

comes from unselfish motives and provided it is beneficial to this country. If aid comes with strings, we always oppose it. We have never said that we should accept aid from only one quarter. We have always maintained that aid should be accepted from whichever quarter it comes, but that we should always see that our national sovereignty and our national integrity are not endangered.

I had raised the question of foreigners interfering in our Naga trouble with a view to obtain clarification—whether there were any such possibilities, etc. I hope my points will be understood in the proper light, unless it be that by making such attacks the hon. Minister hopes to get some more money!

**Shri B. R. Bhagat:** I am sorry that the hon. Member has misunderstood my point. Being so sensitive, he took as insinuation what I explained factually. He said that the aid may be with strings attached. I said that we will accept any aid which is without strings attached. He then said that immunised officials were interfering in our internal affairs. I said none of them were interfering in our internal affairs. He being so sensitive, took these facts as insinuation. I am sorry for what he has said. I can only say that I made no insinuation, and I controverted all his facts and gave the right conclusion to the House.

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

“That the Bill be passed.”

*The motion was adopted.*

16.39 hrs.

#### PRESS AND REGISTRATION OF BOOKS (AMENDMENT) BILL

**The Minister of Information and Broadcasting (Dr. Keskar):** I beg to move:

“That the Bill further to amend the Press and Registration of

Books Act, 1867, as passed by Rajya Sabha, be taken into consideration”.

This is a short Bill, amending the Press and Registration of Books Act in certain particulars in order to make the working of the Act better and more effective. In order to give the main reasons for the introduction of these amendments, I would like, with your permission, to explain the background of this legislation.

As you know, the Registrar of the Press in India was appointed to carry out certain duties. The appointment of the Registrar himself was made mainly on the recommendation of the Press Commission. I would like here to quote the Press Commission which had very briefly and very well given the reasons and the necessity for the appointment of such an authority. The Commission said:

“We consider that the whole administration of the Press and Registration of Books Act requires to be overhauled. In the course of our work, we found that, apart from the differences in practice in different States, there is a general laxity in the checking of the filing and the registration of books and periodicals. It has been a matter of great difficulty to us to get the files of copies for scrutiny of the contents and even to verify whether a paper is currently being published or not. In many cases, the information supplied by the State Governments was grossly inaccurate and never up-to-date. The Commission proceeded to collect information from newspapers and periodicals on the basis of lists furnished to us by the State Governments. In as many as 20 per cent of cases, the information about the existence of newspapers and periodicals proved to be inaccurate. In many cases, it was found that the newspapers or periodicals which had once been published had ceased to exist long before the relevant date. In

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a large number of cases no newspaper or periodical had come out, although a declaration was made under the Press and Registration of Books Act. Apparently, the State Governments assumed that the newspapers, about which a declaration had been made, had come into existence without caring to inquire whether any issues thereof had been published. There is little or no check to see whether a paper comes out regularly and if it does not, to find out the cause or to correct the record accordingly. Some of the suggestions which we have made in the earlier paragraphs will, we trust, provide the necessary corrective. But we think that there should be a radical change in the administration of the Act by the various States. We think that it is necessary that there should be one Central Authority to be named the Press Registrar for India who will exercise supervision over Press Registrars appointed for each State. The declaration to be made under the Press and Registration of Books Act may be made either before the Press Registrar or such officer as may be appointed by Government on his behalf, so as to avoid inconvenience to the newspapers and periodicals published in mofussil. It should be the business of the Press Registrar to have a complete register of all the newspapers and periodicals, news agencies and advertising agencies in the State. It should be made obligatory on them to register themselves under the Act and if they fail to do so, they should be ineligible to carry on the business. The declaration to be made by them should include a statement on the lines indicated in Appendix XXIII of the capital structure and the staff proposed to be employed in the venture and the Registrar should have authority to call for any additional factual information."

Hon. Members are aware that after the Publication of the report, discussions took place in Parliament and with the approval of Parliament, the office of the Registrar was created in order to gather facts and statistics concerning newspapers and also to see that they are published for information. The Registrar has now been functioning for three or four years. His reports have been regularly presented to Parliament. His most recent report has also been presented to Parliament.

The Registrar has found by experience that there are many difficulties encountered in gathering information regarding newspapers. Moreover, in the task assigned to him, the Registrar found by experience that in a number of matters, the Act was ambiguous and could be interpreted in many different ways and this led to many practical difficulties not only in the matter of registration of newspapers as such, but also in matters concerning newspapers and working journalists. A number of cases came up where it was found that due to the defective and ambiguous wording of the Act, undue advantage has been taken to evade certain provisions of the Working Journalists' Service Conditions Act and some other relevant provisions.

We thought it necessary, therefore, to bring before Parliament a Bill which will correct all these anomalies and ambiguities which have been found in the Act, so as to make it more effective and to see that hereafter such embarrassing situations will not arise in which either the Registrar or the District Magistrate or even the State Government is powerless to do anything because of the rather vague wording of the Act. We were very much helped and I would like to acknowledge the valuable suggestions that we got from the interesting debate that took place in this House over the work of the Press Registrar. A number of Members connected with the Press dealt exhaustively with this question of the Press in general and they made many valuable suggestions, some of

which have been incorporated here in this Bill.

I would like to make clear one thing in the very beginning. The work of the Registrar and the amendments that have been proposed here concern the business side of newspapers, i.e., registration of newspapers, their publication, their periodicity, etc. It has nothing to do either with the editorial side, with the question of expression of opinion that the newspapers might have or any other such matter. It need not, therefore, be considered as something which impinges either on the freedom of the Press or on any other matter connected therewith.

As this was something which concerned the managerial side of the newspapers, we were very particular to see that representative associations of publishers were consulted in order to find out from them what objection they have to the Bill or whether they have also any suggestions to make. They gave their views and we received many practical suggestions from them, so that the Bill could be made better and more effective.

I might inform the House that the leading associations of publishers by and large agree with the amendments proposed here. The most important body of publishers in the country—the Indian and Eastern Newspapers Society—expressed the view that it was the view of the Society that by and large the amendments are acceptable and indeed in some cases welcomed. The Association took objection to one particular clause which was amended in the Rajya Sabha. The other important body, the Indian and Language Newspapers Association, also passed a resolution in their meeting that they welcome this Bill and the amendments proposed therein. We also took care to sound other newspaper bodies, including the working journalists, to see whether we can get some more opinions or suggestions regarding this Bill. Now, all these suggestions and recommendations from

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the various bodies have all been incorporated in this Bill. Therefore, I make bold to say that it is a non-controversial business legislation, amending the Act for its better functioning.

I would now like to say a few words regarding the important points that have been proposed in the amendment. The most important point that you will find in the Bill is that for the first time it becomes necessary for the owner of a newspaper to declare himself as the owner and his name to be published in the newspaper. It should be made clear that the owner does not himself declare it, but the printer and the publisher who used to declare on behalf of the paper will do so hereafter, but they will do so with the authority of the owner and will also declare as to who is the owner of the newspaper. This is necessary. It was emphasized here by many hon. Members during the debate on the Press Registrar's Report that there is no reason why the owner of a paper should remain a mystery or a secret. In most foreign countries the proprietors of a paper obligatorily put their names on the paper or any other periodical that may exist. Here the proprietors used to be unmentioned behind a facade which now at least appeared to have no meaning. We have here made it obligatory that the printers and publishers are publishing the paper with the authority of the owners who are mentioned there. This is the most important point that the Bill seeks to amend.

The other point which we are trying to put here is that when a paper tries to change either its periodicity or its language, or its name, then it cannot do so without making a formal declaration of it and getting the consent for the declaration to be accepted. Because, when the periodicity of a paper or its language or its title changes then the personality of the paper changes, it is no longer the same paper. For example, if a daily paper wants to convert itself into a monthly, naturally it cannot be considered to be the same paper. Or if an English daily wants to convert itself into a Tamil daily, it cannot be considered to be the

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same paper; it will certainly be a very different one. The same thing applies if, for example, the title of the paper, the name, is changed. Now, this has been expressly put down here.

The other important point which I would like to mention and which is one of the main amendments, is that whenever the question of giving title to a paper is considered—this naturally arises mainly in respect of newspapers which are going to be started, but it is possible that some old papers would like to change their names; that happens though very rarely, of course—whenever there is the question of change of names or for a new paper a name is proposed, on such a proposal before the magistrate takes a decision consultation with the Press Registrar is essential so that he is able to know whether there is any title same or similar to the one which is already existing, which is being used by another paper and, therefore, which is not available for this particular paper to use. Up till now the position has been that according to the Act which was amended some years back, the magistrate can consult the Press Registrar if he thinks fit. But he may also not think it fit. If he does not think it fit, he need not consult the Registrar. The result of it has been that quite in a few cases titles very nearly the same as those existing have been given to papers and that creates confusion. In fact, it might lead to stealing names and, therefore, the goodwill and prestige enjoyed by papers by some others who come newly into the field. This is a well-known business proposition about which I need not expatiate more because, as far as a paper is concerned, its name is practically more than half its power and prestige. So, all papers are eager to see that their goodwill, their prestige, is not stolen by others. Therefore, this consultation with the Registrar has been made obligatory in order to see that the very same or

nearly same titles are not given to papers. One or two cases which came to us illustrated that unless such a consultation is made obligatory it might happen in exceptional circumstances, but the exceptional cases might themselves create a situation which will be embarrassing. Therefore, it is better to see that the main register in which the names of all newspapers are written is consulted that similar or same title is not used by any other paper.

These are the two or three important points that the Bill seeks to amend and make better. I would, however, like to say a few words regarding most of the amendments. Another important question—I am sorry I forgot it—was the question of cancellation of declaration. Up till now there was no power to cancel a declaration once made. A declaration was like a birth. Once it takes place, you cannot take it back. Though it might be based on very wrong and sometimes false premises it could not be returned because it was made. There was no provision in the law to return it. Now, it is one of the axioms of law that if something is made on a wrong premise, or on completely incorrect information, it should not be there. This obvious thing has been overlooked and when one or two cases of this type came up the law declared itself to be helpless, because there is no provision to that effect. Now this correction is being made here so that any declaration which has been based on false information or incorrect information or is wanting in certain essential particulars can be cancelled by the magistrate if he finds these things to be sufficiently serious as to vitiate and make the declaration defective. Of course, here it has been laid down that in such matters he must issue a show-cause notice to the person who is going to be affected, or the paper which is going to be affected, so that he is given an opportunity to say what he has to say. After hearing him the magistrate will naturally come to whatever fair conclusions he

would like to. This is also a very essential amendment which we are proposing here. We feel that it should have been there all along. But, as it was not there, we have taken the first opportunity to put it in the Act.

17 hrs.

It has been laid down in the amendments here that the printer, publisher or more specially the editor of a paper should be generally residents in the country. This has been decided because we felt that if a person declares himself to be the printer, publisher or the editor and does some act or writes something for which he is liable before the law, it is not possible for us to take any action against him if he is residing in any other country or if he goes away from here. It is therefore felt that unless some such condition is laid down the conduct of the paper will not be carried on in a responsible way. It will not be conscious that it is amenable to the laws of this country and that all the work ought to be carried out according to the laws governing this country. This is also another amendment that is being proposed here.

There are, of course, a number of minor amendments which have been proposed, but they will come up in the course of discussion and hon. Members will have an opportunity to discuss them. There are certain, what I call, resultant amendments, small ones, which are also being proposed in order to make the main amendments more effective. I would not like to say much at this stage regarding the other smaller amendments. I would only repeat at the end that these amendments which are purely of a practical nature and are made in order to make the working of the Act better and plug the loopholes in the Act, which have also got the approval of the journalistic world in general and more especially of those who are concerned with it, that is, the proprietors of newspapers, might be accepted by the House.

I propose that the House might take into consideration the Bill for amend-

ing the Press and Registration of Books Act which I have the honour to present to you.

**Mr. Speaker:** Motion moved:

“That the Bill further to amend the Press and Registration of Books Act, 1867, as passed by Rajya Sabha, be taken into consideration.”

I have to inform the House that the President has, in pursuance of clause 3 of article 117 of the Constitution of India, recommended to the Lok Sabha the consideration of the Bill as passed by Rajya Sabha.

**Shri Tangamani (Madurai):** Mr. Speaker, Sir, I have listened with interest to the hon. Minister's speech on the new amendments to the Press and Registration of Books Act. As this House is aware the original Act was passed in the year 1867.

**Mr. Speaker:** The hon. Member may continue tomorrow. We now have an Half-an-hour discussion. This matter will stand over till tomorrow.

17.04 hrs.

\*NEW C. H. S. TOKEN CARDS

**Shri Sadhan Gupta (Calcutta—East):** Mr. Speaker, Sir, I have to initiate this discussion because I feel that a great affront has been offered to the low-paid staff of the Central Government by way of discrimination regarding facilities for direct consultation with specialists. On the 2nd August, a question, Question No. 39, was asked of which part (b) was an enquiry as to what advantages were derived by stating the pay-scales of the employees on the Contributory Health Service tokens. The hon. Minister gave this answer to it. I am quoting the relevant part of the answer to part (b).

“This is essential in order to determine . . .” I am leaving out the first two; the third is the important one.

\*Half-an-hour discussion.