

A situation may arise when this question of recovery may not be undertaken at all and the work could then be handled by social workers who can contact people, who can contact those women and do the work. If they find that any woman requires any assistance that assistance could be rendered within the ambit of law as may be possible. I do not exclude that possibility, but my respectful contention is that the stage has not yet been reached to pass on that burden to our sisters at the time of recovery. Later on, after the recovery, they should increasingly take a greater load of responsibility. They are already taking a great deal of load in the matter of management of camps, doing social work in the camps in both the countries etc. They can also help in the question of children women, in the matter of treating their ailments, ascertaining their difficulties—emotional, psychological and the like—and then suggesting suitable remedies for them.

These were the principal points that have been urged. I know that there were a number of other points also which were urged, but I would not take the time of this House in going through all those details. I only want to assure this House that it is not the intention of anybody to prolong this Act even for a day longer than what is absolutely necessary, and our effort would be to wind up this work during this one year. Even if any work remains outstanding, then, that work could be handled by some other method, perhaps on a social level, somewhat of the type that has been suggested by more than one hon. Member.

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

“That the Bill to continue the Abducted Persons (Recovery and Restoration) Act, 1949, for a further period be taken into consideration”.

*The motion was adopted.*

*Clause 2 was added to the Bill.*

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

**Sardar Swaran Singh:** I beg to move:

“That the Bill be passed”.

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

“That the Bill be passed”.

*The motion was adopted.*

#### YOUNG PERSONS (HARMFUL PUBLICATIONS) BILL

**The Minister of Home Affairs (Pandit G. B. Pant):** I beg to move:

“That the Bill to prevent the dissemination of certain publications harmful to young persons be taken into consideration.”

This is a simple and short Bill. The Bill was introduced more than a year ago and it was, I think, received with approval not only in this House but also outside. It had a good Press. The objects and reasons are succinctly mentioned in the statement appended to the Bill. The Lok Sabha Secretariat have also issued a very lucid brochure on the subject which gives the background and also the facts bearing on the provisions of this Bill. The Bill has a laudable purpose and I believe that it will be unanimously accepted by the House. It seeks to protect the juveniles and the adolescents from vulgarity, crime, sadism, violence, morbidity and the like. As the Press Commission stated, publications of this character are against our culture. Such publications exploit crime, violence and sex and are deleterious to children and the young persons. Horror comics, as they are called, have caused enough of horror and damage in other countries. We issued a notification banning the import of horror comics into our country sometime before this Bill was introduced. Publications of this character are particularly reprehensible as they are meant for the use of children and young persons whose susceptibilities and impressionabilities at that age make them easy victims of the influences which are borne upon them

[Pandit G. B. Pant]

by horror comics and other books of that type. They undermine the sense of morality. They do great outrage to the fine qualities of mercy, compassion, and sympathy, and they lower in one's estimate the standards of decency. They have been condemned by all thinking people in the modern countries also. In fact, there, many crimes even of a heinous nature have been committed by children. One could not have imagined that these little boys and girls could be capable of doing such heinous misdeeds. So, it is necessary to take effective measures in order to protect our own children. That is the purpose of this Bill, and I do not think it is necessary for me to say more in its support.

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

"That the Bill to prevent the dissemination of certain publications harmful to young persons be taken into consideration."

Before I call upon the hon. Members to speak, we must be clear what time we shall allot to the general discussion, clause-by-clause consideration, etc. The time allowed for the Bill is two hours.

**Pandit G. B. Pant:** I do not think it is necessary to allot any time. I hope it will be finished in 15 minutes.

**Dr. Rama Rao (Kakinada):** 1½ hours for general discussion and half an hour for the rest.

**Mr. Deputy-Speaker:** We will see to it, as the debate proceeds.

**Dr. Rama Rao:** I support this Bill though the Bill itself is limited in its purpose and is rather of a negative character. Our Lok Sabha Secretariat has supplied us a very helpful brochure from which I shall read a few lines.

"Dr. Fredric Wertham, M.D., in his illuminating book "*Seduction of the Innocent*" analyses the influence of comic books."

Among other things, "he summarises the most subtle and pervading effect of crime comics on children in a single phrase: *Moral Disarmament*. This

consists chiefly in the blunting of the finer feelings of conscience, of mercy, of sympathy for other peoples' sufferings and of respect for women as women and not merely as sex objects to be bandied about...." and so on.

Further, "A U.S. Senate Subcommittee appointed recently to study Juvenile Delinquency, concludes its report with these words:

"This country—

'this country' refers to America—

"cannot afford the calculated risk involved in feeding its children through comic books,— of course, the hon. Minister has referred already to the comic books—

"a concentrated diet of crime, horror and violence.... It is during childhood that the individual's concepts of right and wrong and his reactions to society's standards are largely developed."

"All concerned should unite in supporting sincere efforts of the comics industry to raise the standard of its products and in demanding adequate standards of decency and good taste."

I will read one more sentence with reference to France. They received a large amount of gift books from America and the teachers in France found to their amazement that the books were full of horror comics:

"It contained so many comics that the French teachers, in dismay, begged us to desist from sending such books, for French children began to picture America as a country of gangsters and robbers, where shooting, killing and torturing were everyday occurrences."

The following sentence is also about France:

"A series of instances of juvenile delinquency where children had aped episodes and techniques of violence shown in comic books' helped to crystallize public opinion."

I am quoting all this to show the effect of the books we are now having.

It is a very welcome factor, which many other hon. Members must also have noticed, that of late there is a great demand of books. It is welcome, but the main problem is, what is the kind of books that the children lay their hands upon now? All that they are able to get easily and cheaply is this sort of horror comics. During the last three or four months, at least in Tamil Nad and Andhra, the so-called detective books with charming covers of pictures of beautiful women in various poses and the so-called detective journals have been on the increase and youngsters read them till 2 o'clock in the night. They do not lay down the books without finishing them. If they are good and healthy books, we have no objection. But, in the name of detective books, all sorts of books containing horror comics, but with attractive covers, are being sold to our young people in large numbers. Formerly there used to be great difficulty in selling thousand copies of any edition, but now the demand for books has increased. It is a welcome thing; but, where is the supply? My point is that the Government should supply good books and meet the demand in a positive manner. The Government must take up this responsibility. The Government cannot say that they will leave it to the private enterprise. This sort of alibi is not acceptable to me. It is the primary duty of the Government to give the best books to the children. When the children are at a very impressionable age, we are creating a vacuum. Young minds do not live in vacuums. The Government should supply good story books, novels, scientific books etc. in a presentable form. I ask, is there any books by Premchand, Tagore or our Prime Minister which are available in cheap editions? Many of these books are costly. Of course, I am not referring to costly foreign editions of Prime Minister's books; but, the other books can be brought up in a presentable form and sold to the children.

I have already referred to the books with attractive covers sold in Tamil

Nad and Andhra in Tamil and Telugu. I hope it is so in other languages also. In New Zealand, a special committee was appointed by the Government and they said:

"The suggestiveness in the cover pictures of glamour girls dressed in a thin veiling often attract more attention than the pages inside."

From this we must learn a lesson. We have got valuable material which is presented in an unattractive fashion. The children are attracted by beautiful covers and they go on reading these books. My suggestion to the hon. Minister is that it is the primary duty of the Central Government that they publish good books on their account. The Central Government can use its influence and as a State Publishing Department it can specialise in publishing books for children. On a previous occasion, I have mentioned that all text-books must be published by the State only, because worthless books are now prescribed as text-books just because the authors have some influence with the people in power. Nice books can be printed on costly paper with attractive pictures and yet the Government can sell them at cheap rates. It is the duty of the Government to publish such books and make them available at cheap rates. This must be done in all the 14 national languages.

Nowadays, many children are anxiously reading some of the children's papers and magazines. I know there is one such magazine—*Ambulimama* which is published in Madras in many languages—Gujarati, Hindi, Marathi etc. The children wait for the arrival of such magazines and read them. If the Government publishes some such magazines, then we can ask the children to read them. I hope you will not mind my striking a personal note. I told my son, a young boy, something about stars, constellations etc. and now he is very much interested in the subject. He wants to know more; he brings some popular text-books in English beautifully illustrated and he wants me to explain the contents. So, children understand

[Dr. Rama Rao]

even scientific things, provided they have properly illustrated text-books. He asked me for a text-book in my language, Telugu, but unfortunately, there is not a single text-book in that language which I can place in the hands of the young boy which he can read and understand. So, even such abstract subjects like astronomy are very fascinating to young minds. There are so many subjects like geology, biology etc. and simple text-books with good illustrations can be published in the various languages.

Though it is not connected with this Bill, I may go a step further and say that the Government should create a department of children's literature. The Government can produce children's films—something is being done here, but that is by some private agency. These are days for setting up children's clubs, children's libraries, children's theatres and also children's palaces, as they have done in China. In these children's palaces, there are various avocations and extra curricular activities for developing the creative faculties of the children. These are the things which we must give for our children to occupy their minds, bodies and talents. If we do that, we can be sure that the object of the Bill would be served. If we just pass some law and leave it to the private enterprise, they will cheat the law through so many loopholes. Therefore, while welcoming the Bill, I request the Government to create a positive element in this matter.

In this connection, I want to refer to our Prime Minister's birthday. It is very pleasing to note that his birthday is associated with children's day. My suggestion is, why not present to the Prime Minister hundred new text-books for children in various languages on every birthday? The hon. Home Minister can draw the attention of the various State Governments that by the next November 14th, they should produce so many children's books in their languages. That would be a very good way of celebrating the

Prime Minister's birthday. I think the Prime Minister—I do not know what to do—must give some of his time to write books for children. He has got millions of nephews and nieces.

**An Hon. Member:** He is a good writer.

**Dr. Rama Rao:** Unfortunately, his time is wasted otherwise.

**An Hon. Member:** Wasted?

**Dr. Rama Rao:** I will explain. It is wonderful how he finds time for so many things. While most of the things are essential, a few things can be avoided and that time can be devoted for this purpose. I am sure the Home Minister will use his influence or whatever powers he has and see that the Prime Minister starts writing some books for the children and thus gives a positive aspect to this problem. I support the Bill.

**Mr. Deputy-Speaker:** One thing I should like to make clear. I have already 7 or 8 names and probably there may be others who have not sent their names, but want to speak. We ought to be careful that at least we conclude by 5 o'clock. Though I am not placing any restrictions on the speeches, I would appeal to the Members to be as brief as possible in their comments.

**Shrimati Jayashri (Bombay—Suburban):** Deputy-Speaker Sir, I welcome this measure. It has not come a day too soon. In June 1955, the Government of India banned, under section 19 of the Sea Customs Act, the import in India of harmful horror comics. This Bill seeks to ban the production of such literature and also circulation of such literature in India.

I am surprised that we should not have so far thought of bringing forward such a measure when we know that so many other countries had already passed legislations on this subject. We are trying to look to the

health of the body, but, I am sorry to say that we have neglected the soul of our people. I would say that the parents are responsible for the literature that is placed in the hands of their children. They are to be blamed if they allow their children to read literature which they know is doing harm to their mind. We know that the mind of the children is like a pure mirror and whatever is brought them is reflected in this mirror. We have to be very careful when such literature is brought before them. As I said, the parents are very much responsible.

A few years ago, I know, in Bombay, in one of our Womens' conferences, the women had protested against showing films which will do harm to the children. I should think that publication of this kind of books will do more harm because, these will go into the hands of a larger number of children. The film is seen only by those who can afford to pay. If such literature is allowed to be read by the children, it will do more harm to the mind of the young generation.

We know that in rich countries like America and England, cases of juvenile delinquency are increasing. If we look to the reasons for this, we can understand that there is a plethora of such literature coming into their hands and even in films, television, etc., they show such horror comics. We had so far allowed such literature to be imported into India. It is a good thing that we have our own culture still in our homes and due to that, our children have not been so much affected as those in other countries. I would like to read out a small passage. This matter was discussed in the U.N.E.S.C.O. conference.

Dr. Frederic Wertham M.D. in his illuminating book *Seduction of the innocent*, analyses the influence of comic books on the American youth and states that "comic books are an invitation to illiteracy and create an atmosphere of cruelty and deceit, stimulate unwholesome fantasies, suggest criminal or sexually abnormal

ideas, create a readiness for temptation, suggest forms which a delinquent impulse may take and supply details of technique". This literature has also come to our country. It is, I think, the duty of the Government to see that there is a ban on such literature.

I agree with some of the amendments that have been tabled for this Bill. We have suggested that the age of the youth should be 20. I think we can raise it to 21. I think till 21, the age is more impressionable. We have also in our Guardianship Act considered that till 21, the boy should be considered a minor. Similarly, I agree with one amendment suggested by Pandit Thakur Das Bhargava, that a Committee—I would call it a Commission—consisting of Judges, authors, publishers and youth organisations, should see what kind of books should be allowed to be published and circulated. Instead of the courts sitting in judgment whether they should be published or not, I should think that a Commission would be better to deal with this matter. This will be an All-India question and this Commission can go into the matter whenever such literature is published. That would be the right body to deal with this matter. If they consider that a literature is harmful, that case may go to the Court. But first it should be dealt with by a committee or a commission, whatever we may call it, in which there may be social workers, members of youth organisations, Judges and also those who are dealing with juvenile delinquency.

I have also an amendment to....

**Mr. Deputy-Speaker:** Would it not be better if the hon. lady Member dealt with the amendment when the clause is taken up?

**Shrimati Jayashri:** I want that immoral behaviour should also be considered harmful. In clause 2, nothing is said about this. I would like to suggest that this should also be added.

**Mr. Deputy-Speaker:** We will consider that when we take up the clause.

**Shrimati Jayashri:** With these words, I heartily support this Bill.

श्रीमती जिबराबबतो नेहरू (जिला लखनऊ—मध्य) : माननीय उपाध्यक्ष महोदय, मैं इस बिल का हृदय से समर्थन करती हूँ और जिस ध्येय से यह बिल लाया गया है, मैं उस को सराहनीय समझती हूँ। इस बिल के द्वारा ऐसे सब लिटरेचर (साहित्य) के विक्रय और वितरण पर—उस लिटरेचर में पुस्तकें हों या तस्वीरें—कानून के द्वारा प्रतिबन्ध लगाया जा रहा है, जिन में गन्दी प्रेम कहानियाँ हों, अपराधों को मनोरंजक और आकर्षक रूप में दिखाया गया हो, जिन को हारर कामिक्स (थ्रीमंस्त्र साहित्य) कहा जाता है, और जिन के द्वारा अपराधी और दुष्ट को और हिंसक को एक हीरो (नायक) के रूप में दिखाया जाय।

वास्तव में देश के वयस्क बालकों को अपराध की प्रवृत्तियों से बचाने के लिये और उन को अच्छे नागरिक बनाने के लिये इस बिल की अत्यन्त आवश्यकता थी। इस बिल के लागू होने से हमारे देश का वातावरण स्वच्छ और शुद्ध होगा और बालकों का मस्तिष्क अच्छे, स्वस्थ और शुद्ध वातावरण में पनपेगा और वे अच्छे और उपयोगी नागरिक बन सकेंगे हारर कामिक्स (थ्रीमंस्त्र साहित्य) का कितना बुरा असर बालकों के हृदयों पर पड़ता है, इस का एक उदाहरण एक पत्र में प्रकाशित हुआ था। उस में लिखा था कि बारह और तेरह वर्ष की आयु के दो बालकों ने टफ़ गार्ड की पिक्चर (चल-चित्र) देख कर वैसे ही आचरण करने का नाटक सा किया। वे एक दूसरे के सामने खड़े हो गये और उन में से एक ने अपने बाप का तमंचा

उठा कर दूसरे पर चला दिया। भाग्य से उस को निशाना लगाना नहीं आता था, इसलिये गोली दूसरे बालक को लगी नहीं, लेकिन फिर भी उस को बहुत चोट लगी और उस को अस्पताल ले जाना पड़ा। इस प्रकार के साहित्य से बालकों के हृदय से माता-पिता का मान, बड़ों का आदर और कानून के डंड का भय निकल जाता है। जब उन को इस प्रकार का निकृष्ट साहित्य पढ़ने की आदत हो जाती है, तो उन का मन अच्छा साहित्य पढ़ने में नहीं लगता है और वे अपने स्कूल की टेक्स्ट-बुक्स (पाठ्य-पुस्तकें) और कोर्स (पाठ्य क्रम) की किताबों को पढ़ना पसन्द नहीं करते हैं और जब देखो, तब वे इस प्रकार के गंदे नाविल (उपन्यास) और हारर कामिक्स ले कर पढ़ते रहते हैं। यही कारण है कि आज-कल लड़कियाँ हर परीक्षा में लड़कों को मात करती हैं और फ़र्स्ट आती हैं, जबकि लड़के सैकंड और थर्ड आते हैं। इस की वजह यह है कि लड़कियाँ अधिकतर अपने कोर्स की किताबें और अच्छा साहित्य पढ़ती हैं।

इस सम्बन्ध में मुझे एक बात यह भी कहनी है कि अनैतिक और अनिष्टकारी फ़िल्मों का दिखाना भी बालकों के लिये बन्द कर दिया जाना चाहिये, क्योंकि उन को देखने से उन के कोमल मनों पर बड़ा खराब और भयानक असर पड़ता है और उन के मारतन्त्र (नैतिकता) पर भी विपरीत प्रभाव पड़ता है। वास्तव में ऐसे साहित्य को छापने वाले हमारे समाज के शत्रु हैं। वे केवल अपने स्वार्थ और धनोपाजर्जन के लिये ऐसे साहित्य को छापते हैं और इस बात का ख्याल नहीं करते कि उन के इस पाप और कुकर्म से बच्चों के कोमल मन और मस्तिष्क पर कितना बुरा प्रभाव पड़ता है और इस प्रकार वे समाज को भ्रान्ति की तरफ ले जाते हैं और एक महान् पाप के भागी बनते हैं।

अध्यक्ष महोदय मैं कानून नहीं जानती पर एक समाज सेविका के नाते यह कहने का साहस करती हूँ कि क्लाज २ के खंड (२) के उपखंड (ग) सब-क्लाज (सी) यंग पर्सन (तरुण) की जो परिभाषा दी गई है, उस में लिखा है कि यंग पर्सन से अभिप्राय है बीस वर्ष के नीचे का व्यक्ति । मुझे यह भायु बहुत अधिक लगती है, क्योंकि हमारे सामने स्कूल जाने वाले बालक दस, ग्यारह बारह वर्ष की आयु में ही हारर-कामिक्स पढ़ने लग जाते हैं और यही उम्र ऐसी होती है, जबकि बालकों की समझ कच्ची होती है और उन का हृदय अत्यन्त कोमल होता है । इसलिये उन पर बुरा प्रभाव पड़ता है । इस कारण अगर दस वर्ष से ले कर अठारह वर्ष तक के बालकों को यंग पर्सन की श्रेणी में रखा जाय, तो ज्यादा अच्छा होगा ।

इस बिल के क्लाज ३ में यह प्रत्यक्ष नहीं है कि इस साहित्य को केवल बालकों के ही हाथ में बेचना जुर्म है या बड़ों को भी बेचना जुर्म है । इस से ऐसा लगता है कि बड़े व्यक्ति के हाथ भी दुकानदार ऐसा साहित्य नहीं बेच सकता है और यदि वह बेचेगा, तो उस को सजा होगी । लेकिन जैसा कि इस बिल के नाम से विदित होता है कि केवल बालकों के हाथ ही यह साहित्य बेचना जुर्म है और बड़ों को वह बेचा जा सकता है । अगर सरकार का आशय यह है कि यह साहित्य किसी के भी हाथ में न पहुंचे और उस की बिल्कुल विक्री न हो, तो यह ठीक है और मैं उस से सहमत हूँ, लेकिन फिर इस का नाम बदल देना चाहिये और उस से यंग पर्सन्स निकाल देना चाहिये और उस का नाम दि हार्मफुल पब्लिकेशन्स बिल, १९५५ (हानिकारक प्रकाशन विधेयक, १९५५) रख देना चाहिये ।

मेरा यह भी सुझाव है कि जो व्यक्ति ऐसे साहित्य को खरीदे और पढ़े, उस के लिये भी कुछ न कुछ जुर्माने का दंड रखना

चाहिये । यहां ऐसे व्यक्तियों के लिये कोई दंड नहीं रखा गया है ।

ये चन्द सुझाव प्रस्तुत करने के बाद मैं इस बिल का हृदय में समर्पण करती हूँ ।

**पंडित ठाकुर दास भार्गव (गुडगांव) :** जनाब डिप्टी स्पीकर साहब, मैं पहले बोलने वाले मानरेबल मेम्बरजें (माननीय सदस्यों) के साथ अपने होम मिनिस्टर (गृह मंत्री) को बधाई देने में शामिल होता हूँ कि उन्होंने ने कमाल मेहरबानी से इस बिल को इन्ट्रोड्यूस (पुरःस्थापित) करवाया है और इस को पास करवाना चाहते हैं ।

जहां तक इस बिल के अग्रराज (उद्देश्यों) का सवाल है, इस बात में कोई दो राय नहीं हो सकती है कि बच्चों के लिये ऐसी पब्लिकेशन्स (प्रकाशन) नुकसानदेह होंगी और वे उन के इम्प्रेशनबल माइन्डजें (ग्रहणशील मस्तिष्कों) पर ऐसे असरात डालेंगी, जिन से उन को नुकसान होगा । मैं इस पर ज्यादा एक्सपैशिएंट (विस्तार) नहीं करना चाहता हूँ और न ही इसकी कोई जरूरत है । जो किताब कि हमें मिनिस्ट्री (मंत्रालय) ने दी है "हारर कामिक्स" के नाम से, उसके पढ़ने से वाजें (प्रकट) होता है कि और मुल्कों में भी लेजिस्लेशन (विधान) आये हैं और इस खतरे को बहुत से मुल्कों ने महसूस किया है गोकि इसमें चार पांच मुल्कों का ही जिक्र है और उनमें ग्रेट ब्रिटेन और अमरीका वगैरह का जिक्र है । जहां तक अमरीका का ताल्लुक है इसमें लिखा है कि वहां पर नौ करोड़ इस किस्म की किताबें शायी (प्रकाशित) होती हैं और उनकी इशाधत (प्रचार) बढ़ती जाती है । और अब यह बढ़ते बढ़ते कुल किताबों की एक तिहाई हो गयी है । इस लिये वहां पर एक अन्देशा पैदा हो गया है । वहां जरूर इसको खतरा समझा जाना चाहिये । लेकिन हमारे मुल्क में गो कि इसका कुछ अन्देशा है लेकिन बैसा नहीं है कि हम को डर हो कि यह आगे

[पंडित ठाकुर दास भार्गव]

बहुत बढ़ जायेगा। लेकिन यह अच्छा है कि ऐसा खतरा पैदा हो उसके पहले ही हम इस तरह का बिल पास कर दें क्योंकि प्रिंशान इज बैटर दैन क्योर (रोग को रोकना उसे अच्छा करने से अच्छा है)। इस लिये मैं इस बिल को वैलकम (स्वागत) करता हूँ।

16 HRS.

इसको बन्द करने की जो तरकीबें इसमें रखी गयी हैं वह भी पुरानी तरकीबें हैं। इस सिलसिले में मैं सब से पहले तो गवर्नमेंट को इसलिये मुबारकबाद देना चाहता हूँ कि उसने सी कस्टम्स एक्ट (सीमा शुल्क अधिनियम) के नीचे ऐसे लिटरेचर का यहां आना ही रोक दिया है। तो ऐसे लिटरेचर के यहां आने का खतरा तो गवर्नमेंट ने पहले ही खत्म कर दिया। चोरी जरिये से ऐसा लिटरेचर न आने पावे इसकी रोकथाम की जा सकती है। अब सवाल यह है कि ऐसा न हो कि देश में लोग इस तरह का लिटरेचर पैदा करने लगें।

मैं जो अर्ज कर रहा हूँ वह सिर्फ अपने तजर्बे पर ही अर्ज कर रहा हूँ। मुमकिन है कि दूसरे मेम्बर साहिबान का या गवर्नमेंट का मुस्तलिफ़ तजर्बा हो और उनकी ज्यादा मालूमात हों। मुमकिन है जितना खतरा मैं समझता हूँ उससे ज्यादा खतरा हो। इसलिये यह तो जरूरी है कि यह बिल पास किया जाये। लेकिन मैं अदब से अर्ज करना चाहता हूँ कि कहीं ऐसा न हो कि इस चीज का इलाज करने में हम अपना नुकसान कर लें। मेरा खयाल है कि आज देश में इतने लिखने वाले नहीं हैं जितने कि अमरीका वगैरह में हैं। इस लिये हमको अपने हालात के मुताबिक ही इलाज सोचना चाहिये। ऐसा न हो कि जल्दी में हम ऐसा कानून पास कर दें कि जो किताब लिखने वाले हैं उनके लिये मुश्किल पैदा हो जाये। अभी हमारे यहां लिखने वालों की बहुत

छोटी तादाद है। अभी हमारे यहां लिटरेसी (साक्षरता) ही बहुत कम है। हमारे यहां अभी १५ पर सेंट (प्रतिशत) कुछ लिटरेसी है और उन बच्चों की तादाद तो बहुत ही थोड़ी होगी जो कि इन किताबों को पढ़ें।

**Mr. Deputy-Speaker:** Order, order. This House should never give the appearance as if separate sub-committees are being held inside this Hall.

**पंडित ठाकुर दास भार्गव :** तो मैं यह अर्ज कर रहा था कि जो बच्चे इस किस्म का लिटरेचर पढ़ सकेंगे उनकी तादाद बहुत कम है और लिखने वालों की तादाद तो और भी कम है। हमारे यहां लिटरेटों (साक्षरों) की तादाद भी बहुत कम है। ऐसा न हो कि इस कानून को पास करने से लिखना ही बन्द हो जाये क्योंकि जो लिखने वाले होंगे उनको यह तमीज नहीं हो सकेगी कि जो स्टोरी (कहानी) वह लिख रहे हैं वह इस कानून में आती है या नहीं। लिखने वाले यह नहीं समझ सकेंगे कि जो मजिस्ट्रेट (दंडाधीश) बैठा है वह उनकी किताब को गलत करार देगा या नहीं। यह ऐसा खदशा है कि मुझे ऐसा मालूम होता है कि इस बिल को पास करके हम जरूरत से आगे बढ़ जायेंगे। मेरी नाकिस राय में जो हमको करना चाहिये वह यह कि गवर्नमेंट एक कमेटी (समिति) मुकर्रर करे जिसके अन्दर एजुकेशनिस्ट (शिक्षाविद्) हों, साइकालाजिस्ट (मनोवैज्ञानिक) हों और जूविनाइल कोर्ट के जज (बाल न्यायालयों के न्यायाधीश) शामिल हों और कुछ लायर (वकील) भी शामिल हों। इस तरह की कमेटी हर प्रांविस् (प्रांत) में बनायी जाये और वह इन पब्लिकेशन्स को देखे और जिनको हार्मफुल समझे उनको दफा ४ के नीचे डिक्लेअर (घोषित) कर दे और उन पब्लिकेशन्स को डेस्ट्रॉय (नष्ट) कर दिया जाये। मैं चाहता हूँ कि यह काम एड-वोकेट जनरल (महाधिबक्ता) को नहीं



सौपना चाहिये जैसा कि हम ने श्रीर कानूनो में किया है। हम ने क्रिमिनल प्रोसीज्योर (दंड-प्रक्रिया) के दफा ६६ में यह रखा कि यह भ्रष्टियार गवर्नमेंट के लीमल आफिसर (विधि अधिकारी) को दे दिया है। कि वह करार दे सकता है कि सिडीस लटरेचर (राजद्रोहात्मक साहित्य) क्या है। आब-जेशनबिल मैटर्स बिल जो हमने पास किया है उस में ऐसा प्रावीजन (उपबन्ध) है। इंडियन पीमल कोड (भारतीय दंड संहिता) की दफा २६२ और २६३ में भी हम ने एडवोकेट जनरल को यह भ्रष्टियार दिया है। लेकिन मैं अदब से अर्ज करूंगा कि इस मामले में ला (विधि) का इतना सवाल नहीं है जितना कि इस बात का सवाल है कि प्राधा किसी स्टोरी में ऐसी चीज है जो बच्चों के लिये खराब है। इस की जांच करने के लिये तो बेहतर लोग वही हो सकते हैं जो कि मैं ने ऊपर बतलाये हैं यानी एजुकेशनिस्ट, साइकलोजिस्ट, साइकोट्रिस्ट। मैं समझता हूँ कि यह काम बड़ा मुश्किल है। जो आपने हार्मफुल पबलिकेशन की तारीफ (परिभाषा) लिखी है वह इतनी मुश्किल है कि एडवोकेट जनरल या किसी बड़े भारी लायर के लिये भी यह करार देना बहुत मुश्किल होगा कि कलां पबलिकेशन हार्मफुल है और बच्चों को नुकसान पहुंचायेगा। अदब तो वह स्टोरी होनी चाहिये, वह पिक्चर (सचित्र) की हो या बिना पिक्चर की। लेकिन "portraying the commission of offences" (अपराध किये जाने का चित्रण) हो। लेकिन यह नहीं लिखा है कि वे क्या आफेंसेज (अपराध) होंगे। हर एक आफेंसेज ऐसा नहीं हो सकता जोकि बच्चे पर ऐसा असर करे कि वह उस जुर्म करने को आमादा हो जाये। फिर इस में लिखा है "एक्ट्स आफ वायलेंस एंड क्रुएल्टी" (हिंसा और क्रूरता के कार्य)। लेकिन जब यह मामला अदालत में जायेगा तो यह साबित करना मुश्किल हो जायेगा।

**Pandit K. C. Sharma:** (Meerut Dist.—South): Commonsense.

**Pandit Thakur Das Bhargava:** If it is commonsense, I think this commonsense is lacking in very many persons; they do not understand the definition of violence and cruelty. Commonsense is extra-sense, it is unusual sense which is not possessed by many including the hon. Member who interrupted me.

इस में आगे लिखा है :

"The portrayal must be in such a way that the publication as a whole—not in parts—should tend to corrupt."

What is tending to corrupt? This again is difficult, most difficult.

जहाँ टेंडेंसीज का सवाल हो वहाँ

Even the Angels fear to tread.

फिर इस में लिखा है :

"a young person into whose hands it might fall" I have to find out a book which might not fall into the hands of a young person.

इस के बाद इस में दिया हुआ है :

"whether by inciting or encouraging him to commit offences or acts of violence or cruelty or in any other manner whatsoever;"

What is corruption of a young man; and what is the "manner whatsoever".

मैं अदब से अर्ज करना चाहता हूँ कि मामूली आदमी को यह नहीं मालूम हो सकेगा कि इस डेफीनीशन (परिभाषा) के मुताबिक उस की किताब पकड़ी जायेगी या नहीं। मैं खुद नहीं चाहता कि इस तरह की चीजें बच्चों के हाथों में पड़ें। मैं इस को अपरेव (बिरोध) नहीं करता। जिव राइटर्स (लेखकों) का ऐसा इंटेंशन (संशय) हो उन को जरूर अप सजा दें और जो ऐसी किताबों के बेचने वाले हैं उन को सजा दें अगर उन को यह इल्म हो कि यह किताब खराब है। लेकिन ऐसी कौन किताब हो सकती है वह मालूम करना एडवोकेट जनरल

[पंडित ठाकुर दास भार्गव]

के लिये भी मुश्किल होगा। इसलिये मैं चाहता हूँ कि आप एक कमेटी बना दें और जिस को वह कमेटी हार्मफुल पबलिकेशन करार दे दे उस को आप डेस्ट्रॉय कर दीजिये। और इन नोटीफिकेशन (अधिसूचना) के बाद भी जो ऐसी किताब को बेचे उस को आप जोर से सजा दें। लेकिन जब तक आप उस को नोटीफाई (अधिसूचित) नहीं करते हैं, जब तक गवर्नमेंट अपना फर्ज अदा नहीं करती, सब तक कोई बजह नहीं है कि किसी राइटर को या बुकसेलर (पुस्तक विक्रेता) को सजा दी जाये। एक बुकसेलर जिस के यहां हजारों किताब हैं वह क्या जान सकता है कि किसी किताब में क्या लिखा है और अगर वह उसे पढ़ भी ले तो वह कैसे जान सकता है कि यह हार्मफुल पबलिकेशन है और यह किसी यंगमैन के हाथ में पड़ेगा या नहीं। मेरी तजवीज यह है कि हम को प्रिबंटीव ऐक्शन (निरोधात्मक कार्य) लेना चाहिये। गवर्नमेंट इस के लिये एक कमेटी बनाये और जो पबलिकेशंस बच्चों के लिये हों वे उस के सामने जाये। मैं डाक्टर साहब को सपोर्ट करता हूँ कि गवर्नमेंट ही बच्चों के लिये अच्छी किताब तैयार करे। लेकिन यह बात कहना आसान है करना उतना आसान नहीं है। मेरी तजवीज यह है कि गवर्नमेंट नोटीफाई कर दे कि फलां पबलिकेशन हार्मफुल हैं। अगर फिर भी कोई शरूस उस को बेचता है तो वह मुजरिम है।

मैं यह नहीं चाहता कि उसे छः महीन की कैद हो, उसे तो साल भर की कैद हो और मुल्कों में ग्रेट ब्रिटेन में साल भर की कैद का विधान है और हार्मफुल पबलिकेशन (हानिकारक प्रकाशन) की जो डिफिनेशन (परिभाषा) रक्खी है उस पर भी मुझे कोई एतराज नहीं है। आपने विलायत की डिफिनेशन रख दी है। मैं जानता हूँ कि हार्मफुल पबलिकेशन की डिफिनेशन करना कितना मुश्किल है। यह आपने अच्छा किया

कि इस सम्बन्ध में जो एक मुल्क का तजुबा था उसको एडाप्ट (अपनाया) कर लिया। इट इज मोस्ट डिफिकल्ट टु डिफाइन इट (इस की परिभाषा देना बहुत कठिन है)।

आपके इस बिल से बहुत से बेगुनाह आदमी किताबों के लिखने वाले और ऐसे बहुत सारे लोग जो किताबों के बेचने वाले हैं वे बिला और बिला किसी इरादे के आपके इस कानून की जद में आ जायेंगे अगर आपने पुलिस को यह अधिकार दिया। आपने जो हार्मफुल की डिफिनीशन भी है और इस तरह से उस में लिखा है जिससे कि इस तरह का डर इस से पैदा हो रहा है।

हार्मफुल (हानिकारक) की डिफिनीशन (परिभाषा) में आपने यह अल्फाज लिखे हैं :

“A prosecution for an offence under this section shall not, in England or Wales, be instituted except by, or with the consent of, the Attorney General.”

इसकी बाबत मैं ने आपकी खिदमत में एक अमंडमेंट (संशोधन) पेश किया था कि आप पुलिस को तो अधिकार दीजिये लेकिन सैंशन (मंजूरी) गवर्नमेंट का हो या किसी आपके अफसर का हो।

होरर कोमिक्स (वीमत्स साहित्य) के बारे में जहां इस तरह पर लिखा हुआ है कि गवर्नमेंट की सिर्फ इवाहिश यह है कि बच्चे होरर कोमिक्स न पढ़ें।

As the Government wanted only to ensure that children do not read horror comics and it did not desire to compel retailers to read them, the following proviso to section 2(1) was also adopted:

यह विलायत का ला है और जहां की यह डिफिनीशन है वहीं का यह ला है।

"Provided that, in any proceedings taken under this sub-section against a person in respect of selling or letting on hire a work or of having it in his possession for the purpose of selling it or letting it on hire, it shall be a defence for him to prove that he had not examined the contents of the work and had no reasonable cause to suspect that it was one to which this Act applied."

हमने ज्यों का त्यों इस में रख दिया है इस वास्ते कि कल को हमारे होम मिनिस्टर साहब ऐतराज न करें कि हम इसको और कहीं से ले आये हैं। इसलिये हमने उसी में से इसको लिया है।

इसके अलावा आप मुलाहिजा फरमायें कि इस बिल के क्लॉज ३ में जो कि पैनाल्टी फौर सेल, एटसेटरा आफ हार्मफुल पब्लिकेशंस (हानिकारक प्रकाशन को बिक्री आदि के लिये जुर्माना) से ताल्लुक रखता है और उसमें जो अल्फाज हैं वे अचरित से ज्यादा हैं।

"(a) sells, lets to hire, distributes, publicly exhibits or in any manner puts into circulation, any harmful publication, or

(b) for purposes of sale, hire, distribution, public exhibition or circulation, prints, makes or produces or has in his possession any harmful publication.....

जनाबवाला मुलाहिजा फरमायेंगे कि इस की जद में प्रिंटर (मुद्रक) पब्लिशर (प्रकाशक), मेकर (निर्माता) और प्रोड्यूसर (उत्पादक) सब आ जाते हैं। मैं अदब से अर्ज करना चाहता हूँ कि मुझे इसमें कोई ऐतराज नहीं है कि अगर ऐसा पब्लि-

केशन जिसको गवर्नमेंट हार्मफुल करार दे दे अगर कोई दुबारा छापे तो आप उसको कैद कर लीजिये लेकिन पहली दफा उसको यह नहीं मालूम होगा कि क्या जुर्म है जब कि हमारे वहां लिटरेचर (साहित्य) इतना थोड़ा है और लिटरेसी (साक्षरता) इतनी थोड़ी है और जब कि हमारे वहां पढ़ने लिखने का मियार उतना ऊंचा नहीं गया है जितना कि और मुल्कों में है।

हीरर कौमिक्स में इस तरह लिखा हुआ है :

"Before the Bill became law on the 6th May, 1955, the British Government accepted some amendments to pacify the fears of the critics that the Act might become a weapon for curtailing freedom of expression. To guard against the danger that long after the original purpose of the Bill is forgotten, it may be used to censor publications of a different kind, sub-section 5 of section 5 provides....."

मैं अदब से अर्ज करूंगा कि मैं इस बिल के हक में होते हुये भी मैं चाहता हूँ कि जिन सेफगार्ड्स (सुरक्षायें) के साथ यह ग्रेट ब्रिटेन में रखा गया उन्हीं सेफगार्ड्स के साथ और हमारे हालात को देख कर यहां रखा जाना चाहिये और उन सेफगार्ड्स के साथ इस बिल को पास किया जाय।

मैं ने एक आठ नम्बर का अमंडमेंट (संशोधन) दिया है जिसमें मैं ने २० वर्ष की जगह १८ वर्ष रखने का सुझाव दिया है। मैं उस पर अधिक नहीं कहना चाहता क्योंकि अमंडमेंट्स पर बहुत जोर शोर से कहने से कोई ख़ास असर नहीं पड़ने वाला है। इसलिये मैं सिर्फ मिनिस्टर साहब की मंजूरी के वास्ते उसको पेश करता हूँ। अब वे चाहें तो इन्हें मंजूर कर लें वरन्ना नामंजूर कर दें।

## [पंडित ठाकुर दत्त भार्गवा]

मैंने १८ वर्ष की २० वर्ष की जगह इसलिये रखने की मांग की है क्योंकि कानून के मुताबिक १८ वर्ष की उम्र में एक लड़का बालिंग हो जाता है। १८ वर्ष की उम्र में वह अपनी मर्जी से बगैर मां बाप से पूछे शादी कर सकता है, ब्यादाद बेच सकता है और दुनिया में कहीं भी जा सकता है, इसलिये मैंने चाहा है कि उसको १८ वर्ष की उम्र के बजाय २० वर्ष की उम्र के लड़के ही ज्यादा पढ़ा करे १० से १५ वर्ष तक के बच्चे बहुत कम पढ़ते हैं। दफा २६२ और २६३ इंडियन पेनेल कोड (भारतीय दण्ड संहिता) की बहुत सारी चीजें हैं और उनके अन्दर यह सारी चीजें आ जायेंगी और चूँकि वे दफायें सारी चीज को कवर कर लेती हैं इस वास्ते मैं नहीं समझता कि इसमें इमोरैलिटी (Immorality) की दफा लगाने की कोई जरूरत है। यह देख कर कि आबजेक्वाने-बुज मेटर्स बिल (आपत्तिजनक विषय विधेयक) के अन्दर यह सारी चीजें (अश्लील) और स्करैलस (दुर्वाच्यपूर्ण) चीजें कवर हो जाती हैं, मैं इस बिल को बड़े जोर से सपोर्ट (समर्थन) करना चाहता हूँ लेकिन मैं अदब से अर्ज करना चाहता हूँ कि इसमें जो ऐसे खराब फीचर्स (बातें) हैं जिनकी कि दजह से इमोरैलिटी (निरपराध) आदमी सजा पा सकते हैं, उनका इस बिल में रहना जस्टिफाइड (न्यायसंगत) नहीं है और मैं चाहता हूँ कि उन के लिये सेफगार्ड्स (सुरक्षण) रख कर इसको पास किया जाय।

श्री अश्वतः दत्त (जिला गठवाल पूर्व व जिला मुरादाबाद-उत्तर पूर्व) : इस विधेयक का मैं हार्दिक समर्थन करता हूँ। हमारे माननीय गृह मंत्री ने देश के राज्यों का पुनर्गठन करने के बाद अब देश के चरित्र के पुनर्गठन और पुनर्निर्माण करने का जो आयोजन किया है उसका सब विभागों से स्वागत किया जाना चाहिये। हमारे देश में

इस बीच नये साहित्य और खास करके फिल्मों के कारण जो चरित्रहीनता का बाजार गर्म हो गया है, ऐसे मौकों पर इस विधेयक का लाना बहुत ही उपयुक्त है।

हम लोग विश्वविद्यालय के विद्यार्थियों में अक्सर इस आदत को पाते हैं कि ऊपर तो वे अपनी पाठ्य पुस्तक धरे बैठे रहते हैं लेकिन उनके नीचे तिलस्माती और आर्थर कौन्स डायल इत्यादि की नाविलें (उपन्यास) छिपी रहती हैं और जब मौका मिलता है तब वे मधुयुक्त नज़र बचा कर उन नावलों को पढ़ा करते हैं और बनिस्वत पाठ्य पुस्तकों के जगह नावलों पर ज्यादा ध्यान देते हैं। यह बड़े सीमाव्य की बात है कि अब तब जितने व्यक्तियों ने इस बिल पर अपने विचार प्रकट किये हैं उन्होंने इसका विरोध नहीं किया है लेकिन शायद इस दृष्टिकोण को ले कर कुछ लोग इसका विरोध कर सकते हैं कि इससे साहित्य और विचारों की स्वाधीनता पर आघात पहुँचता है लेकिन मैं अपने कलाकारों, लेखकों और साहित्यकारों से यह अनुरोध करना चाहता हूँ कि वे अपनी कलम का व कूची का उपयोग देश के चरित्र निर्माण में यदि करें, तो उनके ही लिये नहीं बल्कि सारे देश के लिये यह सीमाव्य की बात होगी।

उपाध्यक्ष महाशय, मैं अधिक समय न लेते हुये सब से पहले खास तौर से लोक सभा सचिवालय को धन्यवाद देना चाहता हूँ जो कि समय समय पर हमारे लिये बहुत ही अच्छे और लाभदायक साहित्य का प्रकाशन किया करता है। इस विधेयक के सम्बन्ध में जो पुस्तिका उन्होंने प्रकाशित की है उसमें बहुत ही मूल्यवान सामग्री दी गई है। मुझे यह देख कर बहुत हर्ष और सन्तोष हुआ कि स्वयं संयुक्त राष्ट्र अमरीका में जहाँ के बारे में हमारे देश के अन्दर इस तरह के किस्से मौजूद हैं कि वहाँ चरित्रहीनता का बाजार गर्म है, वहाँ के प्रकाशनों ने अपनी एक "वैल्यूवरी कोड" और "इन्डिक्स" (voluntary

Code of Ethics ) अर्थात् नैतिकता की स्वेच्छापूर्ण नियमावली प्रकाशित की है और वह बहुत ही सुन्दर दिशा की ओर प्रयत्न है। मैं माननीय गृह मंत्री महोदय से अनुरोध करूंगा कि जहां वे कानूनी तौर से ऐसी पुस्तकों और ऐसे अश्लील चित्रों पर प्रतिबन्ध लगाने का विचार कर रहे हैं वहां साथ ही अमर प्रकाशकों को इस प्रकार की सलाह दी जाये कि वे अपना एक संगठन बना कर उसके द्वारा अपने लिये कोई नियमावली बना सकें, तो यह अच्छा काम होगा। जहां तक मैं समझता हूँ कि जो प्रेस काँग्रेस का निर्माण होने वाला है, और प्रेस कमीशन ने भी जिसकी सिफारिश की थी, उस प्रेस काँग्रेस के बनने के बाद भी इस पर काफी प्रभाव पड़ेगा।

अब दो एक बातें मैं यहां पर संक्षेप में जिक्र करूंगा जिनका कि माननीय पंडित ठाकुर दास भार्गव ने भी जिक्र किया है। उनकी तरह मैं कानूनी बारीकियों में तो नहीं जा सकता लेकिन दो एक मोटी बातें बतलाना चाहता हूँ। उन्होंने एक संशोधन रखा है कि २० वर्ष की उम्र को बजाय १८ वर्ष की उम्र रखी जायें लेकिन सीमाग्य से मेरा संशोधन भी इस सम्बन्ध में सदन के सामने पेश है। जिसमें मैं ने यह मांग की है कि २० वर्ष की उम्र को बढ़ा कर २१ वर्ष कर दिया जाये। २१ वर्ष की आयु हमारे भारतीय संविधान में मताधिकार के वास्ते भी रखी है और २१ वर्ष से कम आयु वाले व्यक्ति को इसका अधिकार प्राप्त नहीं है और इसलिये अगर २१ वर्ष रख दिया जाये तो अधिक उपयुक्त होगा।

इसके अतिरिक्त एक और संशोधन की मैं ने सूचना दी है जो कि धारा ३ के सम्बन्ध में है और जिसमें मजिस्ट्रेटों को यह अधिकार दिया गया है कि जिसके अनुसार किसी आपत्तिजनक पुस्तक के प्रकाशक अथवा विक्रेता को दण्ड दिया जायगा और उस

पुस्तक या चित्र को भी नष्ट कर दिया जायेगा लेकिन सरकार जो अधिकार ले रही है वह उन को फोरफीट (जब्त) करने को ही ले रही है। इस बिल में इन चित्रों को या पुस्तकों को नष्ट करने का कहीं भी जिक्र नहीं है। हो सकता है कि गवर्नमेंट का मन्तव्य इससे पूरा हो जाता हो। लेकिन मैं यह चाहता हूँ कि इसको स्पष्ट कर दिया जाय क्योंकि मुझे भय है कि सरकार जिन पुस्तकों को या चित्रों को जब्त करेगी तो उनके सरकारी कार्यालयों में रखा जायगा और हो सकता है कि सरकारी कर्मचारी तथा उनके बच्चे उन्हें पढ़ने लग जायें जिससे उनके चरित्र पर बुरा प्रभाव पड़ेगा। अतः मैं चाहता हूँ कि उनको ऐसा मौका न मिले और उनको नष्ट करने की व्यवस्था इस में कर दी जाये।

अन्त में मैं इतना ही कहना चाहता हूँ कि इस विधेयक की जो मंशा है वह तब तक पूरी नहीं होगी जब तक कि इन चित्रों और पुस्तकों के अतिरिक्त हमारे यहां जो गन्दी फिल्मों का निर्माण किया जा रहा है और प्रदर्शित किया जा रहा है उन पर भी किसी प्रकार का अंकुश नहीं लगाया जाता। इन फिल्मों से हमारे देश के युवकों और युवतियों के दिलों पर बहुत ही बुरा प्रभाव पड़ रहा है। इसलिये जब तक उन पर अंकुश नहीं लगाया जाता, कठोर प्रतिबन्ध नहीं लगाया जाता, चरित्रहीनता के जितने अंश हैं, उनको काटा नहीं जाता, उसको रोकने के लिये कड़े कदम नहीं उठाये जाते, तब तक इस विधेयक के स्वीकार हो जाने के बाद भी गवर्नमेंट का जो मन्तव्य है, वह सिद्ध नहीं होगा। मैं आशा करता हूँ कि गृह मंत्री महोदय अपने प्रभाव के द्वारा इसके बारे में भी कोई प्रयत्न करेंगे और जो सिनेमा का क्षेत्र है उसके अन्दर भी कुछ न कुछ अंकुश अवश्य लगा दिये जायेंगे।

Shri Raghavachari (Penukonda):  
Sir, I rise not to oppose the Bill but to point out that the purpose of this Bill cannot be achieved as it is. This

[Shri Raghavachari]

is simply a negative aspect of a particular problem. Seeing the expansion of literature and the import of objectionable literature and the impression that is created on the minds of young boys, this attempt is made. But, does it really satisfy the curiosity of the young mind? It must be supplied with proper stories and other such things at that impressionable age and in the absence of these things, they will naturally go to this literature which is cheap and harmful. Some of these publications come from the western countries and the boys purchase them at the railway station or bazar and then this is the consequence.

The negative aspect will not really bring about the necessary reform. I feel that there is really more need for real publications of the right sort. The foundations on which we are to base our culture and civilisation, under the compulsion of being a secular State, have been neglected. The best things have been abolished from the education world and the result is this kind of secular literature that comes in. Now, we have to provide against them by all manner of Acts. I am not pleading that there is need to compulsorily introduce religion into education. We have got so much of moral and ethical legends and stories, historical stories of heroes and heroines in every part of India in our tradition. They are recorded in the books, epics, puranas and legends. There are many wonderful stories which have got high morals as their subject-matter. There is always a moral basis; that was the purpose of our literature. The resultant portrayal or teaching was that the best thing in this world was preservation of Dharma. Thus, a proper impression was created on a young mind at that impressionable age. All that is not to be found or is not encouraged. I had occasion to see a few books produced by the Gorakhpur publishers from our Puranas with pictures which were very good. But, with their limited resources they could produce only a few such books. More of such books are required and

that will produce a good impression on the minds of the boys and girls and it will be equally exciting and satisfying the curiosity for adventures. Our leaders would not even like to encourage these things. I am not finding fault with everybody in this country. That is the result of some of them being very secular and materialistic. This is the positive aspect that I wish to emphasise.

Mere legislation will not bring about the necessary effects. It will not satisfy a curious mind. We have to satisfy that desire or curiosity by producing proper things. The import of this harmful stuff is now being prevented. To fill the gap, something must be produced. Dr. Rama Rao has already emphasised that part of it and I want to add my little voice to that.

Pandit Thakur Das Bhargava was pointing out that the definition of 'harmful publications' was very wide and that any book can be brought within its orbit. Even some of Shakespeare's tragedies can be brought under it.

**Pandit G. B. Pant:** Impossible.

**Shri Raghavachari:** If you strictly interpret it, it will lead to that. What impression would be produced on the mind of a young man into whose hands a book may fall depends upon the inclination of his mind. A story contains something good and something bad. If one part of it is not very interesting to him, he may get a vivid impression of the other part, other bad part, which may be more interesting. It will certainly go to produce a bad impression in his mind. It is not the mind of a mature man who has a balanced view. So, what parts of a story go to impress upon a young mind depends upon his bent of mind. Therefore, my submission is that this clause is so worded that many books can come under that. But, there is one safeguard in clause 4 where they have stated that before something is prohibited, the opinion of some responsible official should be taken;

otherwise it would have been hopeless.

The age of twenty years is too much; for most of our college boys are graduates by 20 or 21. It is not that he is a major and he can do as he likes, as was said. I do not very much subscribe to that view. But, nevertheless, all our young men are out of the college by 20 or 21 years and so this age limit seems to go too high.

There are one or two amendments of Pandit Bhargava which intend to safeguard certain things. As I said earlier, I find this definition is very wide and there is a risk that anything can be brought under it. Lastly, I wish to say that better literature based on our own historical incidents and legends, epics our culture and other things, should be supplied in place of the existing which ought not to be there.

**Pandit G. B. Pant:** Sir, I wonder if I am really required to refer to everything that has been said in the course of the discussion on my motion. So far as the Bill is concerned, it has the support of every speaker. Everyone is in its favour. So, for the purposes of the motion for its consideration nothing more need necessarily be said.

But I would like just to mention one or two matters, which may be of some help to the hon. House, and may relieve the anxieties and the worry of some of the speakers who seem to be upset over the definition, which seems to them to be rather too wide. [I entirely agree that we should have more of wholesome, healthy, rich, interesting literature for our children.] After all, this Bill is not of an omnibus or of a comprehensive character. It has a very limited sphere to cover and, considering the scope of the Bill, I wonder if other matters, whose reference has been made, can be brought within its purview. [The need of having good literature for boys cannot be exaggerated or over-emphasised. It has also to be admitted that at present we have not got all that is necessary

to inspire the boys and to enable them to develop their mind, their intellect, their spirit of adventure and other things which are necessary for the growth of children. All these things have to be provided.] The Government has been taking an active interest in these matters and special steps have been taken to promote children's literature, children's libraries, children's theatres, children's cinemas and other matters connected with the life of our young people. We want to do all we can in that regard.

I also wish that the people, the authors, the publishers and the Government should all co-operate in order to fulfil this deficiency. For that, I think it is necessary for us all to give thought to the matter, not as Government or as Opposition but as citizens who are all interested in the healthy growth of young minds. So that question is not in any way a controversial one and I should like, as I just said, further thought to be given to this matter so that some concrete scheme could be worked out.

I am not quite sure if Dr. Rama Rao's suggestion that the Government should undertake this task exclusively would be acceptable to his Party or to the people in general.

**Dr. Rama Rao:** I did not say: "exclusively".

**Pandit G. B. Pant:** If you did not say "exclusively" then there is no difference between you and me, because, if you think that all should make attempts to produce such literature, I agree with you. I was afraid that, if the Government alone were to produce such literature, there might be some criticism later that there was an attempt to instil certain views and certain principles, for which we stood, into the young minds when they were of an impressionable character. So, if there is no such fear, perhaps we could move in this direction with greater confidence. However, so far as the positive aspect goes there is no difference. So far as the negative aspect goes

[Pandit G. B. Pant]

there is none either. So I do not see where we really differ.

Some reference has been made to the definition. Well, the essential part of the definition is the last one; whether it will corrupt the mind of a juvenile or an adolescent, whether it will lead to depravity and degradation because of certain processes which will be set in motion in consequence of his coming in contact with the views or with the portraits contained in these horror comes. So I do not see any great difficulty in applying this definition to concrete cases. But very subtle, fine points have, after all, to be settled by the judiciary, and I do not think they will find an insuperable impediment in their way. If they apply their minds to these matters, they can easily reach correct conclusions. So there should not be any worry on that account from now.

We have luckily not much of such literature produced in our own country yet. We are taking this measure betimes so that the tendency which seems to be growing may be nipped in the bud just now. I hope there will not be many cases of such character and we will not have to take action against many individuals. But it is necessary that people should be warned, that this word of caution should go from this House that if anyone indulges in such activity then he is liable to be punished. That by itself will I hope, go a long way. None of us wishes to be vindictive, but young children, juveniles and others have to be protected. That is a national duty which is imposed on every one of us. So far as that goes, I think there will be no possibility of any difference of opinion between anyone whether sitting on this side or on that side.

As to the suggestion that ethics and morality should receive greater attention than they seem to be getting at present in some of our institutions, I appreciate that. I think I am as old-fashioned as Shri Raghavachari and I still have enough of faith in

moral principles. I think it is essential for the healthy growth of our children that they should get sound education and training not only in moral canons and tenets but also by association with men who demonstrated in their lives ways and the principles that were laid down for us by our our ancestors. If we do that, I think we can impress the children and we can possibly contribute towards the growth of healthy minds.

We have our own books. We have our own stories. There are ethics which are a treasure-house of all sorts of ethical, interesting and adventurous stories—I do not use the word "tales" because many people believe that they are literally corrupt. We have also books which are really meant for children, such as *Hithopadesh*, *Panch Tanthra* etc., which were, in fact, seized upon by other countries when they first got a glimpse of them, and which were used by them for producing literature for children in their own countries. These books were written hundreds and hundreds of years ago. So there is enough of literature in our own books. But that does not mean that we should not produce more. After all, the world is growing, and many things are being brought into existence with which we do not pretend to have been acquainted in the times that are bygone. We should be in a receptive state of mind. We should welcome everything from every quarter that is good, helpful, wholesome clean and neat. But we should take good care to see that the environment in which our children live is really healthy, invigorating and clean. Unless we take good care, the atmosphere may get contaminated and spoiled, and then it may be difficult for us to save them when their minds have been corrupted.

In a country like America, we hear all heinous crimes being committed by children below ten years of age. It is something which cannot possibly be conceived of. Nobody can imagine



the possibility of such occurrences but they do happen. So, we have to take due care and that is why this Bill has been introduced.

The expert committee proposed by Pandit Thakur Das Bhargava would make the operation of this Bill altogether ineffective if not impossible. I do not think that we can promote the purpose that we have envisaged by introducing a clause to that effect.

The other matters are of a minor character, and in order that those amendments may not be moved, I may just say that we have introduced the age of 20, which is prescribed in section 293 of the Indian Penal Code, in this Bill. According to this section, the sale of obscene literature is prohibited to men who are below the age of 20. So, we have taken that figure from the Penal Code. Some uniformity has to be observed in such cases. I do not think there is any other matter which I should refer to or comment upon.

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

"That the Bill to prevent the dissemination of certain publications harmful to young persons be taken into consideration"

*The motion was adopted.*

**Clause 2.—(Definitions)**

**The Minister in the Ministry of Home Affairs (Shri Datar):** I beg to move:

Page 2, for lines 4 to 6, substitute:

'(b) "State Government" in relation to a Union territory, means the administrator thereof;'

There is one more amendment—amendment No. 4—to clause 2 which we are accepting.

**Mr. Deputy-Speaker:** Yes; there is amendment No. 4.

**An Hon. Member:** But there is nobody to move it.

**Shri Datar:** We accept it.

**Mr. Deputy-Speaker:** The Government can move it.

**Shri Datar:** I beg to move:

Page 1, line 13, after "portraying" insert "wholly or mainly".

**Shrimati Jayashri:** I beg to move:

Page 1 after line 16, inserts

"(iv) any immoral behaviour;"

I do not wish to move amendment Nos. 14 and 16.

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

Page 2, for lines 4 to 6, substitute:

'(b) "State Government" in relation to a Union territory, means the administrator thereof;

*The motion was adopted.*

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

Page 1, line 13, after "portraying" insert "wholly or mainly".

*The motion was adopted.*

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

Page 1, after line 16, insert:

"(iv) any immoral behaviour;"

*The motion was negatived.*

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

"That clause 2, as amended, stand part of the Bill".

*The motion was adopted.*

Clause 2, as amended, was added to the Bill.

**Clause 3.—(Penalty etc.)**

**Shri Kasliwal (Kotah-Jhalawar):** In clause 3, the punishment provided is six months imprisonment, or fine or both.

**Mr. Deputy-Speaker:** Has he given any amendment?

**Shri Kasliwal:** I have not given any amendment, but I think there is another amendment to that effect.

**Mr. Deputy-Speaker:** What is your point?

**Shri Kasliwal:** If the hon. Minister accepts my suggestion, an amendment can be moved to that effect by the Government itself. I am only making my suggestion. As it is, they have provided six months punishment or fine or both. They are making this a cognizable offence under this Act. So, six months punishment is not a proper punishment. It should be at least one year. I am not saying that the punishment should be very heavy, but I think one year would be a sufficient period.

**Mr. Deputy-Speaker:** There are some amendments given notice of by Pandit Thakur Das Bhargava. He is not present. Do the Government adopt any one of those amendments?

**Shri Datar:** No.

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

"That clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clauses 4 to 7 were added to the Bill.*

*Clause 1.—(Short title etc.)*

*Amendment made: Page 1, line 4, for "1955" substitute "1956"*

—[Shri Datar]

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

"That clause 1, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 1, as amended was added to the Bill.*

### Enacting Formula

*Amendment made: Page 1, line 1, for "Sixth Year" substitute "Seventh Year".*

—[Shri Datar]

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

"That the Enacting Formula, as amended, stand part of the Bill".

*The motion was adopted.*

*The Enacting Formula, as amended was added to the Bill.*

*The Title was added to the Bill.*

**Pandit G. B. Pant:** I beg to move:

"That the Bill, as amended, be passed".

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

"That the Bill, as amended, be passed".

*The motion was adopted.*

### TERRITORIAL ARMY (AMENDMENT) BILL

**The Minister of Defence (Dr. Katju):** Sir, I beg to move:

"That the Bill further to amend the Territorial Army Act, 1948, be taken into consideration."

As the House is aware, in 1948 the Indian Territorial Army was re-organised and rules were framed. I am happy to say that the army has had a good reception and the response too has been very good. Only last week, we celebrated the eighth annual year of the Territorial Army.

The purpose of the army is to give opportunities to those who are inclined to serve the country and receive training in arms on a firm and solid basis for a number of years. When you get yourself enrolled in the