Even in the memorandum that the working journalists have given it was stated that in 1962 this Wage Board should be set up. Whether the Government is going to set up this Wage Board this year or not, I do not know. This year, 1962, is almost over, I do not know whether before the end of the year it would be possible to pass this Bill, have the assent of the President given and get it gazetted and have the Act put into force. They must announce here when they propose to set up this Wage Board.

17 hrs.

The next thing that I want to point out is about the exclusion of working journalists working under the Government. This Act was in the statute-

book since 1955. There was no provision in the act excluding government servants. I want to know whether these facilities which were available to them were denied to them; if so, why? I also want to know why at that time this was not considered. The definition of "working journalist" is not changed under this Bill. It remains as it is. That clearly establishes that whether in the private sector or in the public sector, whoever fulfils those conditions must be considered as a working journalist. I think Shri Bade raised the question of constitutional violation and wanted that it should be declared out of order. I think there is considerable force in this argument, that having seen that really this Act as it is applicable to those government servants they now want to exclude them and therefore this has been brought in. The only argument advanced by the hon. Deputy Minister was that they are under transfers. I do not know if they are under transfers. But wherever they are, they will be in this country and all the benefits should be made available to them because they are doing the same job. The only argument that is advanced in the notes on clauses is that the government rules and regulations generally offer better terms and conditions of service. But this has been statistically contested by the employees concerned, and they made representations to the Minister and they must be with the Government. I want a reply from the Minister on this point. Let them compare the benefits that they are getting and the benefits that they would be getting under the amending Bill. Even the pay is much less than what is given according to this. In some cases, I am told, hundreds of persons could be deprived of this benefit, if this provision is passed as it is proposed.

Shri Bade: The pay of government servants is Rs. 168 to Rs. 300, whereas in the Press it is Rs. 210 to Rs. 425. There is difference of pay also.

**Shri Surendranath Dwivedy:** These differences have been pointed out. I would like a reply from the Government whether actually the differences that have been pointed out are not based on facts. If they are based on facts, it should be proper for them to delete this provision. If the Act has worked well for these years, what was the necessity to bring this new provision in this Bill?

In the end, Sir, I want to say this much. We know what are the conditions under which the working journalists work. Their work is a specialised job. They have to come to certain decisions on matters of high political nature for which their conditions of work must also be satisfactory. Their service is not to the industry concerned. We should not consider it from that point of view, whether it affects a certain industry which has today become almost a vested interest having monopolies etc. We should consider it from the nation's interest. On the one hand, they argue that this gratuity provision should not be extended to this industry, it is not provided by law in other industries and, on the other hand, they demand that this gratuity, while making calculations, should be based on the basic salary and not on the average pay. At both ends they want to create difficulties. I again warn the Government that, as they have indicated, if they probably are considering again to go to the law court in order to see that the provisions of this Act are not acted upon, the Government must from that point of view, examine this law very carefully.

**Shri Maniyangan (Kottayam):** Mr. Speaker, Sir, I congratulate the Government for bringing this measure at least now. It is true that four years have elapsed since the Supreme Court struck out certain portions of the Act, and it was commented here that there was undue delay. But I would like to point out that since the Supreme Court's decision the Gov-

ernment had certain suggestions, they were circulated among the various State Governments and their opinions obtained. For all this some time had to be allowed. Then, after the opinions from the State Governments were obtained, a tripartite conference was convened. They met, I think, in May, 1962. The attempt of the Government throughout was to see that an agreed formula is incorporated in the amending Bill as far as possible, and I think that is a good thing. In this way, it is true that some time has elapsed.

Sir, I may call this law as the Magna Carta of the workers engaged in journalism. The introduction of this "conscience clause" in this Bill is a step in the right direction, and it gives the persons engaged in the work of journalism the right of independent thinking and other kinds of independence. Therefore, after this clause becomes part of the law—I do not say there is no monopolistic tendency in journalism; there is a lot of that—anybody who on account of his conscience wants to retire from the service of a particular concern is entitled to all the benefits that he would have obtained if the management had broken the contract. This provision is really a good thing and I have to congratulate the Government for bringing in this provision.

I would like that the clause in the original Act of 1955 which defines a "working journalist" is modified. I do not know whether all persons who are connected with newspapers but who are not in the managerial line are included in this definition. For example, persons who are engaged as clerks in the office of the paper and some other employees do not come within this definition. I would submit to the Government to look to their interests also. If that is done, a section of the people engaged in this particular profession would be benefited. Some of them are left out now.

Again, a provision regarding gratuity is now introduced for those who want their services to be terminated of their own accord. In the Supreme

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Court judgment a suggestion was made that long service alone would enable them to claim gratuity, and long service was said to be something like 15 years or so. Subsequently, in 1961 the Supreme Court stated that this need not be 15 years, it is not a hard and fast rule and even ten years would be enough. So, that decision of the Supreme Court has now been taken advantage of by Government and a provision incorporated entitling working journalists to claim gratuity even if the period of service is not long.

**Shri Bade:** Do you mean to say that the Supreme Court held that all those who have put in ten years should be given gratuity?

**Shri Maniyangadan:** I am referring to the judgment of 1961 and not the Express Newspaper case. That provision in the judgment has been taken advantage of by Government and a new provision incorporated in the Act regarding gratuity. This action only shows the anxiety on the part of the Government to protect the interests of the working journalists to the maximum.

Coming to the constitution of the Wage Board, I am also of the opinion that it need not consist of three independent persons. Now the provision is that it shall consist of two persons representing the employers of newspaper establishments, two persons representing the working journalists and three independent persons of whom one should be a judge of the High Court or of the Supreme Court. My submission is that over and above the representatives of the interests concerned, only one independent person need be there, who is a Judge of the Supreme Court or of a High Court, who should be the chairman of the Wage Board. Increasing the number of members of the Board is not going to improve matters in any way. So, I would agree with the hon. Members who suggested that the composition of the Wage Board should be as it is in the existing Act. It was stated

here that under the Act of 1958 a Wage Board should have been constituted immediately after three years. Section 8 of the Act says:

"The Central Government may, at any time after the expiry of three years from the date of the order passed by it under this Act, if it is of opinion that circumstances require that the rates of wages specified in the order should be revised, constitute a Wage Board as provided in section 8 of the Working Journalists Act and where a Wage Board is so constituted, the provisions of the Working Journalists Act shall apply thereto."

So, the provision is that after three years, if Government is of opinion that circumstances require that the rates of wages specified in the order should be revised—of course, I agree that there are such circumstances now existing—then a Wage Board should be constituted.

For the clause which was struck down from the Act of 1958, that is, section 5(1)(a)(2), some substitute must be found. So, in the present amending Bill, the clause which has been struck down is introduced in another form, in conformity with the opinion expressed by the Supreme Court. Only after that is done can a wage board be constituted; otherwise, there is no purpose in constituting a wage board. So, my submission is that the Government is perfectly right in having waited to constitute a wage board as provided for in the 1958 Act until the present Bill comes into force.

On the whole I welcome the provisions of the Bill and again congratulate the Government on bringing forward this Bill.

श्री भक्त वंश (गडवाल) : अध्यक्ष महोदय, श्रमजीवी पत्रकारों के सम्बन्ध में दया विधेयक का हृदय से स्वागत और समर्थन करते हुए मुझे गहृमे प्रसन्नता हो रही है। जब कभी मुझे पत्रकारों का स्मरण आता है तो मुझे

अपने देश के उन दिवंगत पत्रकारों की याद आ जाती है जिन्होंने पत्रकार-कला के द्वारा, अपनी कलम के द्वारा, स्वतन्त्रता संग्राम में हमारी बहुत बड़ी सहायता और सेवा की थी। और आज भी अपनी स्वाधीनता को परिपुष्ट करने में हमारे पत्रकार जिस जवांमर्दी और मुस्तेदी के साथ कार्य कर रहे हैं, उस के कारण श्रद्धा से हमारा मस्तक उनके सामने झुक जाता है।

17:17 hrs.

[MR. DEPUTY SPEAKER in the Chair]

इस लिये जब कभी पत्रकारों के सम्बन्ध में कोई भी विधेयक या प्रश्न इस सदन में आता है तो सदन के प्रत्येक भाग से उम का समर्थन होना और प्रत्येक दल के द्वारा उस में सहयोग प्राप्त होना स्वाभाविक है।

मुझे शिकायत केवल इतनी है कि इस विधेयक को लाने में सरकार की ओर से जितनी तत्परता होनी चाहिये थी, जितनी शीघ्रता से इसे लाया जाना चाहिये, या उतनी नहीं हुई। उस के कई वर्ष असमंजस में बीत गये हैं। जब से पहला अधिनियम बना था तब से उस की कमियों के बारे में सरकार को जानकारी प्राप्त होने लगी थी कि उस पर पूरी तौर से अमल नहीं किया जा रहा है, बार बार इस सदन में सरकार का ध्यान आकर्षित किया गया, लेकिन सरकार अभी तक इस विधेयक को यहां नहीं ला पाई, इस बीच में त्रिदलीय सम्मेलन आये गये, उस की बैठकें होती रहीं, जिन की वजह से देरी हुई। ऐसी स्थिति में मैं यह निबदन करना ही चाहता हूं कि सरकार को अपनी इस देरी के लिये कुछ तो प्रायश्चित्त करना चाहिये, और उस प्रायश्चित्त का तरीका यह हो सकता है कि जब इतनी देरी में इस विधेयक को लाया गया है तो इस में जो सुविधायें दी गईं व उन को रिट्रास्पेक्टिव ऐफेक्ट दिया जाय, यानी पहले की तारीख से इस को लागू किया जाय। ऐसा करने पर ही इस का कुछ प्रतिकार हो सकता है। जैसा मुझ से पहले भी कई मित्रों ने

कहा है, कि अगर और पहले से नहीं तो यह सुविधायें पत्रकारों को १ जुलाई, १९६१ से तो अत्यन्त ही प्राप्त कराई जायें। ऐसा करने पर ही इस कमी का कुछ प्रतिकार किया जा सकेगा।

इस विधेयक में जिस मजुरी बोर्ड अथवा वेज बोर्ड की स्थापना की जा रही है, उस का भी मैं स्वागत करता हूं। होना तो यह चाहिये था कि चाहे पत्रकार हों चाहे कोई और श्रमजीवी हों, हमारे देश में एक ही बार में सदैव के लिये उन के वेतन स्तर निश्चित कर दिये जाने चाहिये थे और जैसे जैसे जीवन निर्वाह के साधनों में मंहगाई बढ़ती जाय या घटती जाय वैसे ही क्रम में मंहगाई भत्ता बढ़ता या घटता जाना चाहिये था। यानी "बैसिक पे" एक बार निश्चित कर दी जानी चाहिये क्योंकि बार बार वेज बोर्ड की स्थापना को मैं बड़ी खर्चीली व्यवस्था समझता हूं। होना तो यह चाहिये कि हर दूसरे वर्ष कोई ऐसी व्यवस्था हो जिस के अनुसार जीवन निर्वाह के साधनों में जितनी मंहगाई बढ़ती या घटती जाय उसी के अनुसार "कास्ट आफ लिविंग इन्डेक्स" के अनुसार वेतन-स्तरों में बढ़ोतरी या कमी होती जाय। लेकिन इस में जिस वेज बोर्ड की स्थापना की जा रही है, उस को देख कर मुझे बड़ा आश्चर्य हुआ। जैसी व्यवस्था पहले कानून में की गई थी, वैसी इस में नहीं की जा रही है। मेरी समझ में नहीं आता कि जो तीन स्वतंत्र सदस्य नियुक्त किये जा रहे हैं वे क्या कार्य करेंगे और दो व्यक्ति ऐसे हैं जो कि समाचारपत्रों के मालिकों का प्रतिनिधित्व करेंगे दो प्रतिनिधि ऐसे होंगे जो श्रमजीवी पत्रकारों के प्रतिनिधि होंगे, लेकिन यह जो तीन सज्जन हैं वे किस पक्ष का प्रतिनिधित्व करेंगे, किस दृष्टिकोण को ले कर आयेंगे? मेरे विचार से एक व्यक्ति जिस का पद हाई कोर्ट या सुप्रीम कोर्ट के जज का होगा उस की बात तो मानी जा सकती है लेकिन इस मंहगाई के जमाने में जब हम इमर्जेंसी और

## [श्री भक्त दर्शन]

असाधारण परिस्थिति से गुजर रहे हैं, सात-सात आदमियों का बोर्ड बना देना, जो कि दो-तीन साल बाद अपनी रिपोर्ट देगा और काफी खर्च होगा, यह यहाँ तक उचित है। अतः मेरी नाकिस राय में दो दो व्यक्ति एक एक पक्ष के लिये जायें और एक व्यक्ति जो कि सभापति हो, वह जज की हैसियत का हो और उस व्यक्ति को सरकार नामजद करे। इस तरह के "पंच-पाण्डव" या "पंच-परमेश्वर" जैसे पांच व्यक्ति जो निर्णय करेंगे उस को सारा देश स्वीकार कर लेगा।

श्रीमन्, इस की भाषा से कहीं यह नहीं मालूम होता कि इस बारे में सरकार जल्दी करने वाली है। जब परसों हम परिसीमन आयोग के बारे में बातचीत कर रहे थे तो उसके अन्दर यह शब्दावली रख दी गई थी कि उस अधिनियम के पास होने के बाद जितनी जल्दी हो सकेगा डिजिटल मिशन कमीशन नियुक्त कर दिया जायेगा। लेकिन इस विधेयक में ऐसी कोई शब्दावली नहीं है। इस से मालूम होता है कि या तो सरकार इस की तत्कालिकता के बारे में भ्रम में पड़ी हुई है या वह इसको महसूस नहीं कर रही है। मैं निवेदन करना चाहता हूँ कि इस में पहले ही काफी देरी हो चुकी है—उसके लिये तो जनता सरकार को क्षमा कर देगी—लेकिन अब आगे इसमें देरी नहीं होगी इसका सरकार को आश्वासन देना चाहिये। उसे यह भी आश्वासन देना चाहिये कि इस कानून के बनने के बाद सबसे पहले बेंज बोर्ड की स्थापना की जायेगी।

यह खुशी की बात है कि इसमें इंस्पेक्टरों की व्यवस्था की गयी है। मैं उन सदस्यों में से हूँ जो सरकार का ध्यान इस और लगातार आकर्षित करते रहे हैं कि श्रमजीवी पत्रकारों के लिये जो बेंच-न-स्तर निश्चित किया गया है उस पर अमल नहीं हो रहा है। जब भी इस बारे में सदन में प्रश्न किये गये तो उनका

अस्पष्ट सा उत्तर दे दिया गया कि उन पर अमल हो रहा है, लेकिन कितना अमल हो रहा है और खासकर हिन्दी और प्रादेशिक भाषाओं के पत्रों पर अमल हो रहा है या नहीं इसकी कोई गारंटी नहीं दी गयी। सरकार के पास कोई ऐसी मशीनरी नहीं थी बात की जांच करती। इसलिये जो यह इंस्पेक्टरों की नियुक्ति की व्यवस्था की जा रही है वह बहुत खुशी की बात है। लेकिन मेरा निवेदन है कि उनके अधिकार क्षेत्र में बड़ोतरी की जानी चाहिये और यह आदेश दिया जाना चाहिये कि उनकी नियुक्ति जल्दी से जल्दी की जाये।

एक बड़ी कठिनाई यह होती है कि कानून तो केन्द्रीय संसद् बनाती है और अमल उस पर राज्य सरकारों को करना होता है, और राज्य सरकारें जिस गति से कार्य करती हैं, में उसकी आलोचना या शिकायत तो नहीं करना चाहता, लेकिन केन्द्रीय सरकार के हमारे कर्णधार इस बात को स्वीकार करेंगे कि राज्य सरकारें बहुत ही देरी करती हैं। और कानून पर वर्षों तक अमल नहीं किया जाता। अतः इसके लिये केन्द्रीय सरकार की ओर से राज्य सरकारों को आदेश दिया जाना चाहिये कि इस कानून के बनने के बाद जितनी जल्दी हो सके निरीक्षकों की नियुक्ति की जाये और उनको आदेश दिया जाये कि वे तत्परता से काम करें और माया मोह में न पड़ जायें। माया मोह की बात मैं ने इस लिये कही कि क्योंकि प्रायः देखने में आता है कि "सेंट्रल एक्साइज" के एक इंस्पेक्टर साहब किसी कारखाने के दरवाजे पर बिठा दिये जाते हैं और यदि सरकार उनको एक सौ रुपया बतन देती है तो मिल मालिक उसको एक हजार रुपया देते हैं और जैसा वे चाहते हैं वैसी ही रिपोर्ट वह इंस्पेक्टर गवर्नमेंट को देता है। ऐसा हमारे सेंट्रल एक्साइज में अक्सर होता है। अतः मेरा निवेदन है कि इन निरीक्षकों पर

कड़ा नियंत्रण होना चाहिये और इनको सख्त ताकांद की जानी चाहिये कि वे दृढ़ता से अपने कर्तव्य का पालन करें ।

दूसरी बात में यह निवेदन करना चाहता हूँ कि इसमें यह व्यवस्था की जा रही है कि जो पत्रों के मालिक हैं यदि वे रजिस्टर दिखाने से या आँकड़े देने से इन्कार करें तो पहली बार उन पर दो सौ रुपया जुर्माना किया जायेगा और दूसरी बार ऐसा करने पर उन पर पाँच सौ रुपया जुर्माना किया जायेगा । मैं समझता हूँ कि जब ये लोग लाखों का कारोबार समाचारपत्रों का कर रहे हैं तो इन पर दो सौ या पाँच सौ का जुर्माना नगण्य है । यह तो कुछ भी नहीं है । अब वह जमाना नहीं रह गया है जब कि उदाहरण-स्वरूप स्व० श्री गणेश शंकर विद्यार्थी ने कानपुर में "प्रतापी" की स्थापना की थी, जब वह चटाई पर बैठ कर लेख लिखा करते थे और जब वे लेख उस समाचार पत्र में छपते थे तो नौकर शाही भयभीत होती थी और जनता उनका स्वागत करती थी और उन से प्रेरणा लेती थी । पर अब वह जमाना चला गया । अब तो समाचार पत्र एक व्यवसाय हो गया है जिसमें लाखों रुपये लगाये जाते हैं । इस लिये आज यह कहना कि यदि पत्र का व्यवसाय अपने कर्तव्य का पूरी तरह पालन न करे तो उसको थोड़ा सा जुर्माना देकर छोड़ दिया जाये, यह मुझे उचित नहीं मालूम होता । बल्कि मैं तो निवेदन करूँगा कि क्यों न उनको जेल का दंड दिया जाये ? किन्तु यह सरकार इनको जेल नहीं भेजना चाहती तो कम से कम जुर्माने की मात्रा तो बढ़ा दी जाय ।

मैं मदन का अधिक समय नहीं लेना चाहता । समाज में दो ही वर्ग ऐसे हैं जिन पर मझे दया आती है । एक तो प्राइमरी स्कूलों के अध्यापक हैं, जिनको लोग गुरुओं की संज्ञा तो देते हैं, लेकिन न समाज में उनका सम्मान

है और न उनको भरपेट भोजन मिलता है । यही हालत पत्रकारों की है । प्रति दिन जब हम समाचार पढ़ते हैं तो हमें नये नये समाचार पढ़ कर बड़ी खुशी होती है, लेकिन क्या हम कभी सोचते हैं कि किस तरह से रात रात जाग कर ये श्रमजीवी पत्रकार अपना खून पसीना बहाकर और लगन के साथ अपने कर्तव्य का पालन करते हैं और उनके पीछे कितनी तपस्या का इतिहास है ?

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

Shri S. M. Banerjee (Kanpur): Mr. Deputy-Speaker, I heard with rapt attention to the speeches of various Members of this House. I am sure, every Member raised certain points in favour of the working journalists. It is really surprising that after such a long time, the Government could not come before this House with a comprehensive Bill satisfying the various demands of the working journalists. My hon. friend Shri H. N. Mukerjee has raised so many points. Those points have been hammered by the working journalists throughout the country in the form of resolutions or demonstrations or slogans and they have requested that these demands should be embodied in this Bill. It is really surprising that certain assurances given by the former Deputy Labour Minister Shri Abid Ali have not even come true. For instance, about gratuity he had given an assurance. I have got with me here a note which has been circulated by the working journalists, giving valuable information to the Members of this House. From that note I find that an assurance was given at a tripartite meeting by the then Deputy Labour Minister Shri Abid Ali, and a specific assurance was given, that Government would give retrospective effect to the new gratuity clause at least from 1st July, 1961. It is most unfortunate that even this has been denied to the working journalists.

[Shri S. M. Banerjee]

Today, in our country, when we are facing naked aggression by the Chinese, when the working journalists have risen to a pitch where they are trying to rouse the national sentiments of the millions of the people who are newspaper-readers, and when they are helping the country to fight or combat the sinister plans of these Chinese war-mongers, I find that Government are not still convinced that they also deserve something in this country.

About the composition of the wage board, the hon. Deputy Minister while piloting this Bill said that it was much better to have three independents. I do not know on whom these three independents will be dependent. Why not accept the following simple proposition? After all, the composition of the first wage board was considered by the Supreme Court and it never raised any objection. I do not know why it is being changed. I am yet to know the reason for changing the composition of the wage board.

The amendment which I have tabled, and which I hope will be supported by all is very simple. It seeks to provide for the composition of the board in the following manner, namely:

"The board shall consist of an equal number of persons nominated by the Central Government to represent the employers in relation to newspaper establishments and employees and an independent person, who is a High Court judge, shall be appointed by the Central Government as the Chairman thereof."

Sir, is a High Court Judge not independent? Without imputing any motives to any independent, including myself, I do not see who is much more independent than a High Court judge, and as such, Government should have reposed confidence in the impartiality of a High Court judge. I am sure that what I have suggested

will be the ideal composition of the wage board, and I am sure it will be acceptable to our working journalist friends. I do not know why that composition has been disturbed.

There is another point which has been raised by my hon. friend Shri Bade. He raised it by way of a point of order which you, Sir, in your wisdom disallowed. That was about the new section 19B which is proposed to be inserted. It reads thus:

"Nothing in this Act or the Working Journalists (Fixation of Rates of Wages) Act, 1958 shall apply to any working journalist who is an employee of the Government to whom the Fundamental and Supplementary Rules, Civil Services (Classification, Control and Appeal) Rules, Civil Services (Temporary Service) Rules, Revised Leave Rules, Civil Service Regulations, Civilians in Defence Services (Classification, Control and Appeal) Rules or the Indian Railway Establishment Code or any other rules or regulations that may be notified in this behalf by the Central Government in the Official Gazette apply."

This virtually means that all those proof-readers who were covered previously by this Act will not be covered by it now. It means that whatever is given to the working journalists will not be made applicable to those who are working in the Government presses. The working journalists or the employees working in the various Government presses are working round the clock in the interests of the country; and after this emergency, they have almost doubled up their work. When they are working round the clock, they are being denied the little benefit which may accrue to them after the passage of the Bill. That is why I demand that this should be omitted completely. This does not sound well. This is a clear case of discrimination. I know that the Constitution is so sacred to

us. Why should we discriminate against an employee merely because he works in a Government concern? So, I fully support the contention of my hon. friend Shri Bade and request the hon. Minister through you that this should be completely omitted.

**Shri Bade:** Not only that. If more benefits are to be given to the Government servants and Government press workers, those benefits should be given to the other journalists also. There should be no discrimination between the two either way.

**Shri S. M. Banerjee:** About the formation of the wage board, all the speakers on behalf of the Government, whenever they attend any conference of the working journalists or even other conferences, praise the working journalists and say that the wage board will be constituted. It was to be appointed in 1962. Question after question was raised in this House, and the Minister, his Deputy and even the Parliamentary Secretary who was here never replied in the negative. They always gave us a feeling that the wage board was going to be appointed. I would like to know from the hon. Minister when the wage board is likely to be appointed. Merely because a note has been circulated by the newspaper magnates, who are controlling the newspapers today, who are controlling the jute industry, the sugar industry, the banks and general insurance,—practically six bank families are controlling the entire economy of this country—just because they do not want the appointment of a wage board, should Government yield to their pressure? It is a matter which has come before the House many times and we got an assurance from the hon. Minister that the wage board would be appointed. I would request the hon. Minister in his reply to make a categorical statement that the wage board will be appointed, and that no amount of pressure from the newspaper magnates will change the decision of the Government if at all they have taken such a decision. I doubt whether they have taken the decision.

If they have taken the decision, nothing should come in the way.

Then I come to the clause regarding termination on grounds of conscience. I am happy that the question of conscience has been raised. I appeal to the conscience of the working journalists of this country, and my appeal is very simple. I appeal to them that journalism in this country should not be sensationalism, journalism should be something which should be sacred. An impartial attitude should be adopted by the working journalists, for whom I have the greatest respect. I appeal to them to counteract the sinister propaganda carried on by both the *Peking Review* and the Peking Radio and also the very subtle propaganda by other sources.

**Mr. Deputy-Speaker:** His time is up.

**Shri S. M. Banerjee:** I will take three minutes.

**Mr. Deputy-Speaker:** There is a large number of speakers.

**Shri S. M. Banerjee:** Only three minutes.

For the information of this House, I would like to quote certain things from the papers. A very well-known journal called *Time*, the Weekly News Magazine, has criticised India's foreign policy. It is a blueprint as to how they actually want India's policy to be changed. It says:

"Ten months ago, Nehru appointed Lieut.-General Brij Kaul, 50, to command the NEFA area. Then without consulting any of his military men, Nehru publicly ordered Kaul to drive out the Chinese invaders of NEFA."

"The opposing armies were of unequal size, skill and equipment."

This is a thing which is daily propagated by Peking Radio, that it is the Indian Government which ordered the invasion. I am sorry this magazine has been allowed open circulation in this country.

[Shri S. M. Banerjee]

Not only this. I would also quote another journal, *News Week*. What did they write?

They wrote:

"India has no choice; as of last week, thanks to years of un-wisdom, India was temporarily a defeated nation."

Such a scandalous propaganda which is baseless which can be as well the propaganda of the invaders and war-mongers is mischievous. But these papers are allowed to be circulated freely. That is why I have taken the courage and conviction to circulate these among the Members of Parliament. I would request them to come out openly against these things. I appeal to the conscience of the working journalists to counteract this sort of propaganda while we try to defend their interests. They should show to these people that our people cannot fail to see that these are fifth column ideas intended to weaken our Prime Minister. These slogans are intended to make us surrender our freedom and force us to leave ourselves to be defended by more competent foreign armies. These friends plead that we are destined to helplessness.

Our determination is this. India has to build itself strong to meet all dangers under the leadership of our beloved Prime Minister. We shall not surrender an inch of our land neither in NEFA nor in Ladakh, nor in Kashmir. I do not suggest that these publications should be banned. But these issues should be considered by all those who feel that the Chinese invaders should be sent out of our sacred soil. We should tell these people that their propaganda is not going to help this nation in this hour of peril.

**Shri A. N. Vidyalankar** (Hoshiarpur): All sections of the House have supported this most useful and most welcome measure. I also feel that this should have come much earlier. Now that it has come, I hope every

effort will be made to appoint a wage-board as soon as the Bill is passed.

This Bill relates to the freedom of the journalists; it gives them protection. A free Press is absolutely essential and vital for a free and democratic society. Freedom of the Press does not only mean that the owners of the Press should be free; it means that those who work day and night to run the business should be well-protected and their opinions and their conscience should be fully protected; they should be absolutely free to express their opinion. At present they are not so free; they are yet under severe bondage. The Press owners get published whatever they want. For instance, correspondents are prevented from sending objective reports. Headlines are given in such a manner that the opinion of the owners of the Press are reflected and not the free opinion of the journalists. So, I feel that the conscience of these workers must be protected. In ancient times in India the Brahmins who generally moulded public opinion were protected from the wrath of the rulers and from the bondage of the rich. In modern world, it is essential that these working journalists who are like modern brahmins, who have the knowledge and the capacity to mould public opinion. Therefore, they should be protected. They should be free to express unfettered opinion and they should be protected from their most powerful employers. Therefore, this Bill gives protection to these journalists.

I just want that we should all understand and fully appreciate the role of the press people. In fact, in our society, it is very essential that we should understand the role of these workers who really mould the society, who really work for the country. In order to mould public opinion, in order to give the people what is required to form an independent judgment, and in order to influence them, it is very necessary that the journalists should be given full protection.

I feel that so far, our law relating to the journalists is still inadequate. It is not still such as it should be. But still, whatever has been presented, I welcome it, and I hope that, as suggested by some hon. friends, a comprehensive Bill will be presented to this House and the limits of freedom to those journalists will be further extended.

Then, my hon. friend Shri D. C. Sharma had pointed out that the journalists also suffer: they contact sometimes serious occupational diseases. For instance, I know that many of the journalists suffer from T.B. because they have to work hard. Their working conditions at various places are almost such as we have in worse type of factories where proper working conditions are enforced. The journalists work under such conditions as are not at all suitable for their health. Therefore, some kind of provision should have been made to protect them and to give them all sorts of help in time whenever they get these occupational diseases. So far we have not given them that protection.

Then I agree that this measure should have been given retrospective effect. I do not know why it has not been given that effect. The position was, the Supreme Court judgment came in the way. We intended to give the journalists gratuity with effect from a certain date. Later some assurance was given in the tripartite committee that the measures will be made applicable from 1st July, 1961. I do not know why the retrospective effect is not being given.

With regard to the ten years' limit, I feel that the Supreme Court's judgment did not want any rigidity in this matter. The Deputy Minister has read from the second judgment of the Supreme Court and has stated how on the basis of that judgment rigidity has been removed. It is not at all necessary that we should put a limit of ten years. I think that limit

can be reduced, and it should be reduced.

Similarly, just as my hon. friend Shri D. C. Sharma has said, I feel that in the matter of conscience there can be no limit. After all the conditions and circumstances in which the journalists work are such that their freedom is so limited; in spite of these Acts and in spite of these provisions, their freedom would be very much restricted still. And, therefore, I feel that in the matter of conscience, there should be no limit, and whenever a person feels that his conscience is being influenced, that he cannot keep up his conscience, and if he resigns on that ground, he should be perfectly protected.

I was also reading the note which has been circulated by the Indian and Eastern Newspaper Society. It has been stated that 'conscience' should be defined or the application of this clause it should be made disputable. It has been said that the definition of 'conscience' should be made disputable in the law courts. I do not think that it should be made disputable. Conscience is conscience, and when a person feels the pricks of his conscience pangs the pin of his conscience, it is not for the courts to decide what is conscience and what is not. Therefore, no restriction should be placed on that.

With regard to the execution, I welcome the provision that inspectors will be appointed. But I have experience of inspectors elsewhere. Inspectors without wide powers find it very difficult to enforce the law. I desire that in this respect the Labour Ministry will benefit from the experience gained in the execution of other laws. So, at least in the rules or in the Government Orders, some provision should be made, so that the inspectors should be able to do their work properly and efficiently.

I understand that the disputes will generally go to the ordinary law courts. I have experience of the working of other laws. When they go to the ordinary law courts, they

[Shri A. N. Vidyalkar]

are delayed and sometimes years pass without any decision being given. I think, therefore, these cases should go to the special labour courts or tribunals which should be entrusted with the task of trying these cases, so that there is not much delay in the disposal of the cases.

Lastly, I submit that the punishment prescribed in the Bill is very light. For the owners of papers, to pay a fine of Rs. 200 or Rs. 500 do not mean much. Therefore, the punishment should be deterrent and it should not be light.

With these words, I support the Bill. I hope the Minister will accept such amendments in the Bill which practically every section of the House has suggested.

**श्री यशपाल सिंह (कैराना) :**

उपाध्यक्ष महोदय, मैं ज्यादा समय न लेने हुये दो या तीन सजेस्टन्स देना चाहता हूँ।

जो गवर्नमेंट प्रेस के कर्मचारी हैं, उन के लिये इस बिल में कोई ऐसी प्राविजन नहीं है कि उन को भी तरबकी मिल सके। जो सरकारी कर्मचारी हैं, उन के लिये भी वही रियायतें मिलनी चाहिये, जो कि हम बाहर देते हैं।

कोई पैनल हो या कोई बोर्ड, उस में वर्किंग जर्नलिस्ट्स के वोट्स से चुने हुये लोग हॉफ चाहिये। नामिनेटड लोग होंगे, तो वे वर्किंग जर्नलिस्ट्स का इन्ट्रेस्ट सर्व नहीं कर सकेंगे। इस लिये उन के अपने वोट्स से चुने हुये नुमाइन्दे होने चाहिये।

सरकार को किसी भी प्रेस या न्यूज-पेपर के साथ स्टैपमदरली ट्रीटमेंट नहीं करना चाहिये। जिस डेमोक्रेसी के लिये और संसु-लरिज्म के लिये हम खड़े हुये हैं, उस में हम

ने ४४ करोड़ लोगों को प्रेम की एक गंगा में स्नान कराना है। मैं देखता हूँ कि अकाली मूवमेंट खत्म हो गई, पंजाबी सूबे की मांग भी खत्म हो गई और सब अकाली लीडर्ज को रिहा कर दिया गया है। इस वक्त कोई झगड़ा नहीं है। लेकिन दिल्ली के एक गरीब न्यूजपेपर के खिलाफ अब भी सरकार ने मुकदमा चला रखा है कि उस ने पंजाबी सूबे की डिमांड को प्नीड किया था और उस डिमांड को आगे बढ़ाया था। मैं निवेदन करना चाहता हूँ कि इस समय सरकार के लिये ऐसा करना शोभा नहीं देता है।

**श्री बी० चं० शर्मा :** कौन सा पेपर है ?

**श्री यशपाल सिंह :** नई दुनिया । मैं नाम नहीं देना चाहता था ।

मान लीजिये कि मैंने कोई जर्म किया है, तो सरकार मुझे तो रिहा कर दे, लेकिन जिस ने मेरी इमदाद की है, उस पर मुकदमा चला दे, यह एक ऐसी बात है, जो कि हमारे जनतन्त्र को शोभा नहीं देती।

जैसा कि मैं पहले कहा है, कोई भी बोर्ड, पैनल या ट्रिब्यूनल बने, इस जमान में सरकार को उसे नामिनेट नहीं करना चाहिये, बल्कि वर्किंग जर्नलिस्ट को यह अधिकार होना चाहिये कि वे अपने वोटों से उस बोर्ड को कायम करें और उन लोगों को उस में रखें, जो कि इन्माफ देने वाले हों।

मैं अपने श्रद्धेय माननीय श्री दीवान चन्द्र शर्मा की उस बात से सौ फीसदी सहमत हूँ, जो उन्होंने कही कि वर्किंग जर्नलिस्ट्स को काम करते करते जो डिजाज होती हैं, गवर्नमेंट की तरफ से उन के निराकरण और ट्रीटमेंट का इन्तजाम होना चाहिये।

सरकार को चाहिये कि वह हिन्दी और अंग्रेजी में अब कोई भेद न रखे। हिन्दी प्रेस को का जो भेद है, यह सरकार को शोभा नहीं

देता है। अंग्रेजी के अखबारों में अच्छी से अच्छी तनख्वाह मिलती है जब कि हिन्दी के अखबारों में कम से कम तनख्वाह मिलती है। यह भेद जो इस वक्त है, यह खत्म होना चाहिये। ऐसा एटमसफीयर तैयार किया जाना चाहिये कि हमारे लोग जो प्रेस में काम करते हैं, बकिंग जर्नलिस्ट हैं, वे ख्याल करें कि हम सब को एक निगाह से देखा जा रहा है।

इन लोगों के ऊपर आज जो जिम्मेवारी है वह भी बहुत बड़ी है। सरकार को उन पर इस वक्त बड़ा भारी भरोसा करना है। उन्होंने यह साबित कर दिया है कि देश को आगे ले जाने में, चाटना को पीछे धकेलने में उन्होंने सब से ज्यादा गविसेस की हैं। इस वक्त देश में जो एटमसफीयर है वह ऐसा है कि लोगों ने अपने भेदभाव भुला दिये हैं, पाटों फिक्रशंज को भला दिया है और सब एक जगह आ कर खड़े हो गये हैं। उस का सब से ज्यादा श्रेय हमारी प्रेस को है, हमारे अखबारों को है, बकिंग जर्नलिस्ट्स को है, उन लोगों को है जो भूखे रह करके भी देश की सेवा कर रहे हैं।

मैं ज्यादा समय नहीं लेना चाहता हूँ। मुझे धम दही सर्जिंस आपके सामने रखनी थीं। मैं उम्मीद करता हूँ कि माननीय मंत्री जी इन पर जरूर ध्यान देंगे।

**Shrimati Lakshmikanthamma** (Khammam): Mr. Deputy-Speaker, Sir, I welcome the Working Journalists (Amendment) Bill, 1962. Let me take this opportunity to congratulate the working journalists who have played a tremendous and very appreciable role during this emergency. I am sure they must have been sitting very late in the night only to give the latest news to the very anxious people all over the country.

Sir, I myself was associated with a Working Journalists Association at

Hyderabad, and I can understand the difficulties and the problems facing the working journalists. I say that there should be a more human approach on the part of the employers. I know an instance where—our friends have been discussing about it, and the purpose of this Bill is also that—because of conscience a person resigned. The purpose of the Bill is that in such a case he should be paid gratuity. I know an instance where a big officer working in a press, the Chief Staff Reporter earning about Rs. 600 per month, had to resign his job because of his conscience, what will happen to him the next day. A person earning a decent salary would be left without a job the next day, but he does not bother about all that, about what happens to him the next day. What is important is, these people go according to their conscience. They would never like to be bossed over or treated merely as some workers for a petty sum of money. Most of these employers are more business like. They give importance to the person as long as he is useful to them. The importance that they give to a working journalist depends upon his use to them. Once they feel that he is a bit independent or bold or that he is giving views which are contrary to the views of the capitalists, then the trouble starts.

We must also understand the great difficulties involved in the job of a working journalist. It requires a subtle understanding of the problem. It is an intelligent job. On the one hand, he should try to act according to his conscience and, on the other hand, he should try to do his duty to his satisfaction. Then, he has to please his boss also. Every time he cannot go against the will of his boss. Most of them, knowing the working journalists as we do, are full of patriotism. They try to serve the country, with all their limitations, to the maximum capacity that they can and help in solving our economic and social problems. As some of our friends have stated, some people

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choose this job because of their love of journalism; not merely because of getting some job or some money.

Here I would like to make an appeal to the capitalists or monopolists, whoever they may be, that they should also in their own interests, give more and more importance to the personal aspect of the working journalists and allow the bud of their intelligence to bloom. They should not exploit the situation in which the working journalists are placed.

I also agree with some of my hon. friends that though most of the journalists, because of their economic conditions, have to do their work for earning their livelihood, they look upon this profession as sacred. I had opportunity to visit some of the presses where these journalists are working and I have found that they work like machines. So, it is quite correct that Government have brought forward this Bill, making provision for payment of gratuity to the journalists. It is a welcome provision. It is also a good thing that they are going to constitute a wage board very shortly.

Shri H. N. Mukerjee stated that big money controls the press. It is true. We cannot expect big money or a capitalist to have socialist ideals. He is doing it for his profit. As long as he does it, he is interested in the welfare of his enterprise and larger profits. We cannot blame him for that. We have to blame only ourselves for creating that situation. I want to know from my hon. friend what he has done to solve this problem.

I have a suggestion to make in this connection. Since we believe in a socialist co-operative commonwealth, why not the working journalists form themselves into co-operative organisations? With their efficiency and experience, and also with the help of Government, they can run presses, independently.

**Shri Daji:** They will not get Government advertisement.

**Shrimati Lakshmikanthamma:** Government is there to give advertisements and encourage the press.

**Shri C. K. Bhattacharyya:** Government advertisements are given to Communist Party organs.

**Shri Daji:** Very few.

**Shri C. K. Bhattacharyya:** I have found it in Calcutta.

**Shri Daji:** Very few.

**Shrimati Lakshmikanthamma:** If my friends have faith in Communism, why should they expect these people to live and sustain only through advertisements? They may put their faith in larger circulation of newspapers and reaching the papers to all corners of the country.

**Shri Bade:** It is impossible.

**Shri Warrior:** It was tried in Bombay and failed.

**Shrimati Lakshmikanthamma:** It is true that the monopolistic press is very well organised. But it can be done in the case of other papers also. Of course, at the present juncture, I do not say that the entire press should be nationalised, but still I am in favour of more and more of these enterprises being taken in the public sector by the Government.

The press as a whole, whether capitalist or otherwise, is doing a very good service during this emergency. Still, I am not satisfied with their performance. I still feel that they are not giving enough prominence to our policies. For example, take the policy of neutrality. They have been quite silent on that, and I do not know why. The whole world appreciates it, everybody knows it and it has paid us sumptuously. So, why should they not give more and more importance to our views and ideas and our policy of neutrality? I do not know, perhaps

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it is likely that most of these working journalists would like to do it but, as we all know, they have their own limitations; they are not free to express what they feel right; they have to express only what their boss wants them to say.

18 hrs.

**Shri D. C. Sharma:** No, no, they are not like that.

**Shrimati Lakshmikanthamma:** Still I feel so. This Bill is welcome and that many more measures like this will be brought forward in the near future for the welfare of the working journalists.

**Mr. Deputy-Speaker:** Shri Chandak ..... Absent. Shri K. L. More.

**Shri K. L. More (Hatakanangle):** Mr. Deputy-Speaker, Sir, I rise to support this measure. It is a welcome measure and I support it wholeheartedly. But in order to make this measure most beneficial, certain things

are to be remedied and in regard to that I want to make two or three suggestions.

In the first place, this measure should be made retrospective in effect. In this respect I support Shri Bhattacharyya. Another suggestion of mine is regarding the constitution of the Wage Board. Formerly it consisted of five members but clause 4 seeks to alter the number to seven. I think, there is no necessity for changing the constitution of the Board. It was independent.

**Mr. Deputy-Speaker:** Does he want more time or is he finishing shortly?

**Shri K. L. More:** I would like to continue tomorrow.

**Mr. Deputy-Speaker:** He can continue tomorrow. The House stands adjourned till 12 noon tomorrow.

18.01 hrs.

*The Lok Sabha then adjourned till Twelve of the Clock on Thursday, the 6th December, 1962|Agrahayana 15, 1884 (Saka).*