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Kartika 12, 1887 (Saka)

LOK SABHA DEBATES

(Thirteenth Session)



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 Sinha, Shrimati Ramdulari (Patna).
 Sinha, Shri Satya Narayan (Samastipur).
 Sinha, Shrimati Tarkeshwari (Barh).
 Sinhasan Singh, Shri (Gorakhpur).
 Sivappraghassan, Shri Ku. (Pondicherry).
 Sivasankaran, Shri P. (Sriperumbudur).
 Snatak, Shri Nardeo (Hathras).
 Solanki, Shri Pravinsinh Natavarsinh (Kaira).
 Sonavane, Shri T. H. (Pandharpur).
 Soundaram Ramachandran, Shrimati T. S. (Dindigul).
 Soy, Shri Hari Charan (Singhbhum).
 Srinivasan, Dr. P. (Madras North).
 Subbaraman, Shri N. M. R. (Madurai).
 Subamaniam, Shri C. (Pollachi).
 Subramanyam, Shri Tekur (Bellary).
 Sumat Prasad, Shri (Muzaffarnagar).
 Sunder Lal, Shri (Saharanpur).
 Surendra Pal Singh, Shri (Bulandshahr).
 Surya Prasad, Shri (Bhind).
 Swamy, Shri M. N. (Ongole).
 Swamy, Shri M. P. (Tenkasi).
 Swamy, Shri M. V. (Masulipatnam).
 Swamy, Shri Shivamurthy Siddappa (Koppal).
 Swaran Singh, Shri (Jullundur).

S—contd.

Swell, Shri G. G. (Assam—Autonomous Districts).

T

Tahir, Shri Mohammad (Kishanganj).
 Tan Singh, Shri (Barmer).
 Tantia, Shri Rameshwar (Sikar).
 Thengal, Shri K. Nallakoya (Nominated—Laccadive, Minicoy and Amindivi Islands).
 Thengondar, Shri Gopalasami (Nagapattinam).
 Thevar, Shri V. Vairava (Thanjavur).
 Thimmalah, Shri Dodda (Kolar).
 Thomas, Shri A. M. (Ernakulam).
 Tiwary, Shri Dwarka Nath (Gopalganj).
 Tiwary, Shri Kamal Nath (Bagaha).
 Tiwary, Shri Ram Sahai (Khajuraho).
 Tripathi, Shri Krishna Deo (Unnao).
 Trivedi, Shri U. M. (Mandsaur).
 Tula Ram, Shri (Ghatampur).
 Tyagi, Shri Mahavir (Dehra Dun).

U

Uikey, Shri M. G. (Mandla).
 Ulaka, Shri Ramachandra (Koraput).
 Umanath, Shri R. (Pudukkottai).
 Upadhyaya, Shri Shiva Dutt (Rewa).
 Utiya, Shri Buddha Singh (Shahdol).

V

Vaishya, Shri Muldas Bhudardas (Sabarmati).
 Valvi, Shri Laxman Vedu (Nandurbar).
 Varma, Shri Manikyalal (Chittorgarh).
 Varma, Shri Ravindra (Thiruvella).
 Veerabasappa, Shri S. (Chitradurga).
 Veerappa, Shri Ramachandra (Bidar).

V—contd.

Venkalaiah, Shri Kolla (Tenali).
 Venkatasubbaiah, Shri Pendekanti
 (Adoni).
 Verma, Shri Balgovind (Kheri).
 Verma, Shri Kunwar Krishna (Sul-
 tanpur).
 Verma, Shri Suraj Lal (Sitapur).
 Vidyalankar, Shri Amar Nath
 (Hoshiarpur).
 Vijaya Ananda, Maharajkumar
 (Visakhapatnam).
 Vijaya Raje, Shrimati (Chatra).
 Vimla Devi, Shrimati V. (Eluru).
 Virbhadra Singh, Shri (Mahasu).
 Vishram Prasad, Shri (Lalganj).
 Vyas, Shri Radhelal (Ujjain).

W

Wadiwa, Shri N. M. (Seoni).
 Warior, Shri K. K. (Trichur).
 Wasnik, Shri Balkrishna (Gondia).

Y

Yadab, Shri Nagendra Prasad (Sita-
 marhi).
 Yadav, Shri Ram Harkh (Azamgarh).
 Yadav, Shri Ram Sewak (Bara
 Banki).
 Yadava, Shri Bhishma Prasad
 (Kesaria).
 Yajnik, Shri Indulal Kansiyalal
 (Ahmedabad).
 Yashpal Singh, Shri (Kairana).
 Yudhvir Singh, Shri (Mahendragarh)

LOK SABHA

The Speaker

Sardar Hukam Singh

The Deputy-Speaker

Shri S. V. Krishnamoorthy Rao

Panel of Chairmen

Shrimati Renu Chakravartty

Shri Surendranath Dwivedy

Shri Thirumala Rao

Shri R. K. Khadilkar

Dr. Sarojini Mahishi

Shri T. H. Sonavane

Secretary

Shri S. L. Shukdher.

GOVERNMENT OF INDIA

Members of the Cabinet

Prime Minister and Minister of Atomic Energy—Shri Lal Bahadur Shastri.
 Minister of Home Affairs—Shri Gulzarilal Nanda.
 Minister of Finance—Shri T. T. Krishnamachari.
 Minister of Information and Broadcasting—Shrimati Indira Gandhi.
 Minister of External Affairs—Shri Swaran Singh.
 Minister of Railways—Shri S. K. Patil.
 Minister of Law & Social Security—Shri Asoke Kumar Sen.
 Minister of Defence—Shri Y. B. Chavan.
 Minister of Steel & Mines—Shri N. Sanjiva Reddy.
 Minister of Food & Agriculture—Shri C. Subramaniam.
 Minister of Petroleum & Chemicals—Shri Humayun Kabir.
 Minister of Communications & Parliamentary Affairs—Shri Satya Narayan Sinha.
 Minister of Education—Shri M. C. Chagla.
 Minister of Labour & Employment—Shri D. Sanjivayya.
 Minister of Rehabilitation—Shri Mahavir Tyagi.

Ministers of State

Minister of Works & Housing—Shri Mehr Chand Khanna.
 Minister of Commerce—Shri Manubhai Shah.
 Minister of Transport—Shri Raj Bahadur.
 Minister of Community Development and Cooperation—Shri S. K. Dey.
 Minister of Health—Dr. Sushila Nayar.
 Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence—Shri Jai Sukh Lal Hathi.
 Minister of State in the Ministry of External Affairs—Shrimati Lakshmi N. Menon.
 Minister of Supply and Technical Development in the Ministry of Industry & Supply—Shri K. Raghuramaiah.
 Minister of State in the Ministry of Petroleum & Chemicals—Shri O. V. Alagesan.
 Minister of State in the Ministry of Railways—Dr. Ram Subhag Singh.
 Minister of State in the Ministry of Law and Department of Social Security—Shri R. M. Hajarnavis.
 Minister of Irrigation & Power—Dr. K. L. Rao.
 Minister of Planning—Shri B. R. Bhagat.
 Minister of Defence Production in the Ministry of Defence—Shri A. M. Thomas.
 Minister of Heavy Engineering and Industry in the Ministry of Industry & Supply—Shri T. N. Singh.

Deputy Ministers

- Deputy Minister in the Ministry of Rehabilitation—Dr. Mono Mohan Das.
 Deputy Minister in the Ministry of Food & Agriculture—Shri Shah Nawaz Khan.
 Deputy Minister in the Ministry of Commerce—Shri S. V. Ramaswamy.
 Deputy Minister in the Ministry of Transport—Shri Ahmed Mohiuddin.
 Deputy Minister in the Ministry of Community Development & Co-operation—Shri B. S. Murthy.
 Deputy Minister in the Ministry of Home Affairs—Shri Lalit Narayan Mishra.
 Deputy Minister in the Ministry of Education—Shrimati Soundaram Ramachandran.
 Deputy Minister in the Ministry of Food & Agriculture—Shri D. R. Chavan.
 Deputy Minister in the Ministry of Information & Broadcasting—Shri C. R. Pattabhi Raman.
 Deputy Minister in the Department of Social Security—Shrimati Maragatham Chandrasekhar.
 Deputy Minister in the Ministry of Law—Shri Jaganatha Rao.
 Deputy Minister in the Ministry of Railways—Shri Sham Nath.
 Deputy Minister in the Ministry of Defence—Dr. D. S. Raju.
 Deputy Minister in the Ministry of External Affairs—Shri Dinesh Singh.
 Deputy Minister in the Ministry of Industry & Supply—Shri Bibudhendra Mishra.
 Deputy Minister in the Department of Communications—Shri B. C. Bhagavati.
 Deputy Minister in the Ministry of Irrigation & Power—Shri Shyam Dhar Misra.
 Deputy Minister in the Ministry of Steel & Mines—Shri Prakash Chandra Sethi.
 Deputy Minister in the Ministry of Labour & Employment—Shri Ratanlal Kishorilal Malviya.
 Deputy Minister in the Ministry of Finance—Shri Rameshwar Sahu.
 Deputy Minister in the Ministry of Health—Shri P. S. Naskar.
 Deputy Minister in the Ministry of Education—Shri Bhakt Darshan.

Parliamentary Secretaries

- Parliamentary Secretary to the Minister of Community Development and Co-operation—Shri Annasahib Shinde.
 Parliamentary Secretary to the Minister of Home Affairs—Shri D. Ering.
 Parliamentary Secretary to the Minister of Irrigation & Power—Shri S. A. Mehdi.
 Parliamentary Secretary to the Prime Minister—Shri Lalit Sen.
 Parliamentary Secretary to the Minister of External Affairs—Shri S. C. Jamir.
 Parliamentary Secretary to the Minister of Steel & Mines—Shri Doda Thimmaiah.
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LOK SABHA DEBATES

**XLVII] First day of the Thirteenth Session of the third [No. 1
Lok Sabha.**

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LOK SABHA

Wednesday, November 3, 1965/Kartika
12, 1887 (Saka).

*The Lok Sabha met at Eleven of the
Clock.*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Border Security Force

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*1. **Shrimati Renuka Barkataki:**

Shri D. N. Tiwary:

Shri Linga Reddy:

Shri Shree Narayan Das:

Shri Basumatari:

Shri Ravindra Varma:

Shri Hari Vishnu Kamath:

Shri Yashpal Singh:

Shri C. K. Bhattacharyya:

Will the Minister of Home Affairs be pleased to state the progress made so far in the creation of the Border Security Force?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): The Border Security Force is to be created largely by a re-organisation and strengthening of the armed police forces at present employed on the borders mostly by the State Governments concerned. The Director General of the Force, who was appointed some time ago, has spent the recent weeks touring the border areas, acquiring first-hand knowledge of conditions in those areas, and discussing various details with the State authorities. The Headquarters organisation is being rapidly built up and is expected to be fully staffed within a few days. A programme for setting up the Sector and Sub-Sector commands and for effecting transfer of control over the border

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security forces to the Director General is under preparation, and it has been decided to put the programme into effect on an urgent basis.

Shrimati Renuka Barkataki: May I know whether the Government of India is satisfied with the response received from the State Governments to this proposal and how many States have agreed to bear their share of the expenditure?

Shri L. N. Mishra: Yes. The expenditure is to be borne by us, and it is a unanimous decision by all the State Governments in a meeting held some time in June.

Shrimati Renuka Barkataki: May I know whether it is a fact that some of the border States including Assam objected to this proposal because they did not want a force administered and controlled by the Centre to be posted on their borders; if so, whether there is any proposal before the Government to decentralise the administration of this Force?

Shri L. N. Mishra: No, Sir. As I said earlier, it was a unanimous decision, and no State Government has any objection to it.

Shri D. N. Tiwary: May I know how there will be co-ordination between this Border Force and the military personnel there?

Shri L. N. Mishra: For co-ordination, the Border Police will have a co-ordination committee for every sub-sector, which will be co-terminous with the States. As I said earlier, we have several sub-sectors. The Chief Secretary of each State Government will be the Chairman; the IGP will be a member; the local commander will be a member; also, the commander of the Border Force

of that sub-sector will be a member of the Co-ordination Committee.

Shri Linga Reddy: May I know how the Border Force is going to be recruited?

Shri L. N. Mishra: As I said earlier, we are beginning with the existing border police of the State Governments, and after that, we will have some new recruitments also.

Shri Shree Narayan Das: May I know whether the whole expenditure will be borne by the Central Government or shared by the State and Central Governments, and if so, in what proportion?

Shri L. N. Mishra: It will be borne 100 per cent by the Central Government, as I said in reply to Shrimati Barkataki.

Shri Basumatari: May I know whether a proposal was submitted to the Home Minister for creation of a depopulated security belt along the borders of Assam and East Bengal, and if so, what is the reaction of the Government of India?

Shri L. N. Mishra: That is an altogether different question.

Shri Hari Vishnu Kamath: Is it a fact that the respective State border police forces have by and large proved inefficient and ineffective in this regard, and with regard to the Central Security Force, is there a proposal before Government to co-ordinate the activities and functions of the Central Force with those of the armed forces command through a special liaison officer for the purpose?

Shri L. N. Mishra: They have not proved ineffective in any way. They have done their job well. But the question is to improve them, give them better training, give them better weapons, and improve them as far as possible and make them as close to the security forces of our neighbours on the other side as possible. So far as the question of co-ordination is concerned, I have said earlier that in every State

we will have a co-ordination committee, but this will be independent of the border police. It will not be officered and commanded by police.

Shri Hari Vishnu Kamath: He has not answered my question.

Mr. Speaker: Substantially, it has been answered.

Shri Hari Vishnu Kamath: But what did he say? He should be audible and we should follow his answer.

Mr. Speaker: Co-ordination committee is there.

Shri Hari Vishnu Kamath: Appointed by whom?

Mr. Speaker: If he wants clarification, I will give him another opportunity later on.

श्री यशपाल सिंह: क्या सरकार का इरादा ऐसा है कि पुलिस फोर्स जो इंतजाम कर रही है वह स्टेट गवर्नमेंट के ही हाथ में रहेगा? हमारी मिलिटरी फोर्स के जो गार्ड्स का इंतजाम है यह सेंट्रल गवर्नमेंट के हाथ में रहेगा? क्या यह सही नहीं है कि घाज तक जो नाकामयाबी हुई है वह इसलिये हुई है कि हमारी इंटेन्सिटी ठीक तरह से बर्क नहीं कर सकी है?

श्री ल० न० मिश्र : यह कहना गलत है कि नाकामयाबी हुई है। इस तरह की बात कहना उन लोगों के साथ गैरइंसाफी करना है जिन्होंने कि बहादुरी के साथ हमारी सीमा की रक्षा की है। लेकिन यह बात सही है कि हम उनको ज्यादा अच्छा करना चाहते हैं। अगर उनको केन्द्रिय सरकार के साथ ले कर प्रायेण, अच्छे हथियार देंगे, अच्छी ट्रेनिंग देंगे और बीडर पर जो पुलिस होगी वह हमारे साथ रहेगी तो यह ज्यादा अच्छा होगा। राज्य सरकार की जो पुलिस होगी वह संरक्षकी शक्ति के लिये रहेगी।

श्री यशपाल सिंह : तीन हजार नाया बिद्रोही ट्रेनिंग ले कर घा गये हैं और आप कहते हैं कि नाकामयाबी नहीं हुई है।

Shri Indrajit Gupta: Is there any proposal to introduce higher pay scales and better service conditions for all these border security forces than those existing at present?

Shri L. N. Mishra: Comparatively they would be getting better pay and emoluments because the proposal, if I remember rightly, is that they will be brought on par with the salaries paid to the CRP people which are higher than the salaries paid to the armed policemen of the state.

Shri P. C. Borooah: Despite the growing need for strong border security arrangements and clearing the border areas of all subversive elements the steps taken in Assam to comb out the infiltrators are going too slow and the preparation of a national register has been put in cold storage. Have the Government enquired into the difficulties that the Assam Government are experiencing and, if so, what are the suggestions of the Central Government?

The Minister of Home Affairs (Shri Nanda): It is a very different question and it can be asked in some other context.

Mr. Speaker: It need not be answered then. Shri Kamath might ask for his clarification.

Shri Hari Vishnu Kamath: I am afraid the word 'command' which I used has misled the Deputy Minister. I meant the armed forces command. Will there be a liaison officer between the central security forces and the armed forces command, not the command by the defence ministry. He said that they would appoint a co-ordination Committee. Who will appoint the committee? Will it consist of both the ministries or not?

Mr. Speaker: He can ask only for a clarification.

Shri L. N. Mishra: There will be a co-ordination committee in all the states presided over by the Chief Secretary of the State government and the members will be the local commander of the armed forces, the local commander of the border police, the I.G.P. Such a committee will be set up in all the seven sub-sectors.

Special Audit Report on Orissa Government Transactions

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- *2. **Shri Surendranath Dwivedy:**
Shri Hari Vishnu Kamath:
Shri J. B. S. Bist:
Shri S. M. Banerjee:
Shri Kishen Pattnayak:
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Vidya Charan Shukla:
Shri P. K. Deo:

Will the Minister of Home Affairs be pleased to state:

(a) whether the attention of his Ministry has been drawn to the Special Audit Report submitted to the Orissa Legislative Assembly on the 3rd September, 1965 in connection with transactions of business of the Government of Orissa with the firms connected with Sarvashri Biju Patnaik and Biren Mitra, ex-Chief-Ministers of Orissa;

(b) whether Government have initiated any action in view of the promise given to the House by the Prime Minister on the 16th March, 1965; and

(c) whether this Audit Report corroborates any of the facts submitted to Government by the C.B.I. after their preliminary enquiry?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathli): (a) Yes, Sir.

(b) The Chief Minister, Orissa, has requested the Chairman, Public Accounts Committee, Orissa, to expedite the consideration of the Special Audit Report, so that further appropriate action can be taken.

(c) The Special Audit Report covers a longer period, and some additional items not covered in the C.B.I. report. As the Report of the C.B.I. is a secret document, it would not be in the public interest to make any comparisons with the Audit Report.

Shri Hari Vishnu Kamath: Is it still secret? Even after your ruling.

Shri Surendranath Dwivedy: In view of the fact that only a specific reference about certain matters was made to the Auditor-General who after examining the explanation and statement submitted by the Government of Orissa came to the finding that in regard to the transactions of Orissa agents of Shri Biren Mittra, the public exchequer was cheated to the tune of Rs. 18 lakhs, and over Rs. one crores of business was transacted with other firms in which Shri Biju Patnaik was connected, I would like to know whether the Government will examine the possibility of initiating any legal action against these gentlemen, now that the proof is there?

Shri Hathi: As I submitted in the main reply, the special audit report will be considered in all its aspects by the Public Accounts Committee. It may be that not only these facts which the hon. Member has said, but other facts also may be either proved or disproved. Therefore, let us wait for the consideration of this report by the Public Accounts Committee. If any facts come in further, naturally, whatever can be done under the law will be done.

Shri Surendranath Dwivedy: This is going against the assurance given by the Prime Minister here. I may remind the hon. Minister that long back, in August, 1963, reference about the Public Accounts Committee was made by the late Prime Minister but on the 15th March last, while replying to the no-confidence motion, the Prime Minister, Shri Lal Bahadur Shastri, said that when the report of the Auditor-General was available, the enquiry will be thorough.

“बहुत धारो, बहुत पक्की, बड़ी “टेकनिकल होगी और उनके घाने के बाद कानूनी करवाई हो सकती है।”

I would like to know, in view of this assurance, whether they themselves would take any action or not, because that was the assurance given by the Prime Minister when we discussed the no-confidence motion. Why is he evading the question? Let Shri Nanda tell us.

Shri Hathi: I fully recollect and remember what the Prime Minister had said. What the hon. Member has said now the Prime Minister did say, and he said all steps will be taken after the report is received. That report is received by the State Government. Then, under any parliamentary system, that has to be considered by the Public Accounts Committee of which the Chairman is Shri Singh Deo. The Chief Minister requested us. Let us not in a hurry do something which may contradict what the results may achieve, or the results that may be achieved. There is no question of deferring this or not doing anything. Whatever is necessary will be done, but let us go according to the procedure.

Shri Hari Vishnu Kamath: Is the House to understand that though the special audit report has become public property through the medium of the Orissa Legislature the Central Government is still blissfully ignorant of this report, and if they are not, is the Government or the Cabinet Sub-Committee convinced that these two ex-Chief Minister have been guilty of more than mere improprieties as found by the Cabinet Sub-Committee and, therefore, do the Government propose that these two should be debarred from all public office permanently, as the Education Minister said on the 15th March that they are unworthy of office?

Shri Hathi: I could not very clearly follow what he said.

Shri Hari Vishnu Kamath: Is the Government convinced now, at any rate

Mr. Speaker: He took four minutes to make out his supplementary and if the Minister asks what it was

Shri Hari Vishnu Kamath: Because he is evading. It is an ambivalent evasion; a masterpiece of evasion. I am sorry to say that.

Mr. Speaker: He should be brief.

Shri Hari Vishnu Kamath: I will be brief; but I cannot be all too brief. Is the Government convinced now, at any rate, that these two ex-Chief Ministers have been guilty of more than mere improprieties as found by the Cabinet Sub-Committee some months ago and, if so, do the Government propose to debar these two gentlemen permanently from public office, considering that the Education Minister himself on behalf of the Government on the 15th of March said in the House that they are unworthy of office?

Mr. Speaker: Do the Government propose to debar them from public office permanently?

Shri Hathi: Whatever action the Government wanted to take on account of the improprieties, the political action has been taken.

Shri Surendranath Dwivedy: It is fraud and conspiracy. (Interruptions).

Shri Hathi: Any further legal action will be taken afterwards.

Shri Hari Vishnu Kamath: What is meant by political action? Let him clarify.

श्री रामसेवक यादव : पुलिस ऐक्शन की जरूरत है, पोलिटिकल ऐक्शन की जरूरत नहीं है।

अध्यक्ष महोदय : मेरे पास तो कोई पुलिस ऐक्शन नहीं है।

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Shri J. B. S. Bist: May I know whether Government intends to recover the losses and what is the procedure that will be adopted?

Shri Hathi: If any action has to be taken, that would be for the Orissa Government.

Shri S. M. Banerjee: Now the enquiry has been shifted to the Chairman of the PAC. May I know whether the Government contemplate to appoint any commission after the report has been considered by the PAC for fuller investigation?

Shri Hathi: That again is a question to be seen after the PAC has considered it.

श्री किशन पटनायक : क्या मंत्री महोदय ने हिसाब लगाया है कि इस रिपोर्ट में कुल कितनी रकम का गोलमाल है, तथा क्या भ्रष्टाचार विभाग या मंत्री महोदय ने यह सोचा है कि अगर बीजू पटनायक से ले कर भारत सेवक समाज तक जितने भी पैसों का थोड़ासा हुषा है उस सब को रोक सकने से इतना आर्थिक लाभ हो सकता है कि छोटे किसानों के ऊपर से लगान माफ किया जा सकता है।

अध्यक्ष महोदय : पहले हिस्से का जवाब दिया जाये।

श्री किशन पटनायक : दोनों हिस्से जूड़े हुये हैं आपस में।

अध्यक्ष महोदय : मैं उन को घला-हटा करता हूं। पहले सवाल का जवाब दे दिया जाये।

श्री हाथी : मेरे पास अभी यह सूचना नहीं है।

श्री मधु लिवरे : यहां पर बतलाया गया कि लोक लेखा समिति की रिपोर्ट आने के बाद कार्रवाई की जायेगी।

लेकिन मैं मंत्री महोदय से कहना चाहता हूँ कि जो घाशवासन दिये गये थे वह इस सदन को दिये गये थे। इस लिये उड़ीसा विधान सभा में जो कुछ होता है उस के ऊपर यहां की कार्रवाई नहीं निर्भर रहनी चाहिये। मैं मंत्री महोदय से जानना चाहता हूँ कि केन्द्रीय जांच ब्यूरो द्वारा जो जांच हुई थी और उस रिपोर्ट में जो तथ्य धाये थे और वह जो लोक लेखा समिति की रिपोर्ट धायी है उन में क्या समानता है और यहां के घाशवासनों पर कैसे प्रमल किया जायेगा।

श्री हाथी: दोनों बातों को घलग करना मुश्किल है क्योंकि जो एक रिपोर्ट थी वह सन 1961 से 1963 की थी और दूसरी रिपोर्ट 1959 से धागे की थी। इस लिये मैं कहता हूँ कि वह सारी सम्बन्धित बात है उन को घलग करना मुश्किल है।

Shri Ranga: Is it a part of their political wisdom or political statesmanship that these two ex-Chief Ministers are supposed to have been brought under political discipline by being denied their positions in the Government while they are allowed to remain in the highest counsels of the ruling party at the national level as well as the State level?

Shri Hathi: I think they have resigned.

Shri P. K. Deo: In the memorandum submitted to the President, 56 charges were there of abuse of authority, administrative impropriety and so on. The Auditor General has only examined the financial aspect of it, which has gone to the PAC. In view of the remarks of the Auditor General so far as the financial aspect is concerned, is the Government contemplating to institute a commission of inquiry to look into the several other charges?

Shri Hathi: I have replied to that question. I have said that after the PAC has considered it, it can be considered.

Shri P. K. Deo: The PAC cannot examine the charges other than the financial aspect.

Mr. Speaker: The hon. Member would realise that he cannot enter into arguments.

Shri P. K. Deo: He cannot hoodwink the people.

Shri H. N. Mukerjee: This matter is hanging fire for very long and two very notorious gentlemen continue to sully the fair name of this country. It does appear that the CBI Report laid on the Table of the House, which is a public document available to the people, as well as the special audit report have many things in common. And, in the Orissa Assembly, some special pleadings were sought to be made by the government in order to shield certain wrongdoers. In view of that and in view of the unanimously accepted desirability of giving exemplary punishment to people high up in public life who are guilty of such malpractices, may I know if the Government is going to sit tight over this matter by referring to some technicality or other, or is going to take some tangible action to reassure public opinion?

The Minister of Home Affairs (Shri Nanda): There is no desire, there is no intention of sitting over anything where this Government, the Government of India or the Parliament is concerned. Here was an assurance, as has been pointed out by the hon. Member, by the Prime Minister. That is going to be followed; that is going to be carried out. But there has to be a process. There is the Auditor-General's Report and comments. They are being dealt with in the Public Accounts Committee of the State. That stage has to be gone through, and if as a result of that, as an outcome of that . . .

Shri Surendranath Dwivedy: Is it not a fact that in the Public Accounts Committee where the Congress has a majority a whip has been issued to all Congress Members not to say anything which would go against the ex-Chief Ministers?

Shri Nanda: On the other hand, the Chief Minister has written to the Chairman of the Public Accounts Committee to expedite and not to cause any delay about it. Therefore, there is no intention

Shri Surendranath Dwivedy: It is just white-washing the whole thing.

Shri P. K. Deo: What about the other charges?

Mr. Speaker: Order, order. Questions, cannot be put while sitting in this manner. Has the hon. Minister anything further to say?

Shri Nanda: I think they are very impatient to ask other questions.

Shri U. M. Trivedi: Sir, it is unfortunate that these two gentlemen have earned this notoriety

An hon. Member: Gentlemen?

Mr. Speaker: Should all leaders proceed on the same pattern?

Shri U. M. Trivedi: But the one question that crops up

Mr. Speaker: We are, during the Question Hour, to put supplementaries seeking some information.

Shri U. M. Trivedi: I am not going to stray from that. The point that still arises is, notwithstanding the scandals that have been brought to the notice of the Government and the whole country at large, is the Government not prepared to go back to the original law provided in the Representation of People Act under Section 7, that such persons who shall have direct and indirect contact with the Government shall be disqualified from holding the post of or being a

member of a legislative assembly or a member of this House? Will the Government not go back to this and make the same provision as the provision is obtaining in all other democratic countries in the world?

Shri Nanda: That is a suggestion worthy of consideration.

Shri Rama Chandra Mallick: May I know whether it is a fact that no allegation has been proved in the Audit Report and therefore Shri R. N. Singh Deo, the Chairman of the Public Accounts Committee, Orissa, and now the Leader of the Opposition, wants to postpone the thing and the matter has been deliberately delayed whereas the Chief Minister of Orissa has asked him to discuss the matter in the Public Accounts Committee as soon as possible?

Shri Nanda: Yes, it is a correct factual statement.

Some hon. Members rose—

Mr. Speaker: Next Question.

Shri Surendranath Dwivedy: Sir, I rise to a point of order. For the Home Minister to say that it is a factual statement, are there any facts in his possession to suggest that the Chairman of the Public Accounts Committee wants to delay the matter?

Mr. Speaker: Order, order. I call Shri Yadav but at that time he did not stand up. Now he stands up, but I am not going to allow him to put a supplementary on this now.

Re-orientation of Administration

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*2. **Shri Harish Chandra Mathur:**
Shri Warier:
Shri Daji:

Will the Minister of Home Affairs be pleased to state:

(a) in what manner Government has re-oriented its administration in the context of the aggression by Pakistan; and

(b) what further steps are under examination or are contemplated?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The administration of the Central Government as well as of the State Governments, particularly that of the border States, has on the whole stood up extremely well to the situation created by Pakistan's aggression. It has shown a capacity to adjust quickly to new and pressing problems, and this cannot but be regarded as deeply gratifying. Some of the more important measures that have so far been initiated, or are under consideration, to re-orient the administration in the new context are indicated in the statement laid on the Table of the House. [Placed in Library. See No. LT-5021|65].

Shri Harish Chandra Mathur: I am not denying the Home Minister the credit which he claims. What is his own assessment about the press reports which have recently appeared in the newspapers? For instance, there was a report under the heading "Home Ministry looks at itself". There was another criticism by Shri Jayaprakash Narayan that the feeling of emergency and working on a war footing was not just there. The Home Ministry have stated in this statement that they have issued such and such directions. But what is their assessment of the present working?

Shri Hathi: I have already stated in the main reply the assessment of the working in the present circumstances. So far as the appraisal part is concerned the Home Ministry is not looking at itself; in fact, all the Ministries and departments have been asked by the Prime Minister to undertake a quick reappraisal of their plans, policies and working in the light of the recent experience and having regard to the essential requirements of the future. So far as the second part of the question is concerned, namely, the remarks quoted by the hon. Member, I am not in agreement with them.

Shri Harish Chandra Mathur: Is the hon. Home Minister aware of a criticism from authentic sources in the Government machinery itself that we will have much better administration in the Central Secretariat if there is reduction of staff by 50 per cent? Have they examined this aspect, more particularly in the present context, and if so what have they to say in the matter?

The Minister of Home Affairs (Shri Nanda): This aspect is very much in our mind. An examination of the working of the various Ministries from that point of view is being undertaken one by one. There is the problem of surplus employees, not needed for those jobs; something else will have to be done about them. This is one of the directions in which re-orientation of administration has to proceed.

Shri Warior: Has the Government any idea to set up a Commission at the all India level to go into the question of re-orientation of administration not only at the Centre but also in the States?

Shri Nanda: Very soon we are going to have that Commission for a comprehensive examination of this question. It is going to be announced very soon.

Shri Daji: To further carry forward the question of my hon. friend, Shri Mathur, there is a widespread belief that actually there is emergency in all walks of national life except in the administration of the Government itself. In the Government machinery there is no sense of urgency. That is borne out by this statement. Four paragraphs in this statement are irrelevant, giving information not asked for. Only the last paragraph of eight lines are pertinent to the question.

Mr. Speaker: Now he might ask the supplementary.

Shri Daji: The only portion which is relevant also repeats what has been stated earlier, namely, that a committee has been formed to go into this matter, a reply which the Home Minister gave about two years ago in reply to the budget debate. Is this the sense of urgency which the Government machinery is displaying in the matter of administrative reforms, faced as it is with such perfidious Pakistani aggression?

Shri Nanda: It is a very sweeping statement to make that there is absolute lack of urgency throughout the administration. Jobs have been done by the administration, by the Government machinery. There have been errors and failures; certainly; but they have been rare. The administration has done the job fully according to the requirements of the Government. So, it is a very unfair criticism to say that everything has been done without the help and co-operation of the administration.

Shri Daji: Sir, I rise on a point of order. My question is being misunderstood. The question is what has been done in the matter of re-orientation of administration; it is not a question of the administration not doing the job.

Shri Nanda: That is not the question.

Dr. L. M. Singhvi: It is stated that a resettlement organisation is being formed under the Cabinet Secretariat to take care of those who have been unsettled by Pakistani aggression. I would like to know whether the resettlement organisation has gone into action in Rajasthan, where a large number of people have been unsettled and have been driven out from Pakistan into Rajasthan?

Shri Hathi: That is a question of the details of the organisation. We will look into that. What I have said is as to how it has been re-oriented or what steps have been taken. As for the other details, because I am not

dealing with it, it may not be possible for me to give them.

Shri R. S. Pandey: Under the present state of emergency and orders to expedite the work of administration and to create more efficiency in the administration, may I know whether there is a proposal before the Government to remove the category of clerks and assistants from the administration?

Shri Hathi: As the hon. Home Minister just now stated, we have carried on studies in the Works and Housing Ministry of what we call the "Officer-oriented Scheme" where the number of assistants and clerks handling files may be less, quick movement of files can take place and quick decisions can be taken. That experiment is being carried on.

Shri Daji: Reduce the number of officers and not of clerks. The officers are the white elephants.

Shri Hathi: Both.

Shri D. C. Sharma: Is it not a fact that the performance of the Civil Defence Departments in the various States of India more or less was very, very perfunctory and that the Home Guards gave a very, very poor account of themselves in most States of India; if so, may I know what is going to happen to these departments and will it not be a better thing to close them down instead of giving them a longer lease of life and several other things?

Shri Hathi: I do not think, that is a correct appraisal at all. Their performance has been very good.

श्री मुकुल खन्ना कल्याण : केंद्रीय सरकार ने जिस प्रकार से सभी दलों आदि का सहयोग लिया राज्य सरकारें राजनीतिक दलों, सामाजिक कार्य करने वाली संस्थाओं आदि का ठीक प्रकार से सहयोग नहीं लेती तो क्या इस घोर केंद्रीय सरकार समस्त राज्य सरकारों का ध्यान

प्राकृष्ट करायेगी कि वे भी उनका ठीक प्रकार से सहयोग प्राप्त करें।

श्री हार्षी : जहाँ जहाँ जरूरत पड़ेगी वहाँ वहाँ जरूर लेंगे।

श्री सरजू पाण्डेय : स्टेटमेंट के पैरा 3 में यह लिखा है कि इमरजेंसी को देखते हुये देश की खाद्यान्न की समस्या को मुलभूताने के लिये अल्पकालिक योजनाएं बनाई गईं लेकिन अभी तक जो खबरें प्रखबारों में पढ़ने को मिलती हैं व किचन गार्डंस के संबंध में ही हैं तो मैं जानना चाहता हूँ कि इन किचन गार्डंस के भलाबा और क्या सरकार की योजना है जिससे कि जल्द से जल्द देश खाद्यान्न के मामले में धरमनिर्भर बन सके ?

अध्यक्ष महोदय : अब इस बारे में होम मिनिस्टर कैसे बतला सकते हैं ?

श्री सरजू पाण्डेय : अध्यक्ष महोदय, यह जो स्टेटमेंट उन्होंने रखा है उसमें इनक्रीज्ड फूड प्रोडक्शन का उल्लेख है तो मैं जानना चाहता हूँ कि उनकी मुख्य रूप से कौन सी योजना है ? यह योजनाएं ऐडमिनिस्ट्रेशन में ही आती हैं।

श्री ल० ना० मिश्र : जी नहीं यह तो एक जनरल रीप्रोडिजेंशन ओफ ऐडमिनिस्ट्रेशन का सवाल है। इसमें एक विशेष डिपार्टमेंट के डिटेल्स के बारे में नहीं पूछा जा सकता है।

श्री बड़ै : जिस प्रकार से केन्द्र ने उस में कुछ एकोनामिक कट करने का इरादा किया है क्या यह उपयुक्त नहीं होगा कि वैसा ही कट करने का निर्देश या सलाह यहाँ से राज्य सरकारों को दी जाये और राज्य सरकारों को यह भी सलाह दी जाये कि अगर उनके वहाँ कोई राजनीतिक या सामाजिक

संस्थाएं धन के वितरण आदि के संबंध में वर्क करना चाहती हैं, सहयोग करना चाहती हैं तो उनका भी जनसहयोग लेना चाहिये।

श्री ल० ना० मिश्र : जहाँ जहाँ सहयोग की जरूरत होगी वहाँ वहाँ हर एक क्षेत्र में जन सहयोग लिया जायेगा।

Shri S. N. Chaturvedi: May I know if the Government is satisfied that there has been any impact of whatever re-orientation that has taken place at the field level and the Grow More Food Campaign or the other schemes are going apace as a result of what has been done?

Shri Nanda: It is not possible to say how much increase in production has occurred during the last 15 days.

श्री रामेश्वरानन्द : अभी मंत्री महोदय ने कहा कि जिन का आवश्यक समझते हैं उनका सहयोग लिया जाता है तो क्या जिनका सहयोग लेते हैं उन की कोई परीक्षा की जाती है कि वह सहयोग दे सकेंगे या नहीं ? अब जिन्होंने मेरे जैसे व्यक्ति को मॅबर पालियामेंट को, अपना यात्रापत्रक दिखाने पर और दरबारा सिंह का तार दिखाने पर भी तीन बंदे कैद में रखा तो मैं जानना चाहता हूँ कि क्या ऐसे-ऐसे प्रादमियों को आप अपने डिपार्टमेंट में जानबूझ कर लेते हैं।

अध्यक्ष महोदय : श्री अ० प्र० शर्मा।

श्री रामेश्वरानन्द : अध्यक्ष महोदय मेरे प्रश्न का उत्तर नहीं आया।

अध्यक्ष महोदय : यह सवाल इतना मुश्किल है कि उस पर जवाब नहीं आ सकता।

श्री रामेश्वरानन्द : आखिर आप हम लोगों के अधिकारों के संरक्षक हैं। अभी उन्होंने कहा कि हम जिनकी सहायता

लेनी आवश्यक समझते हैं उन की लेते हैं तो क्या ऐसे ही लोगों की लेते हैं जोकि इस तरीके से मेंबर पार्लियामेंट को भी तीन घंटे तक गिरफ्तार रखे और हजारों व्यक्तियों को तंग करने की तो बात ही क्या ?

श्री बृजराज सिंह: इसका उत्तर मुश्किल है, इसकी इजाजत देना मुश्किल है...

अध्यक्ष महोदय: ठीक है इसकी इजाजत देना मुश्किल है।

श्री रामेश्वरानन्द: आप तो हमारे अधिकारों के संरक्षक हैं और अगर आप भी कहते हैं कि इसका उत्तर घाना मुश्किल है तो फिर आप ही बतलाइये कि इसके लिये और किस के पास हम जायें।

अध्यक्ष महोदय: स्वामी जी, मैं ने कहा कि आप का जो केस है उस को भलहदा लिया जा रहा है। अब इस सप्लीमेंटरी में जो आप से सलूक वहां हुआ और आपने पूछा कि क्या बीसे प्रादमियों को लिया गया है तो यह बिल्कुल भलहदा बात है। उस को हम भलहदा तय करेंगे। उस पर हम गौर कर रहे हैं। मुझे होम मिनिस्टर साहब ने भी कहा है कि वह सब वाक्यात इकट्ठे कर रहे हैं। जब मौका हो तभी जवाब दिया जा सकता है लेकिन जब यहां इस समय उसका मौका न हो तो वह क्या जवाब दे सकते हैं।

श्री रामसेवक दादब: मैं व्यवस्था का प्रश्न उठाना चाहता हूं।

अध्यक्ष महोदय: कोई व्यवस्था का प्रश्न नहीं उठता है।

श्री रामसेवक दादब: मेरी व्यवस्था सुन तो लें। प्रश्न यह है कि सहयोग किस आधार पर लिया जाता है? क्या परख है सहयोग लेने की और सरकार किस से लेगी या नहीं लेगी।

अध्यक्ष महोदय: वह सवाल दूसरा है।

श्री रामेश्वरानन्द: मैं ने यह भी कहा था कि कैसे प्रादमियों को आप लेते हैं इसकी कोई पाछ परीक्षा भी करते हैं?

अध्यक्ष महोदय: अब आप बैठ जाइये।

Shri A. P. Sharma: May I know what concrete changes the Government is going to introduce in the whole country in regard to the dilatory procedures and rules of Government, apart from reducing the number of employees wherever found surplus after examination?

Shri Hathi: It is only to go into the whole question of reforming the administrative machinery that the Commission is being appointed.

Arrests made during Pak. Aggression

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*4. Shri Yashpal Singh;
Shri Vishwa Nath Pandey;
Shri M. L. Dwivedi;
Shri S. C. Samanta;
Shri Hem Barua;
Shri S. M. Banerjee;
Shri Indrajit Gupta;
Shri Hukam Chand
Kachhavaia;
Shri Onkar Lal Barwa;
Shri Mohammed Keys;
Shri P. L. Barupal;
Shri Warior;
Shri Daji;
Shri Vasudevan Nair;
Shri Kishen Patinayak;

Will the Minister of Home Affairs be pleased to state:

(a) the number of persons rounded up for anti-national activities, state-wise, during the recent conflict with Pakistan; and

(b) the action taken to have them tried in a court of law?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N.

Mishra): (a) and (b). Information is being collected from the State Governments and Administrations of Union Territories and will be placed on the Table of the House.

श्री यशपाल सिंह: क्या सरकार के पास इस तरीके की कोई इतिहास है कि इस में पाकिस्तानी नागरिक कितने हैं जोकि गिरफ्तार हुये हैं ?

श्री ल० ना० मिश्र : पाकिस्तानी नागरिक जिनके कि बारे में मुझे सूचना है वह करीब कोई 54 हजार—इन-फिल्ट्रेस छोड़-कर—हमारे मुल्क में थे जिनमें कि करीब 3000 को हम ने गिरफ्तार किया जबकि पाकिस्तान में हमारे नागरिक लगभग 30,000 थे और उन्होंने 30,000 में से 30,000 को गिरफ्तार कर लिया ।

श्री यशपाल सिंह: क्या सरकार के पास इस तरीके के कोई फीकट्स है कि कितने लोग ऐंभ थे जिनको कि पनाह दी जा रही थी जिनको कि प्रोटेक्शन दिया जा रहा था और दूसरे ऐंभ लोग जिन्होंने कि उन्हें प्रोटेक्शन दिया है उन के खिलाफ क्या एक्शन लिया गया ?

श्री ल० ना० मिश्र : ऐसी सूचना तो नहीं है लेकिन जिन्होंने भी प्रोटेक्शन देने की कोशिश की है उन के खिलाफ कार्यवाही की गई है ।

श्री विश्वनाथ पाण्डेय : क्या सरकार के पास कोई ऐसी सूचना है कि भारतीय नागरिक कितने हैं जोकि गिरफ्तार किये गये इस हैं इस देश के घंवर ?

अध्यक्ष महोदय : वह तो कह दिया ।

श्री ल० ना० मिश्र : यह सही है कि हम ने खाली पाकिस्तानी नागरिकों को ही गिरफ्तार नहीं किया है, भारतीय नागरिकों को भी गिरफ्तार किया है । हर एक कौम के लोगों को किया है । जो भी देश की रक्षा में किसी तरीके से अड़चन पैदा करना चाहते थे उन को गिरफ्तार किया गया है ।

Shri Daji: On a point of order.

Mr. Speaker: What is the number?

श्री ल० ना० मिश्र : मैं नम्बर देता हूँ । लगभग 1900 भारतीय व्यक्ति ऐसे हैं जिनको कि हम ने पकड़ा है ।

श्री म० सा० द्विवेदी: इस प्रश्न की सूचना लगभग एक महीने पूर्व दी गई थी लेकिन मंत्री महोदय ने अपने उत्तर में बतलाया कि यह आंकड़े अभी राज्यों से इकट्ठा किये जा रहे हैं । तो मैं जानना चाहता हूँ कि इस दिलम्ब का क्या कारण है और केन्द्र प्रशासित क्षेत्रों में जो गिरफ्तारियां हुई हैं उन की तो संख्या कम से कम बतलायें ।

श्री ल० ना० मिश्र : जी हाँ केन्द्र प्रशासित क्षेत्रों की संख्या मैं दे सकता हूँ । वैंस्ट बंगाल में उन्होंने बहुत को गिरफ्तार किया लेकिन काफी लोगों को छोड़ भी दिया । वैंसे केन्द्र प्रशासित क्षेत्रों का जहाँ तक सवाल है दिल्ली में करीब 70 गिरफ्तार हुये, हिमाचल प्रदेश में 2 हुए, मनिपुर कोई भी नहीं, त्रिपुरा में कोई नहीं, गोवा में कोई नहीं, पांडेचेरी में कोई नहीं, अंडमान निकोबार में एक हुआ और सकार्दाब में कोई नहीं हुआ ।

Shri S. C. Samanta: May I know whether the number of those who were rounded up but subsequently released would also be placed on the Table of the House?

Shri L. N. Mishra: The number 1900 includes all those people who were arrested for indulging in pro-Pakistan activities.

Shri Ranga: The question has not been properly answered. The question is whether any of them has been released.

Shri L. N. Mishra: I gave the number earlier. Since I answered it in Hindi, perhaps my hon. friend Shri Ranga could not follow it. I said that 50 per cent of the people in West Bengal had already been released, and in other States also, the people who were arrested were being released.

Shri Hem Barua: May I know whether Government are aware of the fact that during this emergency created by Pakistani aggression, the Defence of India Act was very liberally used, and even nationalists whose loyalty to this country cannot be questioned were clapped down under the DIR either on personal grudges or to suit political advantages of the ruling party, and if so, . . .

Mr. Speaker: The hon. Member may put his question.

Shri Hem Barua: In view of this injustice down to the innocent people and nationalist elements in this country, may I know whether Government are going to review their cases, since an assurance was given by Shri Tyagi at the Delhi Muslim Convention in reply to a suggestion made by me?

The Minister of Home Affairs (Shri Nanda): Some complaints have been received. There may have been a mistake or a slip here or there, and I have requested the State Government to look into such cases, and if there has been any such mistake, to rectify it.

Shri Hem Barua: The hon. Minister has just told us that he has instructed the State Governments to look into these cases. May I know whether the State Governments have done this or they are prepared to do this or not, because most of the State Governments are intransigent in this matter?

Shri Nanda: They are doing it.

श्री स० मो० बनर्जी : क्या मंत्री जी को मालम है कि कुछ दिन पहले कानपुर शहर में बहुत बड़े बिं नेसमेंन प्रप्रवाल जो पाकिस्तान को रेगुलर्ली कार्गोटिड शीट्स और दूसरी चीजें सप्लाय करते थे वे दोनों भाई गिरफ्तार किये गए लेकिन उत्तर प्रदेश की सरकार ने एसेम्बली में उन का नाम भी नहीं बताया और कोशिश यह हो रही है कि जिन लोगों ने राष्ट्र के खिलाफ हतनी बड़ी कार्यवाही की है उन्हे केस को दबा दिया जाये। मैं यह जानना चाहता हूं कि क्या यह मामला केन्द्रीय गृह मंत्रालय के पास आया है और यदि इस मामले की जांच हो रही है तो क्या मंत्री महोदय यह बताये की कृपा करेंगे कि उन व्यक्तियों के खिलाफ क्या चाजिज थें ?

श्री ल० ना० मिश्र : जहाँ तक हम को सूचना मिलने का सवाल है हम को इस बारे में कोई सूचना नहीं मिली है। लेकिन जैसा कि माननीय सदस्य ने कहा है हम ने भी इस बात को सुना है और हम इस मामले को देखेंगे। अगर ऐसी बात हुई है तो इस बारे में उचित कार्यवाही की जायेगी।

Shri S. M. Banerjee: On a point of order. This whole question has been agitating the minds of not only the people of UP but of the entire country, and a full report has been sent to the Centre. Even the Chief Minister of UP, for whom I have the greatest regard, did not disclose the name in the UP Assembly in this regard, because this man has provided transistor sets to almost every official including Ministers and that is why they are doing these things. I want to know whether this matter has been reported to the Centre, and whether the Centre is also feeling shaky in taking action . . .

Mr. Speaker: What is the point of order in this?

Shri S. M. Banerjee: My point of order is this. I wanted to know whether this information was available with the Centre, and the hon. Minister replied 'No'. But I know that this has been referred to the Home Minister

Mr. Speaker: If he has said 'No', then what is the point of order involved?

Shri S. M. Banerjee: My point of order is this. When the matter has been referred to the Centre by the State Government, there can be no question of 'suna hai'

Shri Bade: The moral responsibility of the Centre is there.

Mr. Speaker: Order, order. There is no point of order in this. Now, Shri Indrajit Gupta.

Shri S. M. Banerjee: Should I take it that both the Governments are defending these corrupt people?

An hon. Member: They are.

Mr. Speaker: Order, order. I have called Shri Indrajit Gupta.

Shri Indrajit Gupta: The newspapers had reported last month the arrest in Calcutta under the DIR of two millionaire businessmen, Mr. Gajadhar Sarogi and his son Mr. Pannalal Sarogi

Mr. Speaker: Should we discuss individual cases here?

Shri Indrajit Gupta: I want to know whether it is a fact that the evidence on the basis of which they were arrested is that they have been doing business with Ispahni and other businessmen in Pakistan, and the money gained out of this joint business was being used to finance anti-Indian activities in this country, and if so, what action is proposed to be taken against those people.

Shri L. N. Mishra: I take the information from the hon. Members; to

my knowledge, there is no such thing; if there is anything, we shall look into it.

Shri Nanda: May I add that as soon as we learnt about this Kanpur matter, I myself initiated action? Whether it lay in my jurisdiction or not was not the material point for me. I wanted to know what was happening. I have been making inquiries, and I am also in touch with the developments. Therefore the hon. Member need not cast any reflections or utilise the opportunity for a question as an occasion for levelling all kinds of accusations against us; that is not fair.

श्री हुकम चन्द कछवाय : मंत्री जी ने अभी अपने उत्तर में बताया है कि करीब 1900 व्यक्ति पकड़े गए हैं। मैं यह जानना चाहता हूँ कि उन व्यक्तियों में से सरकारी कर्मचारी कितने थे, राजनीतिक दलों से कितने सम्बन्धित, ये और विधायक और संसद सदस्य कितने थे।

श्री ल० ना० मिश्र : जहाँ तक विधायकों और संसद-सदस्यों का संबंध है शायद बंगाल के एक संसद सदस्य पकड़े गए थे। बाकी लोगों का नाम मैं इस वक्त नहीं दे सकता। जहाँ तक सरकारी कर्मचारियों का सम्बन्ध है मेरे पास इस समय सूचना नहीं है लेकिन शायद कोई भी सरकारी कर्मचारी नहीं है।

श्री हुकम चन्द कछवाय : विधायक कितने थे ?

Shrimati Renu Chakravartty: Has it been brought to the notice of Government that in view of this emergency, large-scale arrests were made of people who subsequently had to be released? Will the hon. Minister do the inquiry which he has promised directly or will it be under the state governments which have arrested these people really for political reasons? A number of Muslim members of our Party were arrested immediately when the conflict began. Why?

Shri Nanda: What happened at the moment was in view of the emergency just ahead of us. We are in the midst of an emergency. Local officers have taken action on the basis of whatever information was available at the moment. Then the Government can be trusted to do the rest of it, with the Chief Minister and others being there. Therefore, I do not think that the Central Government have to go into each individual case.

Shri Koya: Were the detenus given an opportunity to disprove their involvement in these cases motivated by misinformation, personal rivalry or political animosity?

Shri L. N. Mishra: The normal course of law will follow in each case.

श्री प० ला० बाबूवाल : श्रीमान् मैं यह जानना चाहता हूँ कि जो लोग पाकिस्तान के आक्रमण से पहले भारत और पाकिस्तान के बीच में तस्कर व्यापार किया करते थे क्या सरकार ने उन के संबंध में कोई जांच कराई है। उन में से कितने आदमी गिरफ्तार किये गए हैं? उन में से जो बाहर रह गए हैं क्या वे राष्ट्र के प्रति बकादार सिद्ध हो सकते हैं; यदि नहीं तो क्या सरकार ऐसे लोगों को भारत सुरक्षा कानून के अन्तर्गत नजरबन्द करने पर विचार कर रही है?

श्री ल० ना० मिश्र : मैंने पहले भी कहा है और आज भी कहता हूँ कि पहले भी बहुत से लोग तस्कर व्यापार करने के आरोप में पकड़े गए थे और इस बार भी पकड़े गए हैं। अगर उन में से कुछ छूट गए हैं तो उन पर निगरानी रखी जायेगी और अगर जरूरत होगी तो वे फिर पकड़े जायेंगे।

Shri Daji: Faced with so many incidents brought before the House today and also reported in the papers, have any such saboteurs or agents or those who are working with Pakistanis been brought to trial and punished severely as an example to others not to be traitors to the country?

Shri L. N. Mishra: It is difficult for me to give details. I would like to have information on this point.

Shri Daji: On a point of order. I seek your protection. The question is very simple. How can he seek information or clarification now when specific notice has been given? The question is a simple one, whether even one case of prosecution has been launched against saboteurs?

Mr. Speaker: It was in the original question itself. The answer should have been given.

Shri L. N. Mishra: About trial, it is not there in the question. If you read the question, you will see that it relates to the number of persons rounded up.

Mr. Speaker: Part (b) refers to action taken to have them tried in a court of law.

Shri L. N. Mishra: I am sorry. So far nobody has been brought to trial in a court of law. They are under detention. Each case is being examined on merits.

श्री श्रीकार लाल बेरबा : राजस्थान में भविष्यों में दो घुप बने हुए हैं। अगर एक घुप किसी को पकड़ता है तो दूसरा घुप उस को छुड़वा देता है और अगर दूसरा घुप किसी को पकड़ता है तो पहला घुप उस को छुड़वा देता है। क्या सरकार के पास ऐसी रिपोर्ट आई है कि बाइमेर में जिन लोगों ने लड़ाई में अत्याचार किया है, उन को डी० आई० द्वारा के अन्तर्गत पकड़ा गया और फिर छोड़ दिया गया? मैं स्वयं देख कर आया हूँ।

श्री ल० ना० मिश्र : अगर माननीय ससदय स्वयं देख कर आए हैं तो ठीक ही होगा लेकिन मुझे इस की सूचना नहीं है और मैं इस को नहीं मानता।

Shri Vasudevan Nair: Has the hon. Minister given any personal consi-

deration or has he inquired into the charges against a member of this House belonging to the Opposition, Shri Badrudduja, who, it was reported, was arrested at the time of the Pakistani aggression? There are reports that there are people having personal grudge against him in West Bengal and all that. Have Government reviewed his case? He is a Member of this House. He was supporting Government, as far as we know, as this particular question of Pakistani aggression.

Shri L. N. Mishra: We have not done any review of his case. It is for the State Government, and in their judgment they have detained him the moment hostilities started.

Mr. Speaker: Shri Kishen Patt-nayak.

Shri Hem Barua: On a point of order. Our only objection is that the State Governments are functioning in a partisan manner to suit political purposes, and therefore we want the Central Government to function and see that justice is done to certain Members who have been arrested for nothing under the Defence of India Rules. Even a Member of this Parliament has been arrested and there has been no enquiry instituted by the Central Government. I think you will exert your authority on this Government to see that the case of the Member of Parliament who has been arrested is reviewed or that he is tried in a court of law.

Shri Sinhasan Singh: On a point of order. Shri Hem Barua is speaking without being called. The hon. Member did not catch your eye, and he went on speaking.

Shri Surendranath Dwivedy: The very fact that the Speaker permitted him shows that there is no point of order.

Shri Sinhasan Singh: You did not call him, but he went on speaking though Shri Kishen Pattnayak was called.

Shri Hem Barua: I did not know there were Members in Parliament who were jealous of other Members.

Mr. Speaker: I should only say that if it is a bad practice, why should he follow it? He should co-operate with the Chair.

Shri Sinhasan Singh: I rose on a point of order, and then I spoke.

श्री किशन पटनायक : मेरे शहर सम्बलपुर में लड़ाई काल के दौरान पुलिस ने संख्या-लघु बस्तियों को जा कर पलान किया था कि कोई भ्रगर शहर के बाहर जाना चाहता है तो पुलिस बाने में रिपोर्ट लिखवाये और रात के आठ बजे के बाद रात में न घूमे। मैं जानना चाहता हूँ कि क्या इसके पीछे गृह-मंत्री जी का भी कोई इशारा था भ्रगर नहीं तो इसके बारे में वे क्या करने वाले हैं ?

श्री ल० ना० मिश्र : इंटरनल सिक्योरिटी मैगजिन के कुछ तरीके हैं। ऐसा किया गया था कि जो कोई भी पाकिस्तान के लोग यहां रह रहे हैं . . .

श्री किशन पटनायक : पाकिस्तान के नहीं; हिन्दुस्तान के संख्या लघु।

श्री ल० ना० मिश्र : भारतीय लोगों पर लागू नहीं था। जो पाकिस्तान के लोग थे उन में से कुछ को तो हमने पकड़ा है। जैसे मैंने कहा है कि 54 000 में से करीब तीन-चार हजार हमने पकड़े हैं। पाकिस्तानियों पर हमने रेस्ट्रिक्शंस लगाई थी कि 24 घंटे से ज्यादा के लिए भ्रगर वे बाहर जाना चाहते हैं तो स्थानीय पुलिस बाने को सूचना दे दें। इससे ज्यादा भ्रगर कोई रोक-थाम किसी राज्य सरकार ने लगाई है तो उसकी कोई खास बजह रही होगी मुझे उसकी सूचना नहीं है।

Shri H. N. Mukerjee: Apart from our colleague Shri Badrudduja, there are authenticated reports of genuinely nationalist Muslims, including some

members and some office-bearers of the Communist Party, who have been detained without trial. I can understand a man being kept in jail even without trial on the ground of ideology, he can suffer it, but if he is told that he is an anti-national person practising or intending to practise treason and he is not given an opportunity to defend himself in a court of law, it is a cruel practice. May I know if in view of that the Government has directed the State Governments to expedite the examination of these cases and to make proper amends, particularly when Government does not seem to take action when paper after paper reports that a big Indian tycoon has presented Rs. 20 lakhs or more to the Pakistan military fund and that sort of thing goes on. I want to know what special steps are taken by Government.

Shri Nanda: As I said earlier, I had taken the precaution earlier, and also later on I thought it was necessary for me to bring it to the notice of the State Governments, and I have done it both by letter and by telephone. There is going to be a meeting of the Chief Ministers and Home Ministers on the 8th, and I will bring this matter up there also, in order to guard against any such failure of justice or any harassment of any person.

श्री प्रकाशचर शारदा : पीछे गृह-मंत्री जी ने इसी सदन में बताया था कि भारत में हजारों की संख्या में ऐसे पाकिस्तानी नागरिक रह रहे हैं जो बिना पारपत्र के यहाँ चले आए हैं अथवा जिनके पारपत्रों की अवधि समाप्त हो गई है। फिर भी वे भारत में ही रह रहे हैं। ये जी गिरफ्तारियाँ अब आप ने की हैं क्या इनमें इस प्रकार के पाकिस्तानी भी गिरफ्तार किए गए हैं अथवा उनको भारत से पाकिस्तान भेजने की कोई कार्रवाई भी की गई है ?

श्री ल० ना० मिश्र : बहुत से ऐसे लोग भी पकड़े गए हैं जिनके पास बैलिड डाकुमेन्ट्स नहीं थे। यहाँ पर रहने वाले भी कुछ पकड़े गए हैं। जहाँ तक भेजे जाने का प्रश्न

है मैं कैसे भेजूँ ? हमारे भी तो नागरिक उनके पास हैं। उनको भी हम चाहते हैं कि वे वापिस घाने दें ? ऐसी हालत में जबकि हमारे लोग ट्रेवल डाकुमेन्ट्स के साथ पाकिस्तान में पड़े हुए हैं और उनको वे घाने नहीं देते हैं तो तो

श्री प्रकाशचर शारदा : हमारे ताँ बिना पासपोर्ट के नहीं है। वे तो पासपोर्ट से कर गए हैं।

श्री ल० ना० मिश्र : बिना पासपोर्ट वालों को भेजने की बात अभी नहीं है। इसमें रेसीप्रोसीटी की बात घाती है। हमारे लोगों को जब वे घाने देंगे तब हम भी उन लोगों को जाने देंगे।

श्री काशीराम गुप्त : माननीय मंत्री जी ने बताया है कि करीब तीन हजार पाकिस्तानियों को इन दिनों में गिरफ्तार किया गया था। मैं जानना चाहता हूँ कि क्या वे पाकिस्तानी अपने रिश्तेदारों के पास ठहरे हुए थे या अलग से ठहरे हुए थे ? मैं यह भी जानना चाहता हूँ कि क्या इन में से अधिकतर को सीमावर्ती इलाकों में पकड़ा गया है या अन्य क्षेत्रों में भी इनको पकड़ा गया है ?

श्री ल० ना० मिश्र : सीमावर्ती इलाकों में भी पकड़े गए हैं और अन्य क्षेत्रों में से भी पकड़े गए हैं। सीमावर्ती क्षेत्रों से ज्यादा पकड़े गए हैं यह साफ है। वे सम्बन्धियों के साथ भी रहते थे और अलग स्वतन्त्र रूप से भी रहते थे।

Shri M. B. Krishna: How is the government treating Indian citizens who are indulging in activities against India? What steps are being taken against the son of Sheikh Abdullah on whom a lot of money has been spent and also against Sheikh Abdullah who has done similar work in foreign countries? Have any steps been taken against him.

Shri L. N. Mishra: I am answering about the home front, not on behalf of the foreign ministry.

Shri M. R. Krishna: Is he not an Indian citizen? I would like to know whether he is still an Indian citizen or not?

Mr. Speaker: That is a new question.

Shrimati Savitri Nigam: May I know whether an Indian citizen in Port Blair has been caught with a wireless set which was constantly giving news to Pakistan and if the answer is in the affirmative, what action has been taken against him?

Shri L. N. Mishra: I have no knowledge about it.

श्री प्रिय गुप्त : क्या मैं जान सकता हूँ कि प्रो-पाकिस्तानी एक्टिविटीज के लिए, स्मरालिंग के लिए, या इस तरह के दूसरे इल्जामों में मुस्लिम कम्युनिटी के घनाबा किसी दूसरी जाति के भी किसी भ्रामदमी को पकड़ा गया है, यदि हाँ, तो कितनों को ?

इस सदन के मेम्बर श्री बदरुद्दुजा के बारे में जो सवाल रखा गया है, उसके बारे में क्या होम मिनिस्टर साहब जांच पड़ताल कर रहे हैं और देख रहे हैं कि उनके खिलाफ लाए गए इल्जाम सही हैं या नहीं ? अगर वे सही नहीं हैं तो इसके बारे में उनका क्या फैसला है ?

श्री स० ना० मिश्र : बदरुद्दुजाजी के विषय में गृह मंत्री जी ने खुद कहा है कि इस केस को स्वयं देखने वाले हैं । मैं एक भ्रम को दूर कर देना चाहता हूँ । माननीय सदस्य इस बात पर ज्यादा ज़ोर न दें कि कोई इसलिए पकड़ा गया है कि वह किसी खास जाति का था या किसी खास काम का था । हर भ्रामदमी को अपने काम के लिए पकड़ा गया है, फिर चाहे वह हिन्दू हो, मुस्लिम हो या क्रिश्चियन हो । मुसलमान होने से ही कोई नहीं पकड़ा गया है ।

Shri Priya Gupta: On a point of information. It is not only for smuggling but for pro-Pakistan activities, for propaganda etc. how

many non-Muslims have been arrested? Is it in their knowledge?

अध्यक्ष महोदय : कहा तो है कि इतने पकड़े हैं ।

श्री रामसेवक दादब : जो भारतीय नागरिक पकड़े गए हैं और खास तौर से इस संदर्भ में कि पाकिस्तान के साथ कुछ उनका सम्बन्ध है, मैं जानना चाहता हूँ कि उनके खिलाफ किस प्रकार के आरोप थे? बाद में उन में से जो लोग छोड़ दिये गए हैं वे क्यों छोड़े गये हैं, यह भी मैं जानना चाहता हूँ ?

श्री स० ना० मिश्र : मैं बतलाऊँ कि हर राज्य सरकार की अपनी एक प्रणाली होती है और वह भ्रामदमियों की सूची रखती है । उनकी एक्टिविटीज के मुताबिक उनका क्वालिफिकेशन होता है । मैं यहाँ पर एक एक भ्रामदमी के बारे में तो ब्योरा नहीं दे सकता, लेकिन अन्तिम सूची के अनुसार जिन लोगों पर शक था और जिन के खिलाफ सबूत मिला उन्हीं को पकड़ा गया । और जिन के बारे में यह सोचा गया कि सीज-मायोर के बाद उनको छोड़ दिया जाय उन को छोड़ भी दिया गया ।

श्री रामसेवक दादब : कितने लोगों को छोड़ दिया गया है ?

श्री स० ना० मिश्र : मैं नम्बर तो नहीं दे सकता लेकिन बंगाल सरकार ने करीब साढ़े छ सौ लोगों को छोड़ा है । इस तरह से काफी लोग छूट चुके हैं

WRITTEN ANSWERS TO QUESTIONS

Education Commission

- *5. **Shri Vishwa Nath Pandey:**
Shri Prakash Vir Shastri:
Shri Jagdev Singh Siddhanti:
Shri Jashwant Mehta:
Dr. L. M. Singhvi:
Shri R. S. Pandey:
Shri Rajeshwar Patel:

Shri Vidya Charan Shakia:
Shri Madhu Limaye:
Shri Bagri:

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 72 on the 18th August, 1965 and state:

(a) whether any report has since been received by Government from the Education Commission;

(b) if so, the main features thereof; and

(c) the reaction of Government thereto?

The Minister of Education (Shri M. C. Chagla): (a) Not yet, Sir.

(b) and (c). Do not arise.

Students' Training for Civil Defence

*6. **Shri Shree Narayan Das:**
Shrimati Tarkeshwari Sinha:
Dr. L. M. Singhvi:
Dr. Ram Manohar Lohia:
Shri Yashpal Singh:
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Bagri:
Shri P. R. Chakraverti:
Shri K. N. Tiwary:
Shri P. C. Borooah:
Shri Linga Reddy:
Shri S. N. Chattervedi:
Shri Sidheshwar Prasad:
Shri Bhanu Prakash Singh:

Will the Minister of Education be pleased to state:

(a) whether in view of the situation created by Pakistani aggression and Chinese threat, the State Governments have been asked to mobilise and train the youths in schools and colleges in such a way that their services could be utilised for civil defence purposes; and

(b) if so, the precise nature of the suggestions made and the extent to which these have been implemented?

The Deputy Minister in the Ministry of Education (Shri Bhakti Darsan): (a) and (b). This Ministry, while drawing the attention of

the State Governments to the circular letter issued by the Ministry of Community Development and Co-operation to the State Governments on the subject of Village Volunteer Force, has requested them to issue suitable instructions to the educational institutions and administrative officers of the Education Department situated in rural areas to co-operate effectively in the proper organization and functioning of the Village Volunteer Force. It has also been emphasized that the school and its staff can help in activating the interest of the community in this effort through various civil defence organizations in urban areas as well.

The Directorate General, National Cadet Corps, has issued instructions to the N.C.C. Directors of all the States for the utilization of the services of the N.C.C. officers and cadets of the age of 17 years and above for civil defence measures, including passive air defence.

The extent to which these instructions have been implemented is not yet known.

The Directorate of Education, Delhi has also prepared detailed plans for the training and participation of school students in civil defence work. The Education Minister is writing to all the Chief Ministers to work out similar plans on the model of Delhi plan.

Kerosene Oil from Russia

*7. **Shri P. K. Deo:**
Shri Subodh Hanada:
Shri Kapur Singh:
Shri Solanki:
Shri Narasimha Reddy:
Shri Yashpal Singh:
Shrimati Renuka Barkataki:
Shri P. C. Borooah:
Shri Ravindra Varma:
Shri P. Venkatasubbaiah:
Dr. Ranen Sen:
Shri Dmen Bhattacharya:
Shri D. C. Sharma:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government's attention has been drawn to a news-item published in the *Statesman* of 3rd October, 1965 (page 9, column 3) to the effect that Russia is rushing more Kerosene Oil to India to tide over the present acute shortage of this essential commodity;

(b) if so, the total quantity of Kerosene Oil and other petroleum products which Russia has agreed to supply; and

(c) whether it will fill the gap of the country's requirements of Kerosene oil?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) and (b). Yes, Sir. The Indian Oil Corporation have entered into contracts for the import of 12,15,000 tonnes of petroleum products including kerosene from the U.S.S.R. and are negotiating for certain additional imports of petroleum products from that country during the current year.

(c) Yes, Sir, except to the extent that kerosene has to be diverted for Defence requirements.

Cochin Refinery

*8. **Shri Subodh Hanada:**

Shri Daljit Singh:

Shri Yashpal Singh:

Shri Kapur Singh:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that the initially estimated cost of Cochin refinery has gone up to the extent of rupees five crores;

(b) if so, the reasons therefor;

(c) whether this is further likely to go up by the time of its completion; and

(d) the progress made so far in its construction?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) and (b). The cost of the refinery

is now estimated at Rs. 21.92 crores, which is Rs. 4.07 crores higher than the initial estimate made on the basis of prices in 1962. The increase is due to the rise in prices and the higher rate of customs duty on equipment and materials and the inclusion of an unforeseen expenditure on construction of dock facilities.

(c) No, Sir.

(d) Construction work is in progress and the refinery is likely to be commissioned by the end of the financial year.

शिक्षकों के बेटन

*9. **श्री स० ला० द्विवेदी :**

श्री सुबोध हंसदा :

श्री स० जं० सामन्त :

श्री प० ला० बाकपाल :

श्री स० ना० चतुर्वेदी :

श्री बी० जं० शर्मा :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार किसी ऐसी योजना पर विचार कर रही है कि देश में शिक्षकों का न्यूनतम बेटन 100 रुपए प्रतिमास होना चाहिए;

(ख) यदि हाँ, तो क्या सरकार को यह मायूस है कि ब्राजकल महंगाई के दिनों में 100 रुपए प्रतिमास से भी घर का खर्च चलाना संभव नहीं है और इस प्रकार शिक्षक अपना कर्तव्य संतोषजनक ढंग से पूरा नहीं कर सकते हैं;

(ग) सरकार द्वारा इस योजना के कब तक क्रियान्वित किये जाने की संभावना है ; और

(घ) इस पर सरकार द्वारा कितनी राशि खर्च की जायेगी ?

शिक्षा मंत्री (श्री मु० क० चागला) :

(क) जी, नहीं ।

(ख), से (घ). प्रश्न नहीं उठता ।

केन्द्रीय विश्वविद्यालय

*10. श्री प्रकाशवीर शास्त्री :

श्री जगदेव सिंह सिद्धान्ती :

श्री श्रींकार लाल बेरवा :

श्री बृजराज सिंह :

श्री गोकुल प्रसाद :

श्री हुकम चन्द कछवाय :

क्या शिक्षा मंत्री 15 सितम्बर 1965 के तारांकित प्रश्न संख्या 657 के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) चौथी पंचवर्षीय योजना में सभी राज्यों में केन्द्रीय विश्वविद्यालय स्थापित करने की योजना में और क्या प्रगति हुई है ;

(ख) इस सम्बन्ध में विश्वविद्यालय अनुदान आयोग ने क्या निणय किया है; और

(ग) क्या कुछ राज्यों ने भी इस योजना से सहमति प्रकट की है ?

शिक्षा मंत्री (श्री मु० क० चागला) :
(क) और (ख). राज्यों में Central Universities (केन्द्रीय विश्वविद्यालय) स्थापित करने के मामले पर U.G.C. (विश्व-विद्यालय अनुदान आयोग) ने 6 अक्टूबर, 1965 की अपनी बैठक में विचार किया और इस मामले को Education Commission (शिक्षा आयोग) के पास भेजने की इच्छा व्यक्त की ।

(ग) राज्य सरकारों से अभी बातचीत नहीं की गई है ।

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केन्द्रीय स्कूलों में प्रवेश

*11. श्री मधु लिमये :

श्री बागड़ी :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विभिन्न राज्यों में केन्द्र द्वारा स्थापित तथा वित्तपोषित केन्द्रीय स्कूलों में केवल सरकारी कर्मचारियों के बच्चों को दाखिल किया जाता है अथवा अन्य छात्रों को भी प्रवेश मिलता है ;

(ख) अन्य छात्रों की प्रतिशतता क्या है ;

(ग) इन स्कूलों में हिन्दी और अंग्रेजी माध्यम वाले छात्रों की भलग-भलग संख्या क्या है ; और

(घ) यह योजना कहाँ तक उपयोगी सिद्ध हुई है ?

शिक्षा मन्त्रालय में उपमन्त्री (श्रीमती सोमहरम रामचन्द्रन) : (क) जी नहीं; किन्तु स्थानांतरणीय केन्द्रीय सरकारी कर्म-चारियों के बच्चों को प्राथमिकता दी जाती है ।

(ख) प्रत्येक स्कूल की प्रतिशतता भिन्न भिन्न है ।

(ग) और (घ). इन स्कूलों में प्रशिक्षण का माध्यम अन्तिम रूप से वे दोनों भाषाएँ हैं । कुछ अंग्रेजी माध्यम से पढ़ाते हैं और कुछ हिन्दी माध्यम से । यह योजना उन बच्चों के लिए उपयोगी सिद्ध हुई है जिनके माता पिता देश के एक भाग से दूसरे भागों में आते जाते रहते हैं और वे इन दोनों भाषाओं में शिक्षण प्राप्त करने को अधिक अच्छा समझते हैं जिससे बच्चों की पढ़ाई का क्रम भंग न हो ।

Fertilizer Plants

*12. Shrimati Sharda Mukerjee:
Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that the U.S. Bechtel Corporation has made a

revised proposal for setting up a few fertilizer plants; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Petroleum and Chemicals (Shri Alagesan): (a) No, Sir.

(b) Does not arise.

National Laboratories for Defence needs

*13. **Shri D. C. Sharma:**

Shri P. R. Chakraverti:

Shri P. C. Borooah:

Shri Heda:

Shri Yashpal Singh:

Will the Minister of Education be pleased to state:

(a) whether the National Laboratories are being geared up to meet the needs of defence;

(b) if so, the steps taken in the matter; and

(c) the nature of work to be done by the laboratories?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) and (c). A Steering Committee with representatives of Defence, Technical Development and Supply was formed in 1962 to study Defence problems, identify them and to take further action to find solutions. This Committee is assisted by a Defence Co-ordination Unit, which is working in close collaboration with Defence and has assigned a large number of projects to the national laboratories which have either been completed or are in different stages of development. Supplies are being made to Defence in respect of 29 items which are being produced in pilot plants in the various Laboratories/Institutes. A number of new developmental projects have been recently referred to the national laboratories for examining the feasibility of taking them up.

Oilfields in Assam

*14. **Shri Hem Barua:**

Shri P. C. Borooah:

Shrimati Renuka Barkataki:

Shri P. R. Chakraverti:

Shri Subodh Hansda:

Shri Yashpal Singh:

Shri Sham Lal Sagraf:

Shri M. L. Dwivedi:

Shri S. C. Samanta:

Shri Parashar:

Shri S. N. Chaturvedi:

Shri Brij Raj Singh:

Shri Onkar Lal Berwa:

Shri Gokaran Prasad:

Dr. Mahadeva Prasad:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that recently an oil-bearing structure has been located by the Oil and Natural Gas Commission somewhere between Rudrasagar and Lakwa fields in Assam; and

(b) if so, the estimated extent of the finds?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) No, Sir.

(b) Does not arise.

Issue of Industrial Licences

*15. **Shri P. C. Borooah:**

Shri Basappa:

Shri Yashpal Singh:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 774 on the 22nd September, 1965 and state:

(a) whether a decision has since been taken to appoint a quasi-judicial body for issuing industrial licences; and

(b) if so, its precise constitution, functions and *modus operandi*?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) Does not arise.

Student Discipline

*16. **Shri Karni Singhji:** Will the Minister of Education be pleased to state:

(a) whether Government are aware that political interference is a source of student indiscipline;

(b) if so, whether any appeals have been made to the political par-

ties not to call upon students for participation in demonstrations and strikes; and

(c) the steps which are being taken to create a sense of participation amongst the students in creating a New India?

The Minister of Education (Shri M. C. Chagla): (a) and (b). Yes, Sir. Informal appeals have been made now and then to political parties not to call upon students for participation in demonstrations and strikes.

(c) In addition to the National Fitness Corps Scheme for school students and the compulsory National Cadet Corps Scheme for college students, which are already being implemented, it is proposed to institute a scheme of one year's compulsory national service for all students completing secondary education.

Shortage of Kerosene and Diesel Oil

- *17. **Shri Linga Reddy:**
Shri D. C. Sharma:
Shri Bhanu Prakash Singh:
Shri Madhu Limaye:
Shri Bagri:
Shri Shree Narayan Das:
Shri Yashpal Singh:
Dr. Sarojini Mahishi:
Shri B. K. Das:
Shri R. Barua:
Shri Raghunath Singh:
Shri P. K. Deo:
Shri Solanki:
Shri Narasimha Reddy:
Shri Kapur Singh:
Dr. L. M. Singhvi:
Shri Ram Sewak Yadav:
Shri S. M. Banerjee:
Shri Bibhuti Mishra:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the extent to which Government have been successful in removing the shortage of kerosene oil, diesel and petrol in different parts of the country to-date; and

(b) the measures taken by Government to make the country self-sufficient as regards the Petroleum Products and Chemicals in the Fourth Five-Year Plan?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) The production of petrol being in excess of our requirements, there is no general shortage of petrol in any part of the country. Owing to the arrangements made for import of diesel oil from the U.S.S.R. there has also been no shortage of diesel oil since July, 1985. Shortages of Kerosene have been experienced in the last three months on account of the priority that has been given for meeting the requirements of defence since the commencement of the conflict with Pakistan. Arrangements are being made for increased supply of Kerosene from rupee payment countries as well as by rationalisation of local production.

(b) The additional refinery capacity envisaged during the Fourth Five Year Plan will make the country self-sufficient in regard to most of the petroleum products. Measures to increase output of chemicals and to make the country self-sufficient to the extent possible consistent with the country's resources in the Fourth Five Year Plan are also under consideration of the Planning Commission.

Joint Consultation Scheme

- *18. **Shri A. P. Sharma:**
Shri S. M. Banerjee:

Will the Minister of Home Affairs be pleased to state:

(a) the reasons for delay about the implementation of the scheme, particularly in the Railway and Defence departments for settlement of disputes between the workers and the employing Ministries in view of the acceptance of the scheme of Joint Consultation and Compulsory Arbitration by almost all the Central Government employees, trade unions, and associations;

(b) whether it is a fact that the Ministry of Home Affairs is not implementing the scheme because the employing Ministries are opposed to the same; and

(c) if not, the specific reasons for the delay and by what time the scheme is likely to be implemented?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) to (c). Some of the unions/associations have not accepted the scheme in its entirety. Hence it could not be implemented so far. To the extent practicable, Government are anxious to secure unanimity on the scheme. To achieve this, meetings are being held the last of which was on 21-10-1965. The differences were further narrowed down and we hope to introduce the scheme early.

Internment of Pakistanis

- *20. Shri Rameshwar Tanti:
Shri Himatsingka:
Shrimati Renuka Barkataki:
Shri R. S. Pandey:
Shri Krishna Deo Tripathi:
Shri V. B. Gandhi:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that during the recent conflict between India and Pakistan, some Pakistanis have been interned in the various parts of the country;

(b) if so, their total number;

(c) the action taken against them; and

(d) whether they have been asked to leave the country or Pakistan asked to take them back?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). Yes, Sir. Their number is 3,064.

(c) They were, in the first instance, interned locally and are being transferred in batches to a Central Internment camp.

(d) The question of exchange of interned Pakistanis in India with Indian nationals interned in Pakistan is under discussion with the Government of Pakistan.

Violations of Essential Commodities and Foodgrains Regulations

- *21. Shri P. R. Chakraverti:
Shri K. N. Tewary:
Shri P. C. Borooah:
Shri Gulshan:
Shri Buta Singh:
Shri Yashpal Singh:
Shri Hukam Chand
Kachhavaia:
Shri Onkar Lal Berwa:
Shri Brij Raj Singh:
Shri Gokaran Prasad:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Union Government have advised the State Governments to initiate vigorous drive to stamp out violations of the Essential Commodities and Foodgrains Regulations by taking into custody under the Defence of India Rules, Black-marketeers and hoarders of foodgrains;

(b) the number of arrests so far made for such violations, State-wise;

(c) the number of merchants detained on the basis of reports regarding the anti-social activities; and

(d) the number of prosecutions launched for violation of foodgrains order?

The Minister of State in the Ministry of Home Affairs and Ministry of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b), to (d). The material is being collected.

ब्लक क्षेत्रों का समाप्त किया जाना

- *22 श्री सिद्धेश्वर प्रसाद :
श्री स० मो० बनर्जी :
श्री क० ना० तिवारी :
श्री प्र० च० बबुआ :
श्री बृजराज सिंह :
श्री राम सहाय पाण्डेय :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि लालफीता-शाही को समाप्त करने के लिये प्रशासनिक सुधारों की एक योजना बनाई जा रही है जिस के अन्तर्गत क्लर्क श्रेणी तत्काल समाप्त कर दी जायेगी;

(ख) यदि हां, तो योजना की मुख्य रूपरेखा क्या है; और

(ग) यदि हां तो उसकी खोज करने के लिये और क्या कार्यवाही करने पर विचार किया जा रहा है ?

गृह-कार्य मंत्रालय में राज्य मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा सभरण मंत्री (श्री हाथी): (क) निर्माण तथा आवास मंत्रालय के निर्माण विभाग का एक अध्ययन किया गया जिसके आधार पर उस विभाग का पुनर्गठन किया गया। कर्मचारी वर्ग और कार्य पद्धति के पुनर्गठन से कार्यालय स्तर पर जांच समाप्त कर दी गई और इससे विचार के स्तरों की संख्या में कमी हो गई।

(ख) योजना की मुख्य मुख्य बातें इस प्रकार हैं :—

- (1) केन्द्रीय सावर्जनिक निर्माण विभाग के मुख्य अधिपतिता को और अधिक शक्तियों का प्रत्यायोजन;
- (2) एक ही फाईल की पद्धति लागू करना जिससे प्राप्त कार्यालय में दुहरी फाईलें रखने और सचिवालय में कार्यालय स्तर पर दुहरे विचार करने से बचा जा सके और इसके फलस्वरूप कार्यालय-स्तर पर कर्मचारी वर्ग मुख्यतः सहायकों में कमी;
- (3) फाईलिंग की वैज्ञानिक पद्धति को लागू करना और वर्तमान पद्धति की खराबियों को समाप्त करना;
- (4) विचार के स्तरों को 5 से घटा कर 3 करना अर्थात् सवने ऊपर संयुक्त सचिव की; में उपसचिव और नीचे भवर सचिव या अनुभाग अधिकारी;

(5) प्रत्येक अनुभाग अधिकारी के लिये स्टैनोपाफर की व्यवस्था;

(6) सारे डिप्टीजन के लिये प्राप्ति प्रेषण टंकण आदि के लिये एक ही रजिस्ट्री की व्यवस्था।

(ग) कर्मचारी वर्ग को स्टैनोपाफी का प्रशिक्षण देने की एक योजना विचाराधीन है।

Report of Assam Hill Areas Commission

*23. Shrimati Renuka Barkataki:
Shri P. C. Borooah:
Shri Yashpal Singh:
Shri Bhanu Prakash Singh:
Shri Ravindra Varma:
Shri P. Venkatasubbalah:
Shri J. B. S. Bist:
Shri Basumatari:
Shri A. N. Vidyalkankar:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Hill Areas Commission (Assam) has submitted its report to Government; and

(b) if so, the main recommendations thereof?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) Does not arise.

Off-Shore Oil Deposits on East Coast

*24. Shri Yashpal Singh:
Shri Shree Narayan Das:
Shri D. C. Sharma:
Shri Hem Barua:
Shri P. B. Chakraverti:
Shri P. C. Borooah:
Shrimati Renuka Barkataki:
Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:
Shri Ravindra Varma:
Shri Vishwa Nath Pandey:
Shri Onkar Lal Berwa:
Shri Sham Lal Saraf:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether the preliminary studies conducted by a Soviet ship of India's eastern coast give hope for the existence of large off-shore oil deposits; and

(b) if so, the further action being contemplated to explore the same?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). The seismic surveys carried out by the Soviet ship off the Coromandal coast have indicated the presence of a fair thickness of sedimentary rock formations and two possibly interesting anticlinal structures in the area. Further exploration work comprising a seismic surveys and drilling operations is in progress in the adjoining land area, and off-shore drilling will be undertaken if and when necessary.

Kairon Murder Case

- *25. **Shri Vishwa Nath Pandey:**
Shri Prakash Vir Shastri:
Shri Jagdev Singh Siddhanti:
Shri D. C. Sharma:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 88 on the 18th August, 1965 and state:

(a) whether the State Government have completed the investigations into the Kairon Murder Case and submitted their report; and

(b) if so, the result thereof?

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) Does not arise.

Civil Defence

- *27. **Shri Madhu Limaye:**
Shri Bagri:
Shri D. C. Sharma:
Shri P. C. Borooah:
Shri Prakash Vir Shastri:

Shri Jagdev Singh Siddhanti:
Shri P. R. Chakravarti:
Shri R. S. Pandey:
Shri Yashpal Singh:
Shri Linga Reddy:
Shri Onkar Lal Berwa:
Shri Sidheshwar Prasad:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government propose to set up a permanent all-India co-ordinated organisation for civil defence; and

(b) if so, the details thereof?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). An organisation headed by the Director General, Civil Defence, already exists at the Centre under the Ministry of Home Affairs, for coordinating the activities of civil defence organisations in States/Union Territories.

Secret Transmitter in Nagaland

- *28. **Shri Hem Barua:**
Shrimati Renuka Barkataki:
Shri Hari Vishnu Kamath:
Shri Ravindra Varma:
Shri P. Venkatasubbalah:
Shri Yashpal Singh:
Shri V. B. Gandhi:
Shri Sidheshwar Prasad:
Shri Kajrolkar:

Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware that a secret transmitter has been illegally operating in Nagaland for some time past; and

(b) if so, whether any steps have been taken to locate this transmitter and stop it from functioning?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). An unidentified transmitter operated in Nagaland between 20th and 23rd September, 1965. A close watch is being kept to locate it.

Talukdar Committee on Petroleum Price-Policy

*29. **Shri P. C. Borooah:**

Shri Yashpal Singh:

Shri Madhu Limaye:

Shri Bagri:

Shri Sham Lal Saraf:

Shri D. J. Naik:

Shri Indrajit Gupta:

Shri Warlor:

Shri Daji:

Shri R. Barua:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether Government have examined the Talukdar Committee's recommendations on Petroleum Price-policy; and

(b) if so, the decisions taken thereon?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). The Report submitted on 18-8-1965 by the Working Group on Oil Prices, headed by Shri J. N. Talukdar is still being examined; decisions thereon have not yet been taken by Government.

Report of Pathak Commission

*30. **Shri Vishwa Nath Pandey:**

Dr. M. S. Aney:

Shri Hukam Chand Kachhawalya:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 85 on the 18th August, 1965 and state:

(a) whether the Pathak Commission has since completed its enquiry into the allegation that some persons had prior knowledge of the scheme for murder of Mahatma Gandhi and submitted its report to Government;

(b) if so, the outcome thereof; and

(c) if not, when the report is likely to be submitted and the causes of delay?

The Minister of State in the Ministry of Home Affairs and Minister of

Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir.

(b) Does not arise.

(c) The report of the Commission is due to be submitted by 31st December, 1965. The Commission has to examine a large number of witnesses and voluminous old records and, therefore, it has not been found possible for it to finalise its report yet.

Central Sanskrit Board

*1. **Shri Ram Harkh Yadav:**
Shri Ram Sewak Yadav:
Shri Madhu Limaye:
Shri Bagri:

Will the Minister of Education be pleased to state:

(a) whether Government have re-constituted the Central Sanskrit Board for the propagation and development of Sanskrit in the country;

(b) if so, the composition of the Board; and

(c) its main functions?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) Yes, Sir.

(b) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-5022/65.]

Women's Polytechnic, Rouse Avenue, New Delhi

2. **Shri Ram Harkh Yadav:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government have recognised the diplomas in certain branches of technical education awarded by the Women's Polytechnic, Rouse Avenue, New Delhi;

(b) if so, the details thereof; and

(c) the reasons for such special recognition?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) Diplomas in (i) Library Science, (ii) Secretariat Practice, (iii) Medical Laboratory Technology, (iv) Elec-

tronics, (v) Architectural Assistantship, (vi) Commercial Art and (vii) Interior Decoration and Display have been recognised for purposes of employment to subordinate posts and services in the appropriate fields under the Central Government.

(c) The diplomas have been recognised in pursuance of the general principles laid down by the Government of India for recognition of diplomas/certificates awarded by State Boards of Technical Education to the students trained at recognised Institutions. No special recognition has been accorded.

खाद्य-प्रान्दोलन के सम्बन्ध में गिरफ्तारियां

3. श्री मधु लिमये :

श्री बागड़ी :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) खाद्य-प्रान्दोलन के सम्बन्ध में जुलाई और अगस्त, 1965 में बिहार महाराष्ट्र तथा पश्चिम बंगाल के राज्यों में कुल कितनी गिरफ्तारियां की गई थीं;

(ख) कितने स्थानों पर गोली बर्षा की गई; और

(ग) उन स्थानों के नाम क्या हैं जहां गोली बर्षा की जांच की गई थी ?

गृह-कार्य मंत्रालय में राज्य मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) से (ग). सूचना एकत्रित की जा रही है और यथासमय सदन के सभा-पटल पर रख दी जायगी ।

Automobile Engineering Diplomas

4. Shri Ram Harkh Yadav: Will the Minister of Education be pleased to state:

(a) whether it is a fact that Government have recognised the Diplomas in Automobile Engineering awarded by the Madhya Pradesh Board of Technical Education, Bhopal; and

(b) if so, its implications regarding employment in the Central Government services?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) This recognition makes the holders of diploma eligible for recruitment to subordinate posts and services in the appropriate field under the Central Government.

Facilities for M.P. Detenus

5. Shri Kolla Venkaiah: Will the Minister of Home Affairs be pleased to state:

(a) whether instructions were issued by Government for giving special facilities to the Members of Parliament detained under the Defence of India Rules;

(b) if so, what are these special facilities; and

(c) whether a copy of the instructions will be placed on the Table?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Some suggestions had been made for the consideration of the State Governments.

(b) and (c). The suggestions relate to quickening the pace of investigation of the case, effecting the arrest with as little harassment as possible to the person concerned, allowing if necessary sufficient margin for preparations, allotting the class befitting his education, life to which he has been accustomed etc. and prompt redressal of grievances, if any, in regard to conditions in jail.

Grievances of Detenus

6. Shri Kolla Venkaiah: Will the Minister of Home Affairs be pleased to state:

(a) whether any hunger strike by the Left Communist detenus in Andhra Pradesh had taken place in September, 1965;

(b) if so, how many took part;

(c) the main grievances represented to the State Government on which they resorted to hunger-strike;

(d) how far the grievances were enquired into and met; and

(e) if they have not been met the reasons therefor?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) 132, 134 and 149 Persons took part on the 3 days of the strike respectively.

(c) and (d). The grievances related to grant of family allowance, supply of literature, legal consultation and release of hospitalized detenus. The State Government have already taken adequate steps in respect of all these matters.

(e) Does not arise.

Reservation of Seats for Andaman Students

7. Shri Kolla Venkalah: Will the Minister of Education be pleased to state:

(a) the number of seats reserved, if any, in different Universities (i) in Arts Colleges and (ii) in Technical Colleges in the country for the students from Andaman and Nicobar Islands in 1964-65 and 1965-66; and

(b) the seats utilised by the students from Andaman and Nicobar Islands during the above period?

The Minister of Education (Shri M. C. Chagla): (a) (i) Arts Colleges: Nil.

(ii) Technical Colleges: 4 each in 1964-65 and 1965-66.

(b) All the 4 seats were utilised each year.

Part-Time Teachers in Kerala

8. Shri A. K. Gopalan:
Shri Vasudevan Nair:
Shri Warrior:

Will the Minister of Education be pleased to state:

(a) the number of part-time teachers in Government schools in Kerala at present;

(b) the salary per mensem they are given;

(c) whether Government have received representations for increasing their salary; and

(d) if so, the decision taken thereon?

The Deputy Minister in the Ministry of Education (Shrimati Soundaram Ramachandran): (a) to (d). The information is being obtained from the State Government and will be laid on the Table of the House in due course.

Kerala Public Service Commission Report

9. Shri A. K. Gopalan: Will the Minister of Home Affairs be pleased to state:

(a) whether the Kerala Public Service Commission has submitted an interim report;

(b) if so, when;

(c) whether Government have accepted the same;

(d) the annual additional financial commitment required to implement its recommendations; and

(e) when the final report of the Commission will be ready?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No Sir.

(b) to (e). Do not arise.

Family Allowance to Communist Detenus in Kerala

10. **Shri A. K. Gopalan:** Will the Minister of Home Affairs be pleased to state:

(a) whether Communist Detenus in Kerala Jails went on hunger-strike during August, 1965;

(b) if so, what were their demands;

(c) whether any assurances like liberalisation of parole and reconsideration of family allowances were given to them; and

(d) if so, the number of detenus granted parole facilities and the number of those granted family allowance thereafter?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Yes, Sir.

(b) The demands were as follows:

- (i) either the unconditional release or trial before courts of law of the Left Communist detenus to prove the charges levelled against them;
- (ii) adequate allowance to the families of detenus to enable them to live in reasonable comfort, with a minimum of Rs. 100 p.m.;
- (iii) liberal parole facilities for detenus;
- (iv) better medical facilities, including treatment by specialists, for the detenus;
- (v) treatment of all detenus as class I prisoners;
- (vi) urgent measures to improve the deteriorating food situation in the State; and
- (vii) better attention to the needs of the State.

(c) Yes, Sir.

(d) 35 detenus have been granted parole. 27 detenus have been granted family allowance afresh and in the case of 9 detenus it has been enhanced.

Three Year University Course

11. **Shri Krishna Deo Tripathi:** Will the Minister of Education be pleased to state:

(a) the progress, if any, made in regard to the introduction of three-year Degree Course in the Universities in Maharashtra and U.P.; and

(b) whether Government propose to stop the grants awarded by the University Grants Commission to the Universities which do not adopt the three-year degree course?

The Minister of Education (Shri M. C. Chagla): The information is introducing the three-year degree course in the State Universities of U.P. is under consideration of the U.P. Government.

The University of Bombay proposes to adopt the three-year degree course after intermediate for honours students.

(b) No, Sir.

Grants to Universities in U.P.

12. **Shri Krishna Deo Tripathi:** Will the Minister of Education be pleased to state the details of various grants given to the Universities and Colleges of U.P. by the University Grants Commission for scientific education together with (i) the name of the University/College, (ii) amount of grant, and (iii) the specific purpose for which the grant had been sanctioned during the Third Five Year Plan period so far?

The Minister of Education (Shri M. C. Chagla): The information is being collected and will be laid on the Table of the Sabha in due course.

Universities and Colleges

13. **Shri Krishna Deo Tripathi:** Will the Minister of Education be pleased to state:

(a) the number of Universities State-wise;

(b) the number of Degree colleges; and

(c) the number of higher institutions granted the status of University by the Government of India on the recommendations of the University Grants Commission?

The Minister of Education (Shri M. C. Chagla): (a) to (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-5023] 65].

Kidnapping by Naga Hostiles

14. **Shrimati Senuka Barkataki:**
Shri Ravindra Varma:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that six Nagas including one Government teacher, were kidnapped by a band of armed Naga hostiles from the village of Choithar in the Ukhrul Sub-Division of Manipur on the 19th September, 1965; and

(b) if so, whether these kidnapped Nagas have been set free and the Naga hostiles responsible for the outrage apprehended?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) On 19th September, 1965 four villagers including one Government teacher and one Government dak-runner were kidnapped by armed Naga hostiles from Choithar village.

(b) The kidnapped persons have been set free. Culprits have not been apprehended so far.

Rehabilitation of Migrants from East Pakistan

15. **Shri S. M. Banerjee:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of migrants from East Pakistan in the various camps who have been rehabilitated so far; and

(b) the number of those who still remain to be rehabilitated?

The Minister of Rehabilitation (Shri Tyagi): (a) 6,128 families of new migrants from East Pakistan have so far been sent to rehabilitation sites in various States. In addition, 1,501 families have been provided with regular employment.

(b) 51,100 families in camps are yet to be rehabilitated.

Security Arrangements at Airports

16. **Shri Hari Vishnu Kamath:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 628 on the 25th August, 1965 and state:

(a) whether action on all the recommendations made by the Committee appointed to go into the security arrangements at Airports has been completed; and

(b) if so, the details of action taken on each recommendation *seriatim*?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) No, Sir. The recommendations are still under examination in different Ministries and departments.

(b) Does not arise.

Kidnapped Children

17. **Shri Yashpal Singh:**
Shri Bhanu Prakash Singh:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 199 on the 25th August, 1965 and state the further progress made in the recovery of missing children?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): Despite best efforts the Delhi police could not find any clue of the missing children. The search is still being continued.

Gujarat Refinery

18. Shri Yashpal Singh:
Shri P. C. Borooah:
Shri Basumatari:
Shri Kolla Venkaiah:
Shri Onkar Lal Berwa:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether the Gujarat Refinery has started working;

(b) if so, the present rate of production; and

(c) by what time it will reach its optimum capacity?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). Yes, Sir. The first million tonne unit of the refinery was commissioned on 11th October, 1965 and is operating at 1,000 to 1,500 tonnes per day.

(c) The capacity of one million tonnes is expected to be achieved before the end of the year.

Photos published in Vogue

19. Shri Yashpal Singh:
Shri Bhanu Prakash Singh:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 2674 regarding photos published in the "Vogue" dated the 22nd September, 1965 and state:

(a) whether the copy of the said magazine has since been obtained and examined by Government; and

(b) if so, Government's reaction thereto?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes, Sir.

(b) The Government do not propose to take any action against the relevant issue of the periodical.

Educational activities

21. Shri Vishwa Nath Pandey: Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 1234 on the 1st September, 1965 and state:

(a) whether Government have since considered the proposal of bringing all educational activities in the field of higher education, including agricultural and medical education, under one umbrella; and

(b) if so, the decision taken in the matter?

The Minister of Education (Shri M. C. Chagla): (a) and (b). The matter is still under consideration.

Equipment for Games

23. Shri Shree Narayan Das:
Shri Ram Harkh Yadav:
Shri Vishwa Nath Pandey:

Will the Minister of Education be pleased to state:

(a) whether the All-India Council of Sports has submitted any scheme for the provision of play grounds and equipment for educational institutions in the country;

(b) if so, the broad features thereof;

(c) whether the financial aspect of the scheme has been examined; and

(d) if so, the result of such examination and the reaction of Government thereto?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). The All-India Council of Sports was associated in drawing up draft proposals for inclusion in the Fourth Five Year Plan for development of sports and games in the country. These proposals as originally prepared inter

alia included provision of play grounds for about 1,500 colleges, 16,000 High/Higher Secondary schools and 12,000 Middle schools, involving expenditure of Rs. 10,000 in the case of a college and Rs. 5,000 in the case of a High/Higher Secondary school or a Middle school. Provision was also suggested in these proposals for supply of sports equipment to about 16,000 High/Higher Secondary schools at the rate of Rs. 1,000 per school.

(c) and (d). The Fourth Five Year Plan is yet to be finalized. However, indications are that due to limited funds available in the Central Sector for development of sports and Games the schemes relating to provision of play grounds and sports equipment for educational institutions are not likely to find a place in the Central Sector. The State Governments, Municipal Corporations etc. may be expected to look after these requirements to the extent possible within the resources to be made available to them under the Fourth Five Year Plan.

Shortage of Kerosene Oil in Delhi

24. Shri P. K. Deo:

Shri Solanki:

Shri Narasimha Reddy:

Shri Kapur Singh:

Dr. L. M. Singhvi:

Shri Ram Sewak Yadav:

Shri Madhu Limaye:

Shri Bagri:

Shri Yashpal Singh:

Shri S. M. Banerjee:

Shri R. S. Pandey:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether it is a fact that there are complaints from the residents of Delhi regarding the acute shortage of Kerosene and other oil products in Delhi; and

(b) if so, the action taken by Government in this regard?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) and (b). Owing to the conflict

with Pakistan, kerosene supplies to the civil population had to be curtailed during August and September. The Delhi Administration imposed restrictions on the retail sale of kerosene on the 14th September, 1965. The restrictions have been relaxed to some extent after the cease-fire, but full liberalisation of kerosene supplies has not been possible owing to the present situation on our borders. Consumers in Delhi are at present entitled to purchase either five litres a week or 10 litres a fortnight or one tin every month against their sugar quota cards.

दिल्ली पुलिस मोटर गाड़ी का चोर पकड़ दल (प्रोटी बंफ्ट स्क्वैड)

25 श्री म० ला० द्विवेदी :

श्री सुबोध हंसदा :

श्री स० च० सामन्त :

श्री प० ला० बाबूपाल :

श्री श० ना० चतुर्वेदी :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में पांच वर्ष पहले जो प्रोटी बंफ्ट स्क्वैड बनाया गया था उसके उद्देश्य क्या हैं और वह उनको पूरा करने में कहीं तक सफल हुआ है ;

(ख) पिछले पांच वर्षों में इसने चोरी के कितने मामले पकड़े हैं ;

(ग) इस दल में कुल कितने कर्मचारी हैं और इस पर प्रति वर्ष कितना खर्च होता है और इस दल को कितनी मोटर गाड़ियाँ प्राप्ति दी गई हैं ; और

(घ) क्या सरकार इस दल के कार्य के बारे में एक विस्तृत विवरण सभा पटल पर रखने का विचार करती है ?

गृह-कार्य मंत्रालय में उपमन्त्री (श्री ल० ना० मिश्र):(क) से (घ). सदन के सभा पटल पर एक विवरण रख दिया गया है [पुस्तकालय में रखा गया। देखिये संख्या एल० टी०—5024/65]

जासूती करने वाले सरकारी कर्मचारियों की गिरफ्तारी

26. श्री म० सा० द्विवेदी :
 श्री स० च० सामन्त :
 श्री हुकमचन्द कछवाय :
 श्री पाराशर :

क्या गृह-कार्य मन्त्री यह बताने की कृपा करेंगे कि :

(क) प्रतिरक्षा सम्बन्धी भेदों को प्रकट करने प्रयत्न गुप्त रूप से प्रतिरक्षा सम्बन्धी सूचना देने प्रयत्न ऐसे ही कार्य करने के मामलों में जिनसे भारत की सुरक्षा खतरे में पड़ सकती है केन्द्रीय तथा राज्य सरकारों के कितने कर्मचारियों को गिरफ्तार किया गया है; और

(ख) उनके विरुद्ध क्या कार्यवाही की जा रही है ?

गृह-कार्य मंत्रालय में उपमन्त्री (श्री ल० ना० मिश्र) : (क) और (ख) पिछले पांच वर्षों के बारे में सूचना एकत्रित की जा रही है और यथा समय सदन के सभा-पटल पर रख दी जायगी ।

Residuary Rehabilitation Problem

27. Shri B. K. Das: Will the Minister of Rehabilitation be pleased to state:

(a) how many schemes pertaining to the residuary problem of rehabilitation of displaced persons from East Pakistan are now pending for sanction;

(b) the total amount involved in these schemes as grant as well as loan; and

(c) whether schemes are still to be submitted by the Government of West Bengal to cover the entire committed amount for the purpose?

The Minister of Rehabilitation (Shri Tyagi): (a) 27 schemes are pending for sanction with Central Government,

(b) The amount involved in the schemes pending with the Government of India is Rs. 64.55 lakhs as Loan and Rs. 219.27 lakhs as Grant.

(c) Yes, Sir.

Goonda Menace in Delhi

28. Shri Marandi:
 Shri Utiya:
 Shri Yashpal Singh:

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that goonda menace is on the increase in the capital; and

(b) if so, the steps taken by Government to curb the activities of the goondas?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) No, Sir.

(b) Apart from the normal surveillance and patrolling which the police undertake to keep bad characters in check, action is also taken against them under the substantive and preventive provisions of law. Provisions of certain Sections of the Bombay Police Act, 1961 have also been extended to the Union Territory of Delhi in order to control the activities of anti-social elements.

Preservation of Historical Monuments in Delhi

29. Shri Marandi:
 Shri Utiya:
 Shri Yashpal Singh:

Will the Minister of Education be pleased to state:

(a) the steps taken by Government for the preservation of the historical monuments in Delhi; and

(b) the amount spent annually for the upkeep of these monuments?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) As many as 163 historical monuments in Delhi have been declared to be of national importance. These are looked after by the Archaeological Survey of India and annual as well as special repairs are carried out on them, depending on their needs and availability of funds. In addition as a special case, the Survey has also carried out extensive repairs to the Jama Masjid, Delhi, even though the Masjid is not a centrally protected monument.

To beautify the surroundings of monuments, gardens have also been laid out wherever sufficient land was available for the purpose.

(b) An average of Rs. 2,55,573 per year was spent on these monuments, by way of annual and special repairs, during the last 5 years.

All-India Educational Service

30. Shri Marandi:
Shri Utiya:
Shri Yashpal Singh:
Shri P. C. Borooah:
Shri Heda:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 208 on the 25th August, 1965 regarding All-India Educational Service and state the progress made so far in that direction?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): The State Governments have been requested to furnish information about the posts which they wish to include in the Indian Educational Service. So far only one State has sent in the necessary reply. The other States are being reminded.

In the meantime necessary steps are being taken to introduce legislation to amend the All-India Services Act, 1951 to include within its scope the Indian Educational Service also.

Lajpat Rai Market, Delhi

31. Shri Marandi:
Shri Utiya:
Shri Yashpal Singh:

Will the Minister of Rehabilitation be pleased to state:

(a) whether it is a fact that new shops have been constructed in Lajpat Rai Market in Chandni Chowk, Delhi;

(b) whether these have been allotted; and

(c) if so, the criteria followed in the allotment of these shops?

The Minister of Rehabilitation (Shri Tyagi): (a) The market was to be constructed in two phases with a total of 888 shops. The first phase has already been completed and 462 shops allotted to the eligible persons. Out of the second phase 278 shops have been completed and 148 shops are under construction.

(b) and (c). Yes, Sir. The shops have been allotted to those shopkeepers of the old Lajpat Rai Market who were successful in the draw of lots held in 1958, for the allotment of such shops.

Lunch Packets for School Boys

32. Shri D. C. Sharma:
Shri Seshiyan:
Shri Vishwa Nath Pandey:
Shri Ram Harkh Yadav:

Will the Minister of Education be pleased to state:

(a) whether it is a fact that several thousand lunch packets donated by a mission for school boys in New Delhi have been misused; and

(b) if so, the action taken in the matter?

The Minister of Education (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Teachers' Status

33. Shri D. C. Sharma:
Shri Rameshwar Tanti:
Shri Himatsingka:

Will the Minister of Education be pleased to state:

(a) whether a three-day seminar on status of teachers was held in September, 1965 to suggest ways to improve their status and to present three reports to the Education Commission for its consideration;

(b) whether any reports have been presented to the Education Commission and considered; and

(c) if so, the outcome thereof?

The Minister of Education (Shri M. C. Chagla): (a) Yes, Sir.

(b) A report will be submitted to the Education Commission shortly.

(c) Does not arise.

Development of Land in Kalkaji, New Delhi

34. Shri S. C. Samanta:
Shri Subodh Hansda:
Shri M. L. Dwivedi:

Will the Minister of Rehabilitation be pleased to state:

(a) whether the land in the proposed Kalkaji colony for displaced persons has been fully developed;

(b) if so, the total area of the colony and the cost of development per acre;

(c) when the applications are likely to be invited for allotment; and

(d) whether some flats are also proposed to be constructed by Government and sold to the displaced persons?

The Minister of Rehabilitation (Shri Tyagi): (a) No, Sir.

(b) The scheme covers an area of 218.3 acres. The cost of development will be known after the development works have been completed and the actual expenditure is known.

(c) The applications will be invited after the land has been developed and demarcated into plots.

(d) No, Sir.

Bottling of Liquid Petroleum Gas from Gauhati Refinery

35. Shri P. C. Borooah: Will the Minister of Petroleum and Chemicals be pleased to state the action so far taken with regard to the proposal for production, bottling and distribution of liquid petroleum gas from Gauhati refinery?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): This was originally included as a part of a proposal relating to expansion of the refinery. After discussions, the foreign collaborator has agreed to prepare a fresh scheme for the L.P.G. project separately. This is still awaited.

Gauhati Refinery

36. Shri P. C. Borooah: Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the steps being taken to draw up a project report for the expansion of the Gauhati refinery; and

(b) whether in view of the discussion on Oil Policy in the Parliament last Session, Government have reviewed their decision about the expansion of Gauhati refinery and raised the additional refining capacity to be installed there in proportion to the extent of crude oil resources available in Assam oil reserves?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). A technical report on the expansion of Gauhati refinery from its present capacity of 0.75 million tonnes to 1.00/1.1 million tonnes per annum, prepared by Messrs. Industrialexport, Bucharest is under examination from the technical and financial angles.

Rifle Clubs in Schools and Colleges

37. **Shri Karni Singhji:** Will the Minister of Education be pleased to state:

(a) the number of schools and colleges in India having rifle clubs as separate from the N.C.C. training programme; and

(b) whether these clubs are subsidised by Government?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) and (b). Information is not readily available about the number of such schools and colleges. The Government have, however, been giving grants to certain schools and the University Grants Commission to universities and colleges for the construction of rifle shooting ranges.

Explosion in Bankura District

38. **Shrimati Tarkeshwari Saha:**
Shri Kameshwar Tanti:
Shri Himatsingka:
Shri Gokulananda Mahanty:
Dr. Ranen Sen:
Shri Dinen Bhattacharya:
Shri Hukam Chand
Kachhavalva:

Will the Minister of Home Affairs be pleased to state:

(a) the number of persons killed in the explosion in a village in Bankura District, recently;

(b) whether there was any damage to the property as well;

(c) whether any investigation has been made; and

(d) if so, with what result?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) Six persons were killed as result of explosion on 29th September, 1965.

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(b) No damage to property has been reported.

(c) and (d). No sabotage is suspected behind this incident.

केरल में मिट्टी के तेल का राशन

39. श्री रामसेवक दाबब :

श्री बागड़ी :

श्री मधु लिमये :

श्री प्र० क० गोपालन :

क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केरल में मिट्टी के तेल का राशन हो गया है ;

(ख) यदि हां तो इसके क्या कारण हैं; और

(ग) उस राज्य में मिट्टी के तेल की कमी को दूर करने के लिये क्या कार्यवाही की जा रही है ?

पेट्रोलियम और रसायन मंत्री (श्री हुमायुं कबिर): (क) जी हां।

(ख) मिट्टी के तेल की सप्लाई के संरक्षण की दृष्टि से तेल के विक्रय और वितरण का नियन्त्रण करने के उपायों को लागू किया गया है।

(ग) स्वदेशी उत्पादन और आयातों से उपलब्ध सप्लाई का यथासम्भव साम्य पद्धति पर कोचीन सप्लई क्षेत्र को जिसमें केरल राज्य शामिल है नियतन किया जा रहा है। राज्य के छन्दर ठीक एवं साम्य वितरण को सुनिश्चित करने के लिए केरल सरकार ने थोक एवं फुटकर केन्द्रों पर लाईसेंस द्वारा विक्रय का नियन्त्रण किया है और उपभोक्ताओं को कांटे या परमिटों पर तेल दिया जा रहा है। मिट्टी के तेल के दुरुपयोग को रोकने के लिए पकाने एवं रोशनी करने के प्रतिरिक्त

अन्य उद्देश्यों के लिये मिट्टी के तेल के इस्ते-
माल पर प्रतिबन्ध लगाया गया है जिसमें
आवश्यक उपयोगों के लिये राज्य सरकारों
द्वारा जारी किये गये परमिट शामिल नहीं हैं।

New Educational Programme

40. Shri Ram Harkh Yadav:
Shri Vishwa Nath Pandey:
Shri P. R. Chakraverti:
Shri P. C. Borooah:
Shri Yashpal Singh:
Shrimati Maimoona Sultan:
Shri Brij Raj Singh:
Shri Onkar Lal Berwa:
Shri Gokaran Prasad:

Will the Minister of Education be
pleased to state:

(a) whether Government have de-
cided to introduce a new educational
Programme at the first Degree Course
level for Scientific-managerial engi-
neers at the five Indian Institutes of
Technology maintained by Govern-
ment; and

(b) if so, the broad features
thereof?

The Minister of Education (Shri
M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Books for Indian Institute of Advance Studies

41. Shri Ram Harkh Yadav:
Shri Vishwa Nath Pandey:

Will the Minister of Education be
pleased to state:

(a) whether it is a fact that the
British Council has offered a large
number of books to the Indian Insti-
tute of Advance Studies, Simla as a
gift;

(b) if so, the nature of the books
offered and the value thereof; and

(c) whether any portion of the gift
has been received by the Institute?

The Minister of Education (Shri
M. C. Chagla): (a) to (c). The British

Council have made an offer of books
pertaining to Comparative Religion,
Comparative Philosophy, History and
Social Sciences at an approximate
cost of £3,000 as a gift to the Library
of the Institute. 808 books have
already been received.

Dispute Regarding Age of Justice Mitter of the Calcutta High Court

42. Dr. L. M. Singhvi: Will the
Minister of Home Affairs be pleas-
ed to state:

(a) whether the dispute about the
age of Mr. J. M. Mitter, former Judge
of the Calcutta High Court, has been
finally disposed of and decision com-
municated to him; and

(b) if so, whether Government pro-
pose to lay a statement on the Table
giving the salient features of the dis-
pute, its background and the main
features of the final disposal of the
matter?

The Minister of State in the Minis-
try of Home Affairs and the Minis-
ter of Defence Supplies in the Minis-
try of Defence (Shri Hathl): (a) Yes.

(b) A statement is laid on the
Table of the House. [Placed in Lib-
rary. See No. LT-5025/65].

Madras Refinery

43. Shri Umanath:
Shrimati Tarkeshwari Sinha:
Shri Siddheshwar Prasad:
Shri P. C. Borooah:
Shri Balakrishnan:

Will the Minister of Petroleum and
Chemicals be pleased to state:

(a) whether it is a fact that little
headway has been made in the con-
struction of the Madras refinery since
the approval of the related collabo-
ration agreements;

(b) if so, the reasons therefor; and

(c) the action proposed to be taken
to expedite the same?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):
 (a) to (c). Although draft agreements were initialled in March, 1965, conclusion of the final agreements has been delayed. However, agreements are expected to be signed in the near future. In the meantime, considerable progress has been made for the preparation of the process design and the investigations for civil and off-site work.

Payment to Kerala Government servants in Savings Bonds

44. Shri Umanath: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that Government are considering the question of giving in the shape of savings bonds, a portion of the enhanced emoluments that the Government employees in Kerala will get as a result of the recommendations of the Pay Commission;

(b) whether the views of the Service Associations and the employees in service were sought;

(c) if so, what are their views; and

(d) the decision taken by Government thereon?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathl): (a) Yes Sir. The State Government have decided to accept the recommendation of the Pay Commission relating to enhancement of Dearness Allowance subject to the condition that a portion of the enhanced Dearness Allowance is deposited in one of the following savings:

- (i) General Provident Fund.
- (ii) Cumulative Time Deposit.
- (iii) 10-years National Savings Certificates.
- (iv) 12-Years National Defence Certificates.

(b) No Sir.

(c) and (d). Do not arise.

Matia Camp in Assam

**45. Shri Gokulananda Mohanty:
 Dr. Ranen Sen:
 Shri Dinan Bhattacharya:**

Will the Minister of Rehabilitation be pleased to state:

(a) whether the Matia camp in Goalpara District Assam is proposed to be abolished and the migrants in the camp are proposed to be transferred to other camps;

(b) how many migrant families from this camp have been rehabilitated since its opening; and

(c) how and where they were rehabilitated?

The Minister of Rehabilitation (Shri Tyagi): (a) No.

(b) and (c). Nil. It is proposed to move shortly 500 agriculturist families and 100 fishermen families to rehabilitation sites in Goalpara District and 1,000 families to sites of rehabilitation in N.E.F.A.

Study Report on Primary Education

**46. Shri P. E. Chakraverti:
 Shri P. C. Boroach:
 Shri Madhu Limaye:
 Shri Bagri:
 Shri Yashpal Singh:
 Shrimati Matmeena Sultan:**

Will the Minister of Education be pleased to state:

(a) whether the Study Report of the Programme Evaluation Organisation of the Planning Commission on Primary education has been released;

(b) if so, the special drawbacks in education revealed by the study and the corrective measures recommended;

(c) whether it is a fact that 23 per cent of the enrolled children discontinued their studies mainly due to domestic circumstances; and

(d) how far the need for extending training facilities for teachers has been emphasised?

The Deputy Minister in the Ministry of Education (Shrimati Soundararn Ramachandran): (a) Yes, Sir.

(b) The main drawbacks revealed by the Study are: inadequate supervision, inadequate school buildings, equipment and other facilities, non-attendance of children coming from poorer homes, stagnation and wastage, and lack of teachers with proper qualifications. The Report suggests consolidation of the progress achieved so far, improvement in the quality of instruction, expansion of facilities in hilly or difficult tracts, assistance in the form of books, stationery and uniforms for poor children and fresh thinking on the goal and content of elementary education.

(c) Yes, Sir, according to the findings of the Report.

(d) The Report has stressed the need for expanding facilities for regular training and also for refresher courses. The expansion is to be so arranged that existing untrained teachers should derive the fullest benefit from them.

Archaeological Finds in Bijapur

47. Shri R. G. Dubey: Will the Minister of Education be pleased to state:

(a) the progress so far made in digging the trenches to the west of the fort wall at Bijapur undertaken by the Archaeological Department with a view to preventing rain water from entering Bijapur town;

(b) the amount sanctioned for this work; and

(c) the expenditure incurred so far?

The Deputy Minister in the Ministry of Education (Shri Bhakt Darshan): (a) The Archaeological Survey of India was responsible only for re-excavating the fort-moat from Macca Gate to Shahpur Gate to such depth as was necessary for the easy flow of water. This work has already been completed.

(b) Formal sanction for the estimates and the expenditure has not yet been issued.

(c) Rs. 51,000.

Representations re: Release of Detenuees

48. Shri Kolla Venkalah: Will the Minister of Home Affairs be pleased to state:

(a) whether any representations have been received by or deputations visited upon either by the Prime Minister or the Home Minister regarding the release of detenuees belonging to different political parties including the Communist Party of India (Marxist) in view of the new developments;

(b) if so, the date or dates of representations or deputations;

(c) the persons who made representations or who led the deputations;

(d) the action taken in this regard; and

(e) if no action was taken, the reasons therefor?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes, Sir.

(b) to (e). The information is being collected and will be laid on the Table of the House.

हाबड़ा पुल के कोटो लेने वाले
संविद्ध-व्यक्ति

50. श्री श्रीकार लाल बेरवा : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कलकत्ता में दो व्यक्तियों को जब वह हावड़ा पुल के फोटो ले रहे थे हिरासत में ले लिया गया ;

(ख) यदि हां तो वे व्यक्ति कौन हैं ;
घोर

(ग) उनके पास से क्या चीजें पकड़ी गई हैं ?

गृह-कार्य मंत्रालय में 31130
स० ना० मिश्र) : (क) से (ग). 22 जून 1965 को दो विदेशी पर्य-कों को जो हावड़ा पुल के फोटो ले रहे थे जांच के लिए गोलाबाड़ी घाने पर ले जाया गया । पुलिस ने फिलमें जब्त कर ली ।

अ बगं (म डल) बि.बि.विद्यालय विधेयक

51. श्री सिद्धे चर प्रसाद : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विश्वविद्यालय अनुदान आयोग द्वारा तैयार किये गये प्रादश (माडल) विश्व-विद्यालय विधेयक की रूपरेखा पर केन्द्रीय तथा राज्य सरकारों ने विचार कर लिया है ;

(ख) यदि हां तो विभिन्न विश्वविद्यालयों में क्या परिवर्तन किये गये हैं अथवा किये जा रहे हैं ; और

(ग) निष्कर्ष पर पढ़चने में बिलम्ब होने के क्या कारण हैं ?

शिक्षा मंत्री (श्री० सु० क० चागल) :

(क) से (ग). समिति द्वारा विश्वविद्यालयों के लिये माडल एक्ट पर पेश की गई रिपोर्टें सब राज्य सरकारों तथा विश्वविद्यालयों को उचित कार्रवाई तथा सम्मति के लिये. यदि कोई हो तो भेज दी गई थी । क्योंकि शिक्षा राज्य का विषय है इसलिये रिपोर्टें में की गई सिफारिशों पर विचार करना तथा उन्हें लागू करना राज्य सरकारों का काम है ।

जहां तक केन्द्रीय सरकार का संबंध है केन्द्रीय विश्वविद्यालयों के अधिनियमों में संशोधन के समय समिति की सिफारिशों पर विचार किया गया है और किया जाएगा ।

Police Force in Laccadive and Minicoy Islands

52. Shri Mohammed Koya: Will the Minister of Home Affairs be pleased to state:

(a) the strength of the police force in the Laccadive and Minicoy Islands;

(b) the number of inhabitants in the Islands;

(c) the minimum qualifications of those taken for police training;

(d) whether people with the same qualifications were available in the Islands; and

(e) the reasons for not recruiting the local inhabitants to the Police?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathl): (a) The strength of the police force in the Union territory of Laccadive, Minicoy and Amindivi Islands is as follows:—

Deputy Superintendent of Police	1
Inspector of Police	1
Sub-Inspector of Police	6
Head Constables	18
Constables	56

(b) 24,108 (as per 1961 census).

(c) The minimum qualifications required for direct recruits, i.e. Police Constables, taken for police training are as follows:—

Educational: must have studied upto III Form or VIII Standard.

Height: 5 feet 5 inches.

Chest: 32 inches.

(d) A few people with these qualifications are available in the Islands.

(e) Only seven inhabitants with the requisite qualifications have so far offered to serve as Police Constables, and they have been recruited.

Patients from Laccadives coming to Mainland for treatment

53. **Shri Mohammed Koya:** Will the Minister of Home Affairs be pleased to state:

(a) whether an allowance of Rs. 2.00 per head was given to poor patients from the Laccadives who were coming for treatment to the mainland;

(b) whether this amount has recently been reduced to Rs. 1.50 per head;

(c) the reasons therefor; and

(d) whether the attention of Government has been drawn to the hardship undergone by the patients especially in view of the fact that prices have gone high, and the action taken in the matter?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (**Shri Hathl**): (a) Yes.

(b) Yes.

(c) The reduction was made with a view to reduce the expenditure, which has been increasing from year to year.

(d) No representation has been received from the patients in this regard.

Sapru Committee Report

54. **Shri Heda;**
Shri Kolla Venkalah;

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 173 on the 18th August, 1965 and state:

(a) the details of replies received from the State Governments to the

recommendations of the Sapru Committee to bring 'Education' on the Concurrent List; and

(b) the action Government propose to take in the light of the reaction of the State Governments?

The Minister of Education (**Shri M. C. Chagla**): (a) So far replies have been received from ten States Governments. With the exception of the Punjab Government, all other State Governments have opposed the recommendation of the Committee.

(b) Further action will be taken by Government on receipt of replies from the remaining State Governments.

Petro-Chemical Complexes

55. **Shri P. C. Borooah:** Will the Minister of Petroleum and Chemicals be pleased to state:

(a) the steps so far taken for drawing up plans for setting up Petro-Chemical Complexes around different refineries, like Barauni and Koyali; and

(b) the nature and extent of the petroleum by-products available from each of the refineries for being utilised by the industrial complexes proposed to be set up?

The Minister of State in the Ministry of Petroleum and Chemicals (**Shri Alagesan**): (a) In June 1962, a team headed by a French expert undertook a detailed study of the possibilities of petro-chemical manufacture in the country. In its report submitted to Government early in 1963 this team recommended various petrochemical manufacturing schemes indicating suitable locations, capacity as well as phasing of the different industries. Later a Planning Group on Petro-Chemicals in its report of April 1964, recommended specific schemes for the manufacture of petro-chemicals that could be taken up in the Fourth Five Year Plan period. Thereafter in view of the changes that had taken place a

Working Group was set up in November, 1964 to suggest inter-alia minimum and desirable targets of production of various petrochemicals intermediates, indicating specific schemes, their locations and capacities. The recommendations made in their report which was submitted in January, 1965, from the basis of future plans or the manufacture of petrochemicals in the country during the Fourth Five Year Plan period. However in view of the recent developments necessitating revision of all schemes to give the required defence orientation, and also in view of the reduction in plan allocations, the schemes for development of petrochemicals are being revised.

Negotiations between Government and a group of companies of American origin are in an advanced stage for the establishment of petrochemical industries around Koyali. For Barauni area, a letter of intent has been given to an entrepreneur.

(b) Refinery products which will be utilised will largely consist of naphtha cuts of certain boiling ranges and certain fractions contained in Refinery gas. In due course other fractions will also be required. The precise quantity of each fraction required will be based on the exact process chosen.

Arrest of Pak. Spy at Meenambakkam Airport

56. **Shri V. B. Gandhi:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that an old man suspected of being a Pakistani spy has recently been arrested at Meenambakkam Airport; and

(b) how many persons suspected to be Pakistani spies have been arrested during the last four months?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) An old man was arrested on 2/3-10 1965 near Meenambakkam Air Port for having been

found moving about under suspicious circumstances. The matter is under investigation by the local police.

(b) Nine.

Survey of Special Areas in M.P.

57. **Shri Vidya Charan Shukla:**
Shri Onkar Lal Berwa:
Shri Brij Raj Singh:
Shri Gokaran Prasad:
Shri Hukam Chand
Kachhavalaya:
Dr. C. B. Singh:
Shri Wadiwa:
Shri Parashar:
Shri J. P. Jyotishi:
Shrimati Minimata:
Shri Daji:

Will the Minister of Rehabilitation be pleased to state:

(a) the progress made in the matter of completion of survey of special areas in Madhya Pradesh for integrated development of resources; and

(b) the decision taken regarding proposals submitted by the Government of Madhya Pradesh about construction of roads in Bhind and Morena districts under the special areas development programme?

The Minister of Rehabilitation (Shri Tyagi): (a) A technical team of the Ministry of Rehabilitation recently visited the Chambal ravine areas in the districts of Bhind and Morena with a view to assessing immediate prospects of reclaiming the ravines for the resettlement of migrants. The team has reported that there is little scope for the rehabilitation of migrants in this area.

Steps are being taken to make a survey of the five north-eastern districts of Rewa, Satna, Sidhi, Shahdol and Surguja—the other area in Madhya Pradesh—for the determining their suitability for accelerated development, in case the State Government is prepared to release land for agricultural resettlement in these districts.

(b) Since there is little scope for rehabilitation of migrants in Bhind and Morena districts, it has been decided that this area may not be taken up for development under the Special Areas Development Programme for the time being. The Ministry of Rehabilitation does not therefore contemplate the undertaking of the programme of construction of roads in this area as a part of its activities.

Economic Pool

58. Shri Valdia Charan Shukla: Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 504 on the 8th September, 1965 and state:

(a) whether any decision has since been taken regarding the formation of an economic pool for staffing various managerial positions in the Public Sector Undertakings; and

(b) the manner in which the selection and recruitment to this pool will be regulated?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). The various aspects connected with the formation of Central Economic Pool are still under consideration.

Loan Due from J. & K. Government

59. Shri Vidya Charan Shukla: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1215 on the 1st September, 1965 and state the further progress made in the matter of realising the loan due from the Government of Jammu and Kashmir?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): There has been no further progress in the matter.

All-India Forest Service

60. Shri Vidya Charan Shukla: Will the Minister of Home Affairs be pleased to refer to reply given to

Unstarred Question No. 1214 on the 1st September, 1965 and state the progress made with regard to the constitution of the All-India Forest Service?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): Particulars of State Forest Service Officers who are to be considered by a Special Selection Board for appointment at the initial constitution stage of the Indian Forest Service have been received from most of the State Governments and are being scrutinised. The other State Governments have been reminded to expedite the particulars.

Alleged Manhandling of Japanese in Bombay

61. Shri Kajrolkar: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some Japanese residents in Bombay were reported to have been manhandled last month mistaking them for Chinese spies of Pakistan;

(b) if so, whether the loss sustained by them has been compensated; and

(c) the precautions taken to prevent the recurrence of such incidents in future?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) and (b). In two cases the public surrounded Japanese nationals and took them to the police station mistaking them for Chinese spies of Pakistan. They were allowed to go when their identity was established. They did not sustain any injury or loss of property.

(c) Necessary precautions have been taken.

Britishers Role in Assam

62. Shri R. Barua:
Shri P. C. Borooah:
Shri T. Subramanyam:

Will the Minister of Home Affairs be pleased to state:

(a) whether the Assam Government has invited Government's attention to the disruptive and perturbing anti-Indian incidents in which some British Nationals living in Assam are found to be involved; and

(b) if so, Government's reaction thereto?

The Minister of State in the Ministry of Home Affairs and the Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): (a) A communication has been received from Assam Government giving details of activities of some British nationals working in Tea Estates in Assam.

(b) The matter is under consideration.

Air raid Sirens in Delhi

64. Shri D. D. Puri: Will the Minister of Home Affairs be pleased to state:

(a) whether Government are aware that air-raid sirens were not being heard all over Delhi; and

(b) if so, the steps taken to improve the warning system for future?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes, Sir.

(b) The following steps have been taken to improve the warning system in Delhi:—

(i) More sirens are being installed;

(ii) The existing sirens with factories/industries have been worked into the main sirens system in Delhi.

Black-out in Punjab

65. Shri D. D. Puri: Will the Minister of Home Affairs be pleased to state:

(a) whether even after the cease-fire, black-out in Punjab was continued on the advice of the Union Government;

(b) if so, the reasons therefor; and

(c) whether Government are aware that this caused considerable loss in industrial production in the State?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) and (b). It was considered necessary to continue black-out in certain towns in Punjab as a precautionary measure.

(c) The State Governments had been advised to regulate the black-out in such a way that industrial production was not affected.

देवनागरी लिपि

66. डा० महेश्वर प्रसाद : क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारत सरकार ने अगस्त 1957 में हुये शिक्षा मंत्रियों के सम्मेलन में की गई सिफारिशों के आधार पर देवनागरी लिपि में कुछ संशोधन किये हैं ;

(ख) यदि हाँ तो क्या यह सभी सच है कि उन राज्य सरकारों को जहाँ हिन्दी का प्रयोग किया जाता है सभी सरकारी कार्यों के लिये इस संशोधित लिपि को प्रयोग करने के लिये कहा गया था ; और

(ग) यदि हाँ तो इस संबंध में राज्य सरकारों की प्रतिक्रिया क्या ?

शिक्षा मंत्रालय में उपमंत्री (श्री नरेश बंसन) : (क) जी हाँ ।

(ख) जी हाँ ।

(ग) अभी तक किसी भी राज्य सरकार ने टीका नहीं की ।

Expenditure on Civil Defence in Delhi

67. Shrimati Savitri Nigam: Will the Minister of Home Affairs be pleased to state the amount of expenditure incurred on the Civil Defence activities in the capital this year so far?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): A sum of Rs. 10,42,028 has actually been spent and liabilities of the order of Rs. 5,90,000 have been incurred.

Pay Scales of Teachers

68. Shri D. C. Sharma: Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 86 on the 18th August, 1965 and state:

(a) the further steps taken in raising the scales of pay of teachers at different levels throughout the country and making them uniform in consultation with the State Governments; and

(b) the reaction of State Governments thereto?

The Minister of Education (Shri M. C. Chagla): (a) and (b). No further steps have been taken recently in this regard, as State Governments which had very low pay scales of teachers have revised them upwards and are constantly keeping the pay scales under review. Uniformity in regard to teachers' pay scales all over the country is not being attempted.

Official Languages Act

69. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) whether the proposal to amend the Official Languages Act to provide

for the continued use of English—on the lines of the Late Shri Nehru's assurances—has been further examined; and

(b) if so, with what results?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) Yes Sir.

(b) The matter is still under consideration.

M.P. District Gazetteer in Hindi

70. Shri Wadiwa:

Shri Onkar Lal Berwa:

Shri Brij Raj Singh:

Shri Hukam Chand Kachhavalva:

Dr. Chandrabhan Singh:

Shri Vidya Charan Shukla:

Shrimati Minimata:

Shri Daji:

Will the Minister of Petroleum and Chemicals be pleased to state:

(a) whether any request has been received from the Government of Madhya Pradesh seeking concurrence of the Central Government for compilation of the Madhya Pradesh District Gazetteer in Hindi in terms of the M.P. Official Languages Act, 1957 on Government of India sharing 40 per cent of the cost of such publication; and

(b) if so, whether Government's concurrence has been communicated to the State Government?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir):

(a) Yes, Sir.

(b) The matter is under consideration of the Government of India.

Migrants in Assam

71. Shrimati Jyotsna Chanda: Will the Minister of Rehabilitation be pleased to state:

(a) the number of displaced per-

sons who have come to Assam after January, 1964 and are still to be rehabilitated, district-wise; and

(b) the schemes which Government propose to take up for their rehabilitation?

The Minister of Rehabilitation (Shri Tyagi): (a) A statement showing district-wise camp population in Assam is laid on the Table of the House. [Placed in Library. See No. LT-5025(i)/65].

(b) A statement showing the progress made in the rehabilitation of new migrants from East Pakistan in Assam is laid on the Table of the House. [Placed in Library. See No. LT-5025(ii)/65].

Fire Fighting Training in Delhi

72. Shri Shiv Charan Gupta: Will the Minister of Home Affairs be pleased to state:

(a) the number of persons who have been trained in Delhi in Fire Fighting, First Aid and Home Nursing so far; and

(b) the future programme of training?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a)

i. Fire Fighting.	12,525
ii. First Aid	14,152
iii. Home Nursing	1,745.

(b) 18 training centres have been organised with a capacity to train 400 Civil Defence volunteers per month. The training includes elementary fire-fighting. In addition, 30 First Aid training centres with a capacity of 25 to 30 trainees per centre are functioning.

House-Building Societies in Delhi

73. Shri Shiv Charan Gupta: Will the Minister of Home Affairs be pleased to state:

(a) the names of House-Building Co-operative Societies along with the area of land allotted to each one of them by the Delhi Administration;

(b) the names of House-Building Co-operative Societies whose lay-out plans have been approved by the Municipal Corporation of Delhi or the Delhi Development Authority and the number of residential plots covered in those plans; and

(c) the residential areas which have since been developed by the Delhi Development Authority and the number of plots allotted to the public in each scheme and the number of plots ready for allotment as on the 31st October, 1965?

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): (a) to (c). Information is being collected and will be laid on the Table of the House.

Price of Gas in Gujarat

74. Shri Jashvant Mehta: Will the Minister of Petroleum and Chemicals be pleased to refer to the reply given to Unstarred Question No. 275 on the 18th August, 1965 and state:

(a) whether Government have taken a decision about the price of gas in Gujarat; and

(b) if not, the reasons for the delay?

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): (a) and (b). The arbitrator has not yet given his award.

सांख्यिक सवभाग

75. श्री हुकम चन्द कछवाय : क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पाकिस्तान द्वारा किये

गये आक्रमण के फलस्वरूप देश में उत्पन्न राजनैतिक तथा साम्प्रदायिक सद्भाव के वातावरण को स्थायी रूप से कायम रखने के लिये सरकार ने कोई योजना बनाई है ;

(ख) यदि हां तो उसका पूरा व्यौरा क्या है ; और

(ग) यदि नहीं तो इस वातावरण को कायम रखने में सरकार को किन कठिनाइयों का सामना करना पड़ रहा है ?

गृहकार्य मंत्रालय में राज्य-मंत्री तथा प्रतिरक्षा मंत्रालय में प्रतिरक्षा संभरण मंत्री (श्री हाथी) : (क) जी नहीं। साम्प्रदायिक सद्भाव बनाये रखने और हिंसात्मक उपद्रवों को फूट पड़ने से रोकने के लिये आवश्यक उपायों की लगातार जांच की जाती है और इस बारे में उपयुक्त हिदायतें मौजूद हैं।

(ख) और (ग). प्रश्न ही नहीं उठते।

CORRECTION OF ANSWER TO U.S.Q. No. 687, DATED 25-8-65

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathi): In the answer given to part (b) of Unstarred Question No. 687 on the 25th August 1965, regarding Ex-Ministers appointed as Chairmen of Public undertakings, for 'one', two' may be substituted.

12 hrs.

RE: MOTIONS FOR ADJOURNMENT (Queries)

श्री रामेश्वरानन्द (करनाल) : अध्यक्ष महोदय, मैंने एक स्पष्ट प्रस्ताव दिया है उसके सम्बन्ध में क्या हो रहा है ?

अध्यक्ष महोदय : उसे मैंने नामजूर कर दिया है।

श्री रामेश्वरानन्द : पंजाबी सूने पर जो कमेटी बनी है, गृह मंत्री महोदय का उसके....

अध्यक्ष महोदय : मैंने आप से कहा कि मैंने उसे नामजूर कर दिया है।

श्री रामेश्वरानन्द : अध्यक्ष महोदय, आप के नामजूर करने की क्या कोई सीमा होती है।

अध्यक्ष महोदय : और तो मैं इस के सम्बन्ध में कुछ नहीं कह सकता, लेकिन अब आप बैठ जाइये।

श्री मधु लिमये (मुंगेर) : मैं अपने काम राका प्रस्ताव के सम्बन्ध में भी कुछ प्रश्न करना चाहूंगा।

अध्यक्ष महोदय : मेरे लिये यह मुश्किल है कि मेरे पास सात काम रोको प्रस्तावों की नाटिस है। यह हो सकता है कि मैं सातों को एक-एक कर के पढ़ता चला जाऊं और रीजन दे कर कहता जाऊं कि उन को नामजूर कर दिया। अगर माननीय सदस्य यह चाहें तो मैं तैयार हूं।

श्री मधु लिमये : संक्षेप में उन के बारे में बतला दीजिये।

अध्यक्ष महोदय : इस तरह से कैसे चल सकेगा। मैंने कई दर्जे कहा है कि अगर यहां पर इतनी नोटिसेज दी जायेंगी तो कैसे हो सकेगा।

श्री मधु लिमये : आप संक्षेप में बतला दीजिये।

अध्यक्ष महोदय : अगर माननीय सदस्य नाम चाहते हैं तो मैं नाम देने के लिए तैयार हूं।

श्री मधु लिमये : नाम का सवाल नहीं है, विषयों का सवाल है।

अध्यक्ष महोदय : धाज पहले दिन तो मैं यह पढ़ देता हूँ लेकिन ऐसा हर रोज नहीं हो सकता। एक एक मेम्बर ने छः छः नोटिसेज दिये हैं कालिग एटेंशन के। मैंने इस हाउस से सहमति ली हुई है कि मेम्बर साहब दो नोटिसेज से ज्यादा न दें तब भी छः छः नोटिसेज दी गई हैं। मेम्बर को अपनी नोटिसेज में से चुन लेना चाहिये। चूँकि मैं एक से ज्यादा ऐडमिट नहीं कर सकता इस लिये एक की ही नोटिस देनी चाहिये। मैंने वह भी कहा था कि अगर कुछ शक हो तो वह दूसरी नोटिस दे दे।

श्री रामेश्वरानन्द : मैंने चार वर्षों में पहली नोटिस दी है। चार वर्ष समाप्त होने जा रहे हैं हमें धाये हुए, लेकिन धाप ने उस का भी अस्वीकार कर दिया।

अध्यक्ष महोदय : अच्छा अब धाप बैठ जाइये। मेरे पास एक नोटिस है श्री ही० ना० मुकर्जी, श्रीमती रेणु चक्रवर्ती श्री बारियर, श्री सरजू पाण्डेय, श्री इन्द्रजीत गुप्त ... सब नाम मैं कैसे पढ़ सकूँगा —

Shri H. N. Mukerjee, Shrimati Renu Chakravartty, Shri Warior, Shri Sarjoo Pandey, Shri Indrajit Gupta—the acceptance by the Prime Minister of an invitation to visit the United States in the present context of continuing US arms pact with Pakistan and the US equivocation over Kashmir's accession to India.

Shri H. N. Mukerjee (Calcutta Central): You will forgive me. We are not interested in listening to names whoever is the signatory or not. But we are interested in the content of it. That is why you will permit me to say just a few words, in regard to your decision which was communicated to me two minutes ago, that you had not been pleased to permit it.

Mr. Speaker: I would just put it to Shri Mukerjee: if I allow him to speak, can I refuse anyone else?

Shri H. N. Mukerjee: Could I make a submission? We are functioning as a group in this House and so many of us have combined on the very first day, and I do claim that we try to behave in as responsible a fashion as parliamentary conventions or regulations require. We have, so many of us, signed this request because we felt it was important. We have found the Prime Minister like a very coy maiden saying yes and no at the same time, at different press conferences and talking all kinds of things which cause complication and utter confusion in the public mind. It seems that only Parliament is the exclusive forum from which information would be withheld. We have found reports circulated by All India Radio and by other sources that the Prime Minister has accepted this invitation to go to America. Then the papers have reported that in Calcutta he told the Press that it was only because of President Johnson convalescing at the present moment and he having a lot of work in Parliament and in the country to do, that he would be going sometime after. But then again he says this morning, according to a press report, that his visit to America is something which other people are talking about but he does not seem to know. It is a very coy way of behaving. The country has enabled the Prime Minister to add a great deal to his stature; he is not like a shy maiden saying yes and no at the same time, when there are political implications in this. Only the other day, he was constrained to refuse to go to America. At the present moment, there is the U.S.-Pak. military pact and from the United States despatch of goods already promised to us had been withheld. And, all kinds of very insulting pinpricks are being practised on this country. In view of this damage to our honour and to our interests, is the Prime Minister going to do this and evade Parlia-

[Shri H. N. Mukerjee]

ment by making statements before press conferences in a very equivoical fashion? That is why, since political questions were involved, we gave notice of this and we wish you to consider this.

श्री रामेश्वरानन्द : मैं कहना चाहता हूँ कि इस विकट समय में जब कि हम पाकिस्तान के साथ और चीन के साथ लड़ रहे हैं, ऐसे समय में पंजाबी सूबे के नाम से कमेटी बना कर गृह मंत्री जी ने जय देश के लांगों के सभी वर्गों में मैत्री की आवश्यकता थी, देशभक्ति की आवश्यकता थी, उस को तोड़ कर लोगों में दरार पैदा कर दी है, भेद भाव खड़ा कर दिया है। इसलिये मैं कहना चाहता हूँ कि इस बात पर विचार अवश्य होना चाहिये। नहीं तो हम चीन और पाकिस्तान से तो क्या लड़ेंगे कहीं ऐसा न हो जाये कि घर में ही भगड़ा खड़ा हो जाये।

श्री किसान पटनायक (सम्बलपुर) : अध्यक्ष महोदय मेरा स्थगन प्रस्ताव अकाल की स्थिति के बारे में है। मुझे अनुरज होगा अगर इस विषय पर स्थगन प्रस्ताव मंजूर नहीं होगा क्योंकि मध्य प्रदेश, उड़ीसा, पूर्वी उत्तर प्रदेश, गुजरात, महाराष्ट्र, राजस्थान इतने राज्यों में गम्भीर अकाल की स्थिति पैदा हो गई है और हजारों लोग गांव छोड़ कर चले जा रहे हैं। वहां पर अनाज मिल नहीं रहा है। 3६० किलो चावल मिलता है, पीने के लिए पानी नहीं प्राप्त है। और ऐसी स्थिति में प्रधान मंत्री जी सब जगह जा कर चिल्लाते हैं "जय किसान और ज्यादा पैदा करो"। अगर इस स्थिति को सरकार रोकने में सफल नहीं होती तो इस को उस ही असफलता ही माना जाना चाहिये। इस लिये मेरा आप से विशेष अनुरोध है कि इस विषय पर आप बहुत जल्द होने दीजिये।

श्री मधु सिमये : अध्यक्ष महोदय मैंने अपने काम रोकने प्रस्ताव में सरकार की इस असफलता की ओर ध्यान दिलाया है कि पाकिस्तानी सेना के द्वारा युद्ध विराम रेखा का जो बराबर उल्लंघन किया जा रहा है उस को रोकने में तथा विदेशी जहाजों में जो हिन्दुस्तानी माल लादा जाता है उस की जख्ती को रोकने में सरकार असमर्थ रही है। साथ ही जो बढ़ते हुए दाम हैं और फैलता हुआ भ्रष्टाचार है उस को रोकने में भी सरकार की जो असफलता है उस की ओर ध्यान दिलाया था। यहां बतलाया गया था कि हिन्दुस्तान एक युद्ध विराम से दूसरे युद्ध विराम की ओर नहीं जायेगा। लेकिन हम तीसरी बार युद्ध विराम कर चुके हैं और इस की कोई गारंटी भी नहीं मिली है कि इस वक्त जो युद्ध विराम हुआ है उसका उल्लंघन पाकिस्तान द्वारा नहीं किया जायेगा। इसलिये मैं इन असफलताओं की ओर ध्यान दिलाना चाहता हूँ।

श्री प्रकाशबीर शास्त्री (बिजनौर) : अध्यक्ष महोदय, मैंने अपना काम रोकने प्रस्ताव इस आधार पर दिया है कि समाचार-पत्रों में यह समाचार प्रकाशित हुआ है कि भारत सरकार ने विश्व बैंक के माध्यम से सिन्धु जल समझौते के अन्तर्गत 8 करोड़ ६० की नई किस्त देने का निश्चय कर लिया है।

कुछ माननीय सचिव : दे दिया है।

श्री प्रकाशबीर शास्त्री : विश्व बैंक से यह गारंटी मिली है कि पाकिस्तान इस 8 करोड़ ६० को हथियार खरीदने या भारत के विपरीत उपयोग करने में नहीं लगायेगा। मेरा अपना निवेदन इस प्रकार का है कि जब भारत सरकार को विश्वस्त जानकारी है कि इच्छोगिल नहर, जहां पाकिस्तानी दरिन्वों ने हमारे जवानों के खून से हाथ रंगे थे, भारतीय पैसों से बनाई गई और

जब भारत सरकार को इस बात की जानकारी है कि जिन जहाजों पर हमारा माल था रहा था करोड़ों रुपयों का उन को बीच में रोक कर पाकिस्तान ने हमारा माल उतार लिया तो क्या भारत सरकार पाकिस्तान से जिस की निगाह में अन्तराष्ट्रीय कानून का कोई महत्व नहीं है, जिसने घमरीकी हथियारों को इसलिये लिया था कि उनको चीन के खिलाफ इस्तेमाल करेगा और इस लड़ाई में वे हमारे खिलाफ इस्तेमाल किये गये, उम्मीद करती है कि घाट करोड़ रुपया हमारे खिलाफ इस्तेमाल नहीं होगा ? भारत के पसीने की गाढ़ी कमाई का घाट करोड़ रुपया पाकिस्तान को देना हिन्दुस्तान की इज्जत को ठोकर मारना होगा। मेरा विश्वास है कि इस सदन में इस विषय पर अवश्य विचार होना चाहिये।

अध्यक्ष महोदय : आपका काल एटेंशन नोटिस है काम रोको प्रस्ताव नहीं है।

My submission to the House is that if we allow this procedure to continue it would not be possible to do the business that we have in hand. An adjournment motion is to be tabled where the matter is a very urgent one, where the minds of the hon. Members are so exercised that they cannot proceed with any Government business or whatever other business there may be unless that matter is first discussed and unless the Government can give a satisfactory explanation they would like to throw out the Government. An adjournment motion is tabled where the urgency is such that if it is not discussed immediately something is going to happen which might just injure the interests of the country so much that it might be beyond repair. Unless those circumstances are there an adjournment motion is not to be tabled. Here mostly these are just asking for information. Of course, they are urgent ones, but there was time enough when notices could have been given in the form of questions

and information solicited. Even now it can be done. Even Short Notice Questions can be tabled. I do not find any reason in any one of these adjournment motions where unless they are—any one of them—discussed just now probably injury is going to be caused to the interests of the country.

श्री किशन पटनायक : क्या सरकार की स्थिति ऐसा नहीं है ?

अध्यक्ष महोदय : आपने कह दिया। मैंने सातां को बोलने की आज्ञा दे दी। अब और क्या हो सकता है।

Shri Surendranath Dwivedy (Kendrapara): Sir, it will be a very interesting study if you just find out how many Short Notice Questions are actually refused and how many are admitted.

Mr. Speaker: If I find that any Short Notice Question is so urgent that it must be answered and the Minister is not going to answer it, I will see that it is put as the first question on the next possible date. That is what I can do.

श्री मधु लिये : सत्र के प्रारम्भ में प्रत्येक सूचना प्रश्नों को नहीं स्वीकारा जाता है।

Mr. Speaker: The Prime Minister would make a statement on several issues, I suppose, in two or three days.

The Prime Minister and Minister of Atomic Energy (Shri Lal Bahadur Shastri): On Friday, the 5th November.

Shri Hari Vishnu Kamath (Hoshangabad): Does, Sir, what you have observed just now, your ruling, if I may call it, unfortunately, mean that what has happened today, the procedure adopted today, will not be a precedent for the future?

Mr. Speaker: It is very unfortunate, of course; but it is there.

Shrimati Renu Chakravarty (Barackpore): Sir, this is not a new procedure. Formerly, when adjournment motions used to be tabled, the Chair used to ask the Members who tabled them to argue out as to how the matter was within the purview of this House and how it was a matter of urgent public importance. Actually, we have given up that practice. Shri Kamath should know that this is not a new procedure that we have followed today.

Shri Hari Vishnu Kamath: Why should she object to what I said? I have supported her point of view. What I asked was: "Does it unfortunately mean that what has happened today will not be a precedent for the future?"

डा० राम मनोहर लोहिया : प्रधान मंत्री महोदय शुक्रवार को बोलेंगे। तो क्या उनकी मोच अब तक चल रही है? वह टहलते टहलते साहौर जाने वाले थे, तो पैर में मोच घा गयी और वह बीच में रुक गये। मैं यह जानना चाहता हूँ कि क्या अभी तक वह मोच चल रही है?

अध्यक्ष महोदय : मैं इस की इजाजत नहीं देता। मैंने दो तीन काल घर्टशन मोशन एडमिट किये हैं। उनको पूछने के बाद वक्त पर लिया जाएगा। आज पूछने का मौका नहीं मिला था।

श्री यशपाल सिंह (कैराना) : मेरा एक व्यवस्था का सवाल है। (व्यवधान)।

अध्यक्ष महोदय : क्या है आप का सवाल ?

श्री यशपाल सिंह : मेरा व्यवस्था का सवाल यह है कि "पालियामेंट से सम्बन्धित किसी भी कार्रवाई का पहले स्पीकर को

पता होना चाहिये और हाउस को पता होना चाहिये। लेकिन इससे उल्टा हुआ है। भाल इंडिया रेडियो ने प्रसारित कर दिया और प्रसन्नारों में लिख दिया गया कि प्रधान मंत्री का वक्तव्य शुक्रवार को होगा लेकिन स्पीकर को आज पता चला है कि शुक्रवार को होगा। क्या पालियामेंट की प्रोसी-डिज् इसी तरह चला करंगी ?

अध्यक्ष महोदय : इसमें कोई प्रजीव बात नहीं है।

Shri Harish Chandra Mathur (Ja-lor): Some very important questions which are exercising the minds of hon. Members and the people in the country have been mentioned in these adjournment motions. Government have also announced their intention to make certain statements, possibly on the drought conditions and other matters. Would it not be much better if the House is informed of the subjects on which statements are going to be made from the Government side so that all this trouble may not be there? Once it is known that a statement is going to be made on a particular subject by the Minister of Food, Minister of Home Affairs or the Prime Minister, we on this side will feel reassured and hon. Members opposite will not feel agitated. So, I would suggest that procedure might be adopted.

Mr. Speaker: If I disallow an adjournment motion it does not mean that the same question cannot be raised in any other form. There are various ways in which a discussion can be raised and perhaps I might allow them if a notice is received provided they are important questions which should be discussed. I have only decided that they cannot be allowed as adjournment motions; that is all; not that they would not be discussed at all. If a proper notice is given I will see that a discussion takes place if the subject is important.

Shri Harish Chandra Mathur: I only wanted to smoothen the procedure.

Shri S. M. Banerjee (Kanpur): I have tabled a calling attention notice. You have just now said that certain calling attention notices are under consideration.

Mr. Speaker: I only said that I admitted three of them.

Shri S. M. Banerjee: We are told that the hon. Prime Minister and other Cabinet Ministers are going to make some statements. We find from the papers that there is going to be a long-term agreement on PL 480. Since the entire House knows that every bullet which killed the jawans was supplied by America, my only request is.....

Mr. Speaker: What is his point?

Shri S. M. Banerjee: I am not making any comments. The renewal of this agreement is in the offing. Since we are all very much agitated on this question, let the Government take us into confidence and let the whole matter be discussed before the agreement is signed. No decision should be taken without consulting Parliament.

Mr. Speaker: Now papers to be laid on the Table.

श्री किशन पटनायक : अध्यक्ष महोदय, आप ने एडजर्नमेंट मोशन के बारे में जो क्वाडरेटियन बताया क्या प्रकाल की स्थिति पर वह लागू नहीं होता ?

अध्यक्ष महोदय : नहीं होता ।

12.16 hrs.

PAPERS LAID ON THE TABLE

SUMMARY OF REPORT OF THE GOVERNOR OF KERALA

The Minister of Home Affairs (Shri Nanda): I beg to lay on the Table a

Summary of the Report of the Governor of Kerala dated the 17th October, 1965, to the Union Home Minister. [Placed in Library. See No. LT-4990/65].

STATEMENT GIVING REASONS FOR IMMEDIATE LEGISLATION BY RAILWAYS (EMPLOYMENT OF MEMBERS OF ARMED FORCES) ORDINANCE

The Minister of Defence (Shri Y. B. Chavan): I beg to lay on the Table a copy of the Explanatory Statement giving reasons for immediate legislation by the Railways (Employment of Members of the Armed Forces) Ordinance, 1965, under rule 71(2) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-4991/65.]

STATEMENT CORRECTING ANSWERS TO S.Q. 599 RE. FINANCE AGENCIES

The Minister of Food and Agriculture (Shri C. Subramaniam): I beg

- (1) to lay on the Table a statement correcting the answers given on the 14th September, 1965 to certain supplementaries by Shri Shree Narayana Das on Starred Question No. 599 regarding Finance Agencies. [Placed in Library. See No. LT-4992/65.]
- (2) to re-lay on the Table a copy of Notification S.R.O. 265/64 published in Kerala Gazette dated the 1st September 1964, containing Kerala Hillman Rules, 1964, under section 77 of the Kerala Forest Act, 1961, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-4839/65.]

ORDINANCES UNDER ARTICLE 123(2) (a)

The Deputy Minister in the Department of Communications (Shri Bhagavati): Sir, on behalf of Shri Satya Narayan Sinha I beg to lay on the Table—

- (1) a copy each of the following Ordinances under provisions of article 123(2)(a) of the Constitution:—

- (i) The Railways (Employment of Members of the Armed Forces) Ordinance, 1965

(No. 4 of 1965) promulgated by the President on the 20th September, 1965. [Placed in Library. See No. LT-4993/65].

- (ii) The Taxation Laws (Amendment and Miscellaneous Provisions) Ordinance, 1965

(No. 5 of 1965) promulgated by the President on the 19th October, 1965. [Placed in Library. See No. LT-4994/65].

- (iii) The Metal Corporation of India (Acquisition of Undertaking) Ordinance, 1965

(No. 6 of 1965) promulgated by the President on the 22nd October, 1965. [Placed in Library. See No. LT-4995/65].

- (2) a copy of the Indian Telegraph (Second Amendment) Rules, 1965, published in Notification No. G.S.R. 1364 in the Gazette of India dated the 18th September, 1965, under sub-section (5) of section 7 of the Indian Telegraph Act 1885. [Placed in Library. See No. LT-5023/65].

MERCHANT SHIPPING AMENDMENT REGULATIONS AND NOTIFICATIONS IN RELATION TO THE STATE OF KERALA

The Minister of Transport (Shri Raj Bahadur): I beg

- (1) to re-lay on the Table a copy of the Merchant Shipping

(Prevention of Collisions at Sea) Amendment Regulations, 1965, published in Notification No. G.S.R. 1169 in Gazette of India dated the 21st August, 1965, under sub-section (3) of section 458 of the Merchant Shipping Act, 1958. [Placed in Library. See No. LT-4840/65].

- (2) to lay on the Table—

- (i) a copy of Notification S.R.O. No. 68/65 published in Kerala Gazette dated the 23rd February, 1965, making an amendment to the Kerala Motor Vehicles (State Transport Undertakings) Rules, 1960, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-4998/65.]

- (ii) a copy each of the following Notifications making certain amendments to the Kerala Motor Vehicles Rules, 1961, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—

- (a) S.R.O. No. 281/65 published in Kerala Gazette dated the 13th July, 1965.

- (b) S.R.O. No. 285/65 published in Kerala Gazette dated the 20th July, 1965.

(c) S.R.O. No. 335/65 published in Kerala Gazette dated the 24th August, 1965.

(d) S.R.O. No. 338/65 published in Kerala Gazette dated the 31st August, 1965.

(e) S.R.O. No. 341/65 published in Kerala Gazette dated the 31st August, 1965. [Placed in Library. See No. LT-4998/65.]

(iii) a copy of the Delhi Motor Vehicles (Fourth Amendment) Rules, 1964, published in Notification No. F. 20(2)/63-PR(T) in Delhi Gazette dated the 8th October, 1964, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939. [Placed in Library. See No. LT-4999/65.]

RULES UNDER ALL INDIA SERVICES ACT, 1951 ETC.

The Deputy Minister in the Ministry of Home Affairs (Shri L. N. Mishra): Sir, on behalf of Shri Hathi I beg:

(1) to re-lay on the Table a copy each of the following Rules under sub-section (2) of section 3 of the All India Services Act, 1951:—

(i) The All India Services (Provident Fund) Second (Amendment) Rules, 1965, published in Notification No. G.S.R. 1175 in Gazette of India dated the 21st August, 1965.

(ii) The All India Services (Death - cum - Retirement Benefits) Fifth (Amendment) Rules, 1965, published in Notification No. G.S.R. 1176 in Gazette of India dated the 21st August, 1965.

(iii) The All India Services (Death - cum - Retirement Benefits) Sixth Amendment Rules, 1965, published in Notification No. G.S.R. 1306 in Gazette of India dated the 11th September, 1965. [Placed in Library. See No. LT-5016/65].

(2) to re-lay on the Table a copy of Notification No. G.O. (P) No. 565 published in Kerala Gazette dated the 17th August, 1965, making certain amendments to the Kerala Public Service Commission (Consultation) Regulations, 1957, under clause (5) of Article 320 of the Constitution read with clause (c)(iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala, together with an explanatory memorandum thereon. [Placed in Library. See No. LT-4971/65.]

(3) to lay on the Table a copy each of the following Notifications under sub-section (2) of section 3 of the All India Services Act, 1951:—

(i) The Notification No. G.S.R. 1303 published in Gazette of India dated the 11th September, 1965, making an amendment to Schedule III to the Indian Administrative Service (Pay) Rules, 1954. [Placed in Library. See No. LT-5017/65].

(ii) The Indian Administrative Service (Cadre) Amendment Rules, 1965 published in Notification No. G.S.R. 1365 in Gazette of India dated the 18th September, 1965. [Placed in Library. See No. LT-5017/65.]

(iii) The Indian Police Service (Cadre) Amendment Rules, 1965, published in Notification No. G.S.R. 1366 in

[Shri L. N. Mishra]

Gazette of India dated the 18th September, 1965. [Placed in Library. See No. LT-5018/65.]

- (iv) The Indian Police Service (Pay) Amendment Rules, 1965, published in Notification No. G.S.R. 1474 in Gazette of India dated the 9th October, 1965. [Placed in Library. See No. LT-5019/65].
- (v) Notification No. G.S.R. 1475 published in Gazette of India dated the 9th October, 1965, making certain amendments to Schedule III to the Indian Police Service (Pay) Rules, 1954. [Placed in Library. See No. LT-5016/65].
- (4) to lay on the Table a copy each of the following Notifications:—
 - (i) The Ministers' (Allowances, Medical Treatment and other Privileges) Amendment Rules, 1965, published in Notification No. G.S.R. 1395 in Gazette of India dated the 17th September, 1965, under sub-section (2) of section II of the Salaries and Allowances of Ministers Act, 1952. [Placed in Library. See No. LT-5001/65].
 - (ii) The Arms (Amendment) Rules, 1965, published in Notification No. G.S.R. 1418 in Gazette of India dated the 25th September, 1965, under sub-section (3) of section 44 of the Arms Act, 1959. [Placed in Library. See No. LT-5002/65].
 - (iii) S.R.O. No. 98/64 dated the 1st April, 1964, making an amendment to the Kerala Hereditary Village Offices (Abolition) Rules, 1961, under sub-section (3) of section 8 of the Kerala Hereditary Village Offices (Abolition) Act, 1961, read with clause (c)(iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-5003/65].
- (5) to lay on the Table a copy each of the following Notifications under sub-section (3) of section 62 of the Kerala Prohibition Act, 1950, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala:—
 - (i) S.R.O. No. 258/65 published in Kerala Gazette dated the 22nd June, 1965, making certain amendments to the Rules for the prevention of misuse and for the import, export and transport of Medicinal and Toilet Preparations including Asavas and Aristas containing alcohol and Intoxicating Drugs.
 - (ii) S.R.O. No. 278/65 published in Kerala Gazette dated the 13th July, 1965.
 - (iii) S.R.O. No. 300/65 published in Kerala Gazette dated the 27th July, 1965, making an amendment to the Rules for the prevention of misuse and for the import, export and transport of Medicinal and Toilet Preparations including Asavas and Aristas containing alcohol and Intoxicating Drugs.

- (iv) S.R.O. No. 313/65 published in Kerala Gazette dated the 10th August, 1965, making certain amendments to the Kerala Spirituous Culinary Aerated Water and other Flavouring Essences, Extracts, Perfumes and Colouring Rules, 1962.
- (v) S.R.O. 330/65 published in Kerala Gazette dated the 24th August, 1965.
- (vi) S.R.O. No. 331/65 published in Kerala Gazette dated the 24th August, 1965. [Placed in Library, see No. LT-5004/65].

NOTIFICATION UNDER LIFE INSURANCE CORPORATION ACT AND SUMMARY OF RECOMMENDATIONS OF COMMITTEE ON TOP POSTS IN PUBLIC SECTOR UNDERTAKINGS

The Minister of Planning (Shri B. R. Bhagat): I beg

- (1) to re-lay on the Table a copy of Notification No. G.S.R. 1223 published in Gazette of India dated the 28th August, 1965, containing Corrigendum to the Life Insurance Corporation (Amendment) Rules, 1965, published in G.S.R. 1094 in Gazete of India dated the 31st July, 1965, under sub-section (3) of section 48 of the Life Insurance Corporation Act, 1956. [Placed in Library, see No. LT-4793/65.]
- (2) to lay on the Table Summary of Recommendations of the Committee on Top Posts in Public Sector Undertakings as approved by Government. [Placed in Library, see No. LT-5005/65].

ANNUAL REPORTS OF THE INDIAN CENTRAL JUTE COMMITTEE, INDIAN LAC CESS COMMITTEE AND INDIAN CENTRAL OILSEEDS COMMITTEE

The Deputy Minister in the Ministry of Food and Agriculture (Shri

Shahnawas Khan): Sir, I beg to lay on the Table a copy each of the following Reports:—

- (i) Annual Report of the Indian Central Jute Committee for the year 1963-64 together with the Annual Accounts and the Audit Report thereon. [Placed in Library, see No. LT-5006/65].
- (ii) Annual Report of the Indian Lac Cess Committee for the year 1963-64 together with the Annual Accounts and the Audit Report thereon. [Placed in Library, see No. LT-5007/65].
- (iii) Annual Report of the Indian Central Oilseeds Committee for the year 1963-64 together with the Annual Accounts and the Audit Report thereon. [Placed in Library, see No. LT-5008/65].

NOTIFICATION Re. KERALA WEIGHTS AND MEASURES RULES AND ART SILK TEXTILES CONTROL ORDER

The Deputy Minister in the Ministry of Commerce (Shri S. V. Ramaswamy): Sir, I beg—

- (i) to re-lay on the Table a copy of Notification No. 12563/64 M1RD published in Kerala Gazette dated the 19th May, 1964, making certain amendment to the Kerala Weights and Measures (Enforcement) Rules, 1958, under sub-section (5) of section 43 of the Kerala Weights and Measures (Enforcement) Act, 1958, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relation to the State of Kerala. [Placed in Library, see No. LT-4877/65].
- (ii) to lay on the Table a copy of the Art Silk Textiles (Production and Distribution)

[Shri S. V. Ramaswamy]

Control Order, 1962, published in Notification No. S.O. 2883 in Gazette of India dated the 18th September, 1965, under sub-section (6) of section 3 of the Essential Commodities Act, 1955. [Placed in Library. See No. LT-5020/65].

NOTIFICATIONS UNDER KERALA PANCHAYATS ACT

Shri S. V. Ramaswamy: Sir, on behalf of Shri B. S. Murthy, I beg to lay on the Table a copy each of the following Notifications under sub-section (3) of section 30 of the Kerala Panchayats Act, 1960, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President, discharging the functions of the President, in relations to the State of Kerala:—

- (i) The Kerala Panchayats (Election of Members by the Panchayats) Rules, 1963, published in Notification S.R.O. No. 752/63 in Kerala Gazette dated the 19th November, 1963.
- (ii) S.R.O. No. 239/65 published in Kerala Gazette dated the 8th June, 1965, making certain amendments to the Kerala Panchayats (Payment of Travelling expenses from Panchayat Fund) Rules, 1963.
- (iii) S.R.O. No. 244/65 published in Kerala Gazette dated the 8th June, 1965, making certain amendments to the Kerala Panchayats (Licensing of Dangerous and Offensive Trades and Factories) Rules, 1963.
- (iv) The Kerala Panchayats (Resignation by Presidents, Vice-Presidents and Members) Rules, 1965, published in Notification S.R.O. No. 245/65 in Kerala Gazette dated the 8th June, 1965.
- (v) The Kerala Panchayats (Prohibition against obstructions in or over Public Roads)

Rules, 1965, published in Notifications S.R.O. 276/65 in Kerala Gazette dated the 6th July 1965.

- (vi) The Kerala Panchayats (Duty on Transfer of Property) Rules, 1965 published in Notification S.R.O. No. 318/65 in Kerala Gazette dated the 17th August, 1965.
- (vii) S.R.O. No. 339/65 published in Kerala Gazette dated the 31st August, 1965, making certain amendments to the Kerala Panchayats (Authorising of Expenditure) Rules, 1964.

[Placed in Library. See No. 5009/65].

ORDERS UNDER DELIMITATION COMMISSION ACT

Mr. Speaker: Shri Jaganatha Rao.

The Deputy Minister in the Ministry of Information and Broadcasting (Shri C. R. Pattabhi Raman): Sir on behalf of Shri Jaganatha Rao.....

The Minister of State in the Ministry of Law and Department of Social Security (Shri Hajarnavis): Sir, on behalf of Shri Jaganatha Rao.....

Mr. Speaker: There is no co-ordinating agency?

Shri Hajarnavis: I am sorry, Sir. There has been a mistake.

Shri Surendranath Dwivedy (Kendrapara): Ultimately, has it been laid?

Mr. Speaker: Is somebody going to lay it or have both of them sat down?

Shri Hajarnavis: Sir, on behalf of Shri Jaganatha Rao, I beg to lay on the Table a copy each of the following Orders under sub-section (3) of section 10 of the Delimitation Commission Act, 1962:

- (i) Order No. 12 of the Delimitation Commission determining the parliamentary and assembly constituencies in the State of Orissa published in Notification No. S.O. 2916 in Gazette of India dated the 16th September, 1965. [Placed in Library. See No. LT-5010/65].

- (ii) Order No. 9 of the Delimitation Commission determining the parliamentary and assembly constituencies in the State of Madras published in Notification No. S.O. 2917 in Gazette of India dated the 16th September, 1965. [Placed in Library. See No. LT-5011/65].
- (iii) Order No. 1A of the Delimitation Commission amending its Order No. 1 dated the 20th March, 1963, published in Notification No. S.O. 2918 in Gazette of India dated the 18th September, 1965, as corrected by Notification No. S.O. 3157 published in Gazette of India dated the 7th October, 1965. [Placed in Library, see No. LT-5012/65].
- (iv) Order No. 2A of the Delimitation Commission amending its Order No. 2 dated the 24th August, 1963, published in Notification No. S.O. 2919 in Gazette of India dated the 18th September, 1965. [Placed in Library. See No. LT-5013/65].
- 1965, published in Notification No. G.S.R. 1318 in Gazette of India dated the 11th September, 1965, under sub-section (4) of section 10 of the Indian Wireless Telegraphy Act, 1933.
- (ii) The Licensing of Wireless Receiving Apparatus Rules, 1965, published in Notification No. G.S.R. 1319 in Gazette of India dated the 11th September, 1965, under sub-section (5) of section 7 of the Indian Telegraph Act, 1885.
- (iii) The Commercial Broadcast Receiver Licensing (Dealers) Rules, 1965, published in Notification No. G.S.R. 1320 in Gazette of India dated the 11th September, 1965, under sub-section (5) of section 7 of the Indian Telegraphy Act, 1885 and sub-section (4) of section 10 of the Indian Wireless Telegraphy Act, 1933. [Placed in Library, see No. LT-5015/65].

12.20 hrs.

PRESIDENT'S ASSENT TO BILLS

RESERVE AND AUXILIARY AIR FORCE ACT (AMENDMENT) RULES

The Deputy Minister in the Ministry of Defence (Dr. D. S. Raju): I beg to lay on the Table a copy of the Reserve and Auxiliary Air Force Act (Amendment) Rules, 1965, published in Notification No. S.O. 314 in Gazette of India dated the 18th September, 1965, under sub-section (4) of section 34 of the Reserve and Auxiliary Air Forces Act, 1952. [Placed in Library. See LT-5014/65].

INDIAN WIRELESS TELEGRAPHY RULES, ETC.

The Deputy Minister in the Department of Communications (Shri Bhagwati): I beg to lay on the Table a copy each of the following Rules:

- (i) The Indian Wireless Telegraphy (Possession) Rules,
- (1) The Employees' Provident Funds (Amendment) Bill, 1965.
- (2) The Kerala Appropriation (No. 3) Bill, 1965.
- (3) The Kerala Appropriation (No. 4) Bill, 1965.
- (4) The Appropriation (No. 3) Bill, 1965.
- (5) The Appropriation No. 4 Bill, 1965.
- (6) The Appropriation (Railways) No. 3 Bill, 1965.

[Secretary]

(7) The Appropriation (Railways) No. 4 Bill, 1965.

(8) The Goa, Daman and Diu (Extension of the Code of Civil Procedure and the Arbitration Act) Bill, 1965.

2. Sir, I lay on the Table copies, duly authenticated by the Secretary of Rajya Sabha, of the following six Bills passed by the Houses of Parliament during the last session and assented to by the President since a report was last made to the House on the 24th September, 1965:—

- (1) The Aligarh Muslim University (Amendment) Bill, 1965.
- (2) The Payment of Bonus Bill, 1965.
- (3) The Banking Laws (Application to Co-operative Societies) Bill, 1965.
- (4) The Companies (Amendment) Bill, 1965.
- (5) The Insurance (Amendment) Bill, 1965.
- (6) The Life Insurance Corporation (Amendment) Bill, 1965.

Shri Hari Vishnu Kamath (Hoshangabad): In this connection, may I remind you of the assurance you gave to the House in the last session that the President's Rule making power would be examined.

Mr. Speaker: I am referring it to the Rules Committee and getting their recommendation on that.

12. 21 hrs.

JAWAHARLAL NEHRU UNIVERSITY

(i) REPORT OF JOINT COMMITTEE

Shri A. N. Vidyalankar (Hoshiarpur): Sir, I beg to lay on the Table

a copy of the Report of the Joint Committee of the Houses on the Bill to establish and incorporate a university in elhi.

(ii) EVIDENCE BEFORE JOINT COMMITTEE

Shri A. N. Vidyalankar: Sir, I beg to lay on the Table, a copy of the evidence given before the Joint Committee of the House on the Bill to establish and incorporate a University in Delhi.

12.21½ hrs.

TAXATION LAWS (AMENDMENT AND MISCELLANEOUS PRO- VISIONS) BILL*

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to move for leave to introduce a Bill further to amend the Income-tax Act, 1961, the Estate Duty Act, 1953, the Wealth-tax Act, 1957, the Gift-tax Act, 1958 and to provide for exemption from tax in certain cases of undisclosed income invested in National Defence Gold Bonds, 1980.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Income-tax Act, 1961, the Estate Duty Act, 1953, the Wealth-tax Act, 1957, the Gift-tax Act, 1958 and to provide for exemption from tax in certain cases of undisclosed income invested in National Defence Gold Bonds, 1980."

The motion was adopted.

Shri T. T. Krishnamachari: Sir, I introduce the Bill.

*Published in the Gazette of India Extraordinary. Part II, section 2, dated 3-11-65.

†Introduced with the recommendation of the President.

12.22 hrs.

STATEMENT RE. TAXATION LAWS
(AMENDMENT AND MISCELLANEOUS PROVISIONS) ORDINANCE
1965

The Minister of Planning (Shri M. R. Bhagat): Sir, I beg to lay on the Table an explanatory statement giving reasons for immediate legislation by the Taxation Laws (Amendment and Miscellaneous Provisions) Ordinance, 1965, as required under Rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library]. See No. LT-4994/65].

12.22½ hrs.

PRESS COUNCIL BILL—contd.

Mr. Speaker: The House will take up further consideration of the following motion moved by Shri C. R. Pattabhi Raman on the 23rd September, 1965, namely:—

"That the Bill to establish a Press Council for the purpose of preserving the freedom of the Press and of maintaining and improving the standards of newspapers in India, as passed by Rajya Sabha, be taken into consideration."

Shri Surendranath Dwivedy (Kendrapara): How many time remains for this?

Mr. Speaker: Time allotted for general discussion was 5 hours of which 3 hours and 25 minutes have been taken and 1 hour and 35 minutes remain.

Shri Hari Vishnu Kamath (Hoshangabad): How much for clause-by-clause discussion?

Mr. Speaker: Two hours.

Dr. L. M. Singhvi (Jodhpur): Sir, I had written to you to raise a question of the constitutionality and the competence of Parliament

Mr. Speaker: I have got it. He might raise it.

Dr. L. M. Singhvi: The Press Council Bill which is before us embodies in it a provision casting some statutory obligation

Shri D. C. Sharma (Gurdaspur): Sir, I welcome the Press Council Bill.

Shri U. M. Trivedi (Mandsaur) He is still sleeping.

Dr. L. M. Singhvi: The Press Council Bill before us embodies a provision casting certain statutory duties and obligations on the Chief Justice of India to make certain nominations and appointments to the Press Council. The office of the Chief Justice of India is a constitutional office. Its functions are defined by the Constitution itself. On this high judicial office it is neither appropriate nor is it consistent with the Constitution of India to cast any additional statutory extraneous obligations of a non-judicial character. Also, the question arises as to whether the consent of the Chief Justice, which may have been obtained in the present case, would be binding on the successor Chief Justice to make such nominations or appointments.

Mr. Speaker: We might just have this discussed in a brief manner.

Dr. L. M. Singhvi: I am concluding.

Mr. Speaker: I want to discuss it with him. He has said that it is not appropriate and, secondly, that it is against the spirit of the Constitution. These are the two objections.

Shri Warior (Trichur): The successor comes in.

Mr. Speaker: I appreciate that point: If the successor does not agree to it, what is going to happen.

So far as the question whether it is appropriate or not is concerned, it has to be decided by the Chief Justice himself. There was a mention made of the presiding officers also and I refused to be associated with it; I did

[Mr. Speaker]

not agree to be associated with it. Therefore, it was for the Chief Justice himself to decide whether to agree or not and it was for the Government to consult him. If he has taken upon himself this additional job, then we cannot come and say that it is inappropriate and we shall not agree to it.

Dr. L. M. Singhvi: It is not a particular Chief Justice who has been designated

Shri H. N. Mukerjee (Calcutta Central): It may be that the present Chief Justice might temporarily, for tentative reasons, agree to something which does not bind his successor. Therefore, the alleged accord of the Chief Justice with the Intentions of the Government does not help us at all. We are considering the appropriateness or otherwise of the matter.

Dr. L. M. Singhvi: As you rightly observed, so far as the appropriateness of it is concerned, it was a matter for the Chief Justice to consider, but we are considering not only the consent of the present Chief Justice whoever he may be but also of the office of the Chief Justice for making nominations and appointments to the Press Council. I have suggested in my letter addressed to you that this is a vital matter affecting the independence of judicial institutions, affecting the constitutionality of casting extra-constitutional statutory obligations on the office of the Chief Justice of India, and that it is a fit case on which the House should seek the opinion of the Attorney-General of India.

Mr. Speaker: There is nothing that I should ask him. Is the Minister going to say something?

Shri N. Dandekar (Gonda): I think this House feels a little concerned. I must say, after listening to Dr. Singhvi, I do feel a little concerned about the propriety, from the angle of the legislation that is sought to be enacted, of conferring this kind of duty on the Chief Justice. Secondly, there is the point of constitutionality.

The Chief Justice now assumes under this Bill, if enacted, statutory duties. It may well be that his functioning may be challenged as unconstitutional in the very Court of which he is the Chief Justice it would then lead to awful confusion. I do think that it is a very serious matter on which the opinion of the Attorney-General of India should be sought.

The Deputy Minister in the Ministry of Information and Broadcasting (Shri C. R. Pattabhi Raman): As you said just now, you were asked, the Chairman of the Rajya Sabha was asked and I have already pointed out on the last occasion some instances.

Shri Hari Vishnu Kamath: Say that 'you were requested' and not 'asked'.

Shri C. R. Pattabhi Raman: Yes, I stand corrected. I requested you and also the Chairman of the Rajya Sabha. On the last occasion I had given some instances, for example, London Times Trust on which the Lord Chancellor and Chief Justice are there. Apart from that, the Chief Justice himself of India has written on the 31st October, 1963, as follows:—

"I have to inform you that, after consultation with my prospective successor-in-office, there is no objection to the Chief Justice of India functioning in connection with the proposed legislation regarding the Press Council."

This is as a result of the wishes of the journalists who wanted a judge alone, the Chief Justice they did not want the Government to appoint the Chairman. In fact, the Chief Justice, himself is there on some Committees and I can, if necessary, furnish a list. You will please remember that he really functions along with the other two people and then they choose the Press Council. That is the position.

Shri U. M. Trivedi: May I make one submission before you? The explanation that has been offered by

the hon. Minister just begs the question. He does not seem to have applied his mind to the straight question that has been raised, but he merely comes to a decision that this should be so.

Whether the Chief Justice agrees or not is not the point for consideration, but the point for consideration before this House is, as Shri N. Dandekar has put it, the propriety of having the Chief Justice of India not only as a chairman but also as a person who will also appoint the various members or who will choose the various members. These two functions are to be performed by the Chief Justice. Further, the Press Council is going to be created as a body-corporate against which a suit may lie or which may sue anyone. These three things are not compatible with the position of the Chief Justice of India, and, therefore, the propriety of appointing him is apoint to be considered, in a very dispassionate manner. It is not sufficient to say that he has agreed; that will not do.

Mr. Speaker: So far as the adjective 'proper' was concerned, I said that it was for the Chief Justice to decide. So far as propriety is concerned, it is for this House to decide when it gives its decision.

Shri Hari Vishnu Kamath: The House can throw out the Bill.

Mr. Speaker: There is no point of order where I should come in, so far as this objection is concerned. Even supposing there is something that is against the Constitution, then too I would not take the decision; then too, the House shall have to decide, the matter can be argued and the arguments advanced when the particular clause is taken up. That is all that I have to say.

Dr. L. M. Singhvi: I have moved that in view of the fact that this statute is casting certain obligations . . .

Mr. Speaker: Even then, when the clause comes up, the hon. Member can only give his opinion, the ultimate decision is with the House.

Dr. L. M. Singhvi: That is why I have moved that the opinion of the Attorney-General should be obtained, a suggestion which has been supported also by my hon. friend Shri N. Dandekar.

Mr. Speaker: We attach as much value to Dr. L. M. Singhvi's opinion as we do to that of the Attorney-General. Therefore, there is no necessity for having the opinion of the Attorney-General.

Shri Alvares (Panjim): On a point of order. I am sorry I am raising it at this stage, but I am doing so because I did not have an opportunity earlier. But it occurs to me that when Government have moved an amendment after the report of the Joint Committee, the procedure followed is faulty; if Government want to do something and amend the Bill according to their old desire . . .

Mr. Speaker: How can that come up just at this moment? That point of order cannot be taken up at this stage.

Shri Alvares: I am sorry I did not have an opportunity earlier. But you will appreciate that the procedure that has been followed is faulty....

Mr. Speaker: When we come to the clauses, the hon. Member can raise this point.

Shri Alvares: I submit that it is at this stage that I must raise it....

Shri Hari Vishnu Kamath: His point, if I understand him aright, is this. After the Joint Committee has reported, if there is any new official amendment, then the Bill should be recommitted to the Joint Committee for consideration of that amendment.

Mr. Speaker: Then there ought to be a motion for that purpose.

श्री ज्वा० प्र० ज्योतिषी (सागर) :

अध्यक्ष महोदय, पिछली बार इस बिल का समर्थन करते हुए मैं यह निवेदन कर रहा था कि दुर्भाग्यवश इस देश में दीलनमन्दी के एक तबक़े में इस तरह की प्रवृत्ति का जाग्रण हुआ है कि पत्रकारिता भी एक व्यवसाय है और उसे व्यवसाय के तौर पर हाथ में ले कर जहाँ एक तरफ़ धन कमाया जा सकता है, वहाँ दूसरी तरफ़ इस देश के शासन को और इस देश की जनता के मस्तिष्क को इस तरह बदला जा सकता है, इस तरह प्रभावित किया जा सकता है कि सरकार और जनता उनके धन कमाने में सहायक हो सके। मैं इस तरह की प्रवृत्ति और वृत्ति का विरोध करता हूँ। इसलिए मैं समझता हूँ कि इस देश में पत्रकारिता के क्षेत्र में जो मानोपोलिटिक टैन्डेन्सीज हैं, वे न्यूज़पेपर चलाने की जो वृत्ति है, यह कौंसिल उनको कब्ज़ कर सकेगी।

धर्मा धर्मा इस सदन में इस बात पर बहस चली कि सुप्रीम कोर्ट के चीफ़ जस्टिस महोदय को इस कौंसिल के अध्यक्ष और सदस्यों की नामजदगी का अधिकार देना कान्टी-ट्यूशन के अनुकूल होगा—या प्रतिकूल होगा इस में कान्टीट्यूशन प्रॉप्रायटी है या इम्प्रॉप्रायटी है। मैं चीफ़ जस्टिस महोदय को बर्बाद और धन्यवाद देता हूँ कि उन्होंने इस संस्था को स्वरूप देने और उसके अध्यक्ष तथा सदस्यों की नामजदगी के उत्तरदायित्व को, जिस सीमा तक यह सदन उन को वह उत्तरदायित्व सौंपना चाहता है, स्वीकार किया है। इस देश में पत्रकारिता एक स्वस्थ पत्रकारिता बन कर जन्म ले, जो प्रजातंत्र की बुनियाद है, और स्वस्थ रूप से फले फूले, मैं समझता हूँ कि इस देश के हर एक सम्मान्य व्यक्ति को इस दिशा में अधिक से अधिक सहयोग देना चाहिए।

12-35 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मैं समझता हूँ कि चीफ़ जस्टिस महोदय ने अपने वर्तमान कार्य भार के प्रतिरिक्त यह जो नया उत्तरदायित्व स्वीकार किया है, यह प्रजातंत्र की मदद करने की दिशा में एक अच्छा कदम है। इस समय मैं इस विषय की कान्टीट्यूशनल प्रॉप्रायटी या इम्प्रॉप्रायटी में नहीं जाऊंगा। मैं समझता हूँ कि हर एक व्यक्ति को, चाहे वह किसी भी स्थान पर बैठा हो, यह अधिकार है कि अगर देश उसे कोई जिम्मेदारी सौंपता है, तो वह अपने दैनिक उत्तरदायित्व के प्रतिरिक्त भी उस जिम्मेदारी को वहन करना स्वीकार करे।

इस के प्रतिरिक्त मैं नहीं समझता कि चीफ़ जस्टिस महोदय पर जो उत्तरदायित्व डाला जा रहा है, उस से उनके वर्तमान कार्य में किसी प्रकार का कोई व्याघात उत्पन्न होने जा रहा है। यह नामजदगी का कार्य ऐसा नहीं है, जो बहुत समय लेने वाला हो। पत्रकारों और इस व्यवसाय से सम्बन्धित लोगों की संख्याएँ कुछ पैन्ल उन के पास प्रस्तुत करेंगी और उन पैन्ल में से चीफ़ जस्टिस महोदय को नामों का चयन करना है।

मेरे मित्र, श्री सिधवी, ने अपने भाषण में इस बात का बहुत जिक्र किया था कि क्या चीफ़ जस्टिस महोदय इस कार्य के लिए उपयुक्त होंगे या नहीं, क्या वह पत्रकारिता के ट्रेंड को ठीक तरह से समझ सकेंगे या नहीं, वह विवेकज्ञ हैं या नहीं। मैं निवेदन करना चाहता हूँ कि कौन धादमी सर्वज्ञ होने का दावा कर सकता है। इस जिन्दगी में साधारणतः सभी धादमी सामान्य ज्ञान के द्वारा ही चल रहे हैं। मैं समझता हूँ कि सामान्य ज्ञान वाले व्यक्ति ही कार्यों को ठीक स्वरूप देते हैं। यह सही हो सकता है कि किसी भी धादमी को—और चीफ़ जस्टिस महोदय को भी—पत्रकारिता के सम्बन्ध में पूरी-पूरी मासूमता न हों, लेकिन वह

न्याय बुद्धि निश्चित रूप से उन के पास है कि इस देश में किस तरह की पत्रकारिता चलनी चाहिए, कौन सी बात लिखा जाना उचित है, कौन सी बात लिखा जाना देश के हित के लिए घातक हो सकता है, आदि। आखिर इस देश में ऐसे कौन से धादमी हैं, जो इस विषय में निर्णय कर सकते हैं? मैं समझता हूँ कि अगर इस तरह की क्षमता और योग्यता किसी धादमी में है, तो हमारे सर्वोच्च न्यायालय के सर्वोच्च न्यायाधीश में वह निश्चित रूप से है। जब हम एक सेमी-जुडिशियल वाडी इस देश में स्थापित कर रहे हैं, तो इस सेमी-जुडिशियल वाडी में नामजदगी करने का अधिकार अगर कोई व्यक्ति रख सकता है, तो कोई जुडिशियल व्यक्ति ही रख सकता है और चीफ जस्टिस महोदय की अपेक्षा और कोई दूसरा व्यक्ति इस के लिए उतना उप-युक्त नहीं हो सकता है। इस लिए मैं समझता हूँ कि चीफ जस्टिस महोदय द्वारा यह कार्य-भार स्वीकार करने के बारे में जो प्रालोचना हुई है, वह बेबुनियाद और गैर जरूरी है।

मेरे मित्र, श्री रघुनाथ सिंह, ने कहा है कि हम कौंसिल में पार्लियामेंट का कुछ अधिक प्रतिनिधित्व हों। उपाध्यक्ष महोदय, इस पार्लियामेंट के डिम्मे बहुत से काम हैं। इस लिए पच्चीस-छत्तीस सदस्यों की कौंसिल में अगर हमारे तीन प्रतिनिधि पहुँच जाते हैं, तो वह पर्याप्त है। वह संस्था फिर तरह से काम कर रही है, उसमें किस तरह के ट्रेन्सैज चल रहे हैं, यह समझने के लिए हमारा यह प्रतिनिधित्व पर्याप्त होगा। आखिर हम उस संस्था पर कोई दबाव नहीं डालना चाहते हैं। हम चाहते हैं कि वह स्वतंत्र रूप से विकसित हो, अधिक से अधिक पत्रकार उस में रहें और वे पत्रकारिता के हित के दृष्टिकोण से—न कि पार्लियामेंट के दृष्टिकोण से—कार्य करें। यह भी कहा गया है कि दूसरे पक्षों की मौजूदगी में यह संस्था अधिक अच्छी तरह से कार्य कर सकेगी। इस सम्बन्ध में पक्षों की दृष्टि से सोचना मैं गलत समझता

हूँ। यह जरूरी है कि हम पक्षातीत हो कर इस बारे में विचार करें और इस संस्था में ऐसे धादमियों को भेजें, जो समाज की पिछली बन्दियों, पार्टियों की बन्दियों छोड़ कर, इस देश के हित की दृष्टि से सोच सकें, ताकि हमारे यहां पत्रकारिता में विभिन्न विचारों की अभिव्यक्ति की स्वतंत्रता, वैयक्तिक स्वाधीनता, विचारों के प्रवर्तन की स्वतंत्रता, उन को व्यक्त और प्रसारित करने की स्वतंत्रता बनी रह सके।

इसके लिए यह जरूरी है कि पार्टियाँ बेसिस पर न जा कर समस्त पत्रकारिता तथा समस्त राष्ट्र के हित को दृष्टि में रखते हुए धादमी वहाँ भेजे जायें। मैं समझता हूँ कि यह ज्यादा अच्छा होगा।

एक आखिरी बात कह कर मैं समाप्त करता हूँ। इस काउंसिल को एडमिनिशन से घागे बढ़ कर भी कुछ करने का अधिकार दिया जाना चाहिये। अगर कोई पत्र गलत नीति प्रख्यापित करता है, कोई सम्पादक गलत नीति प्रख्यापित करता है तो न केवल उस का तम्बीह भी जाए बल्कि ऐसे प्रखबारों को यदि राष्ट्रीय हित में हो तो बन्द भी किया जा सके, ऐसी व्यवस्था आपकी करनी चाहिए। देश में स्वास्थ्य-प्रद तथा स्वच्छ वातावरण बनाये रखने के लिए यह जरूरी है कि जिस तरह बाधाओं पर हम नियंत्रण करते हैं उसी तरह से गलत ढंग के जाँच विचार है उन पर भी नियंत्रण करें, उन को फँसने में रोके। विचार स्वातंत्र्य का मैं हामी हूँ, लेकिन स्वतंत्रता के माने यह नहीं है कि किसी का भी हम किसी भी तरह की बाँट पट्टाने की इजाजत दें, जो अच्छी प्रवृत्तिवादी है, उन अच्छी प्रवृत्तियों को नुक्सान पहुँचाने दें। इस तरह के नुक्सान पहुँचाने वाले म्यालात पर हम को रोक लगानी चाहिए।

Shri Alvares: As a preliminary remark, I would like to register a protest at the manner in which the Government have treated the Joint Committee.

Shri Hari Vishnu Kamath: Let at least one of the Ministers listen. The two are having a tete-a-tete.

Mr. Deputy-Speaker: Both are listening.

Shri Alvares: It is unfortunate that I have to raise this point. After the Joint Committee had come to certain conclusions and made almost unanimous recommendations, Government later on moved amendments to the very clauses which had been amended by the Joint Committee unanimously. The Government have the right, I concede, to bring amendments to the Bill in the Joint Committee. The Government did bring some amendments which the Joint Committee considered and probably approved of, but for Government to move amendments, after the report of the Joint Committee, in the Rajya Sabha, is tantamount to making the work of the Joint Committee infructuous. If the whole Bill had been submitted to the scrutiny, vetting and voting of the Joint Committee, then it amounts to this that any subsequent Government amendment does not go for the scrutiny of the Joint Committee, and there is, therefore, no purpose in setting up a Joint Committee. If this procedure is followed, and if the Joint Committee is ignored in this manner, Government will be encouraged, after the report of the Joint Committee, to move as many amendments as they desire, and particularly on issues which were under the consideration of and amendment by the Joint Committee.

Shri Hari Vishnu Kamath: A very bad precedent.

Shri Alvares: Therefore, this procedure is obnoxious, and Government must give a fair explanation of the circumstances which led it to move these amendments after the report of the Joint Committee.

Shri Warrior: It should be sent back to the Joint Committee then.

Shri Hari Vishnu Kamath: It can be recommitted even now.

Shri Alvares: I raised this point, but it was not upheld by the Speaker. As far as the main provisions of the Bill are concerned, I may say that the Joint Committee has done a very good job of it, sat for many hours on this very important piece of legislation—the Deputy Minister himself was a member of the Committee—and succeeded in changing its bureaucratic overtones into an institutional form which does justice to the purpose of the Bill.

The Press Council Bill is essentially meant to substantiate and encourage the freedom of the press, and if Press Council is of the nature of a bureaucratic institution, then obviously the purpose of the Press Council, the Freedom that it is supposed to guarantee, would not be served. The Joint Committee in its wisdom and by its procedure was able to change this and bring about certain amendments which are in keeping with the purpose of maintaining the freedom of the press. May I refer to them briefly?

In page 2, Clause 4(3)(c), the Joint Committee has made an amendment whereby, among the three members from among persons having special knowledge, one will be a member who is conversant with science. This will help, I hope, to bring about a scientific attitude among the newspapers in this country, and that the member who has a knowledge of science will be able to bring to bear his expert knowledge in order to bring about a scientific orientation among our newspapers.

The second amendment that the Joint Committee has made is in page 3, Clause 4(4), where it says: .

"in making any such nomination, the Committee shall have due regard to the consideration that not more than one person interested in any newspaper....".

This shows the anxiety of the Joint Committee that not more than one person shall represent any one special interest. This was not in the original Bill, and the Joint Committee has included this in its anxiety to see that there is no over-representation of any particular category.

In Clause 4(5), a very important amendment has been made, i.e., instead of the Government drawing up the first list of nominations, it is now the Council that shall do it. The Joint Committee removed this from the purview of Government and put it entirely in the hands of the Council, and therefore this is something that must be commended to the House. The Council was against Government compiling any panel from which nominations could be made, and thereby removed it from bureaucratic control and gave this responsibility of making the panels from which nominations can be made entirely and exclusively to the Press Council.

The fourth amendment that the Joint Committee made was this, that no member shall hold office for more than six years in all. In the previous Bill it was permissible for members to continue indefinitely. The word "aggregate" has now been used. No member can be on the Press Council for more than an aggregate period of six years even if he holds office intermittently.

There are some very important provisions to which the Government have moved amendments. The Committee felt that there was a lot of foreign interference in the press, that it was possible for foreign Governments to suborn the press, and therefore, in order to avoid these contingencies, the Press Council should be charged with the responsibility of keeping a review of such assistance that may come from foreign countries. The Minister seeks to amend it on the specious plea that if a foreign Government gives innocuous advertisements that will attract the notice of this Clause. I am sorry he should do this on this ground. Surely a review gives the Press Council sufficient discretion to decide

what is obnoxious and what is not, what is proper and what is improper, what is meant to suborn the press and what is not meant, and if the Press Council has the discretion to review such assistance, a word with a wide connotation, there can be no objection to the Press Council keeping a review of all such assistance with a view to maintaining the freedom of the press. The freedom of the press can be undermined in very many ways. It can be undermined by over-vigilance of the Government, by the bureaucracy from time to time and also by the press lords; it can also be suborned by foreign Governments giving large assistance through innocuous advertisements or otherwise. Now, there could be no objection to government allowing this to remain. This was the clause which exercised perhaps the utmost attention of the Joint Committee. Only after very detailed discussion the Joint Committee agreed to amend that clause and finally it came out. It is regrettable that government for some reason or the other sought to change this very protective clause.

Government have also moved in to delete clause 13(2). As I said earlier the Press Council is charged with the responsibility to maintain the freedom of the Press. Now, this freedom can be attacked in many ways; one way is by suborning it; another way is by the action of the executive. Now, this clause says that the Press Council may hold an enquiry in the manner prescribed and previously it covered any interference by government or any officer or authority under the control of government; and the council may forward the report of the enquiry to the government. But the government have now brought forward this amendment to delete the clause. The Joint Committee felt that one of the ways in which the freedom of the press can be curtailed or nullified is by interference of government; there are such instances and the press in such cases is helpless. It is precisely to protect this, this self-regulatory process that the institution like the press council was thought of. The

[Shri Alvares]

Joint Committee felt that among other things the Press needs freedom from government interference also. The salutary provision that existed was that if the government interfered with the freedom of the press, the Press Council shall have the right to make an enquiry and forward the report of that enquiry to the government. If that provision is deleted, there is no freedom of the press.

Shri C. R. Pattabhi Raman: My esteemed friend cannot be unaware of the fact that we have got a guarantee for the freedom of speech; it is a constitutional guarantee. It comes under the umbrella of that freedom and I will refer to it in course of time. But there is no question of government interference with the freedom of the Press; there was no need anywhere for this.

Shri Hari Vishnu Kamath: It is subject to restrictions.

Shri Alvares: It can be argued, as Mr. Kamath points out, that this is a reasonable restriction. If the Joint Committee felt that the freedom of the press should be protected from government interference and the Minister had at that time accepted it, I do not see why it should be deleted. I do not see the reason why this should have been deleted. Now the Press council cannot make an enquiry into any governmental interference. They should not be under any apprehension that the Press Council would censure the government. It will only report back to the guilty party if they have interfered and there is no reason why government should have brought forward an amendment withdrawing this salutary provision.

I have said more than once that there are various ways in which the freedom of the press can be curtailed. When we substituted 'freedom' for the word 'liberty', we have said that it has wider connotation and that 'free-

dom' gives a great amount of latitude for the functioning of the free press. References were made in this connection that it meant not merely the dissemination of the news but also the manner in which news was obtained by those connected with the conduct of press. In other words, a person who gets news from any source whatever is protected from government compulsions to divulge the source of the news. If that is so, I am afraid that clause 14 (ii) (a), (b), (c) and particularly 14 (ii) (b) requiring the production of document, militates against the concept of the freedom of Press. I am sure the hon. Minister while replying will make it clear that the connotation of the words 'freedom of the press' include getting news and also giving protection from divulging the source by any law of the country and that this freedom is not abrogated by clause 14 (ii) (b) wherein it is required that the 'discovery and production of documents will be required to be produced before the Press Council'. Unfortunately, the very good Bill which emanated from the Joint Committee had been altered by two government amendments and because of this, though I was a member of the Joint Committee, I have to oppose this Bill because those two amendments have completely changed the motive and the context of the Press Council.

Shri D. C. Sharma: Mr. Deputy-Speaker, I welcome this Bill. Though it has a simple name, the Press Council Bill, it has assumed for itself a very huge responsibility. On the one hand it is going to perform the functions of the UGC in some ways; on the other hand it is going to do the work of the CSIR. In the third place it is going to serve as a vigilance commission and in the fourth place it is going to be a kind of miniature department of the Ministry of Home Affairs in this country. I want to ask myself whether this Press Council will be able to fulfil all these functions, whether it will have the resources to do so,

whether it will have the finances to do so, whether it will have the manpower to do so. When I think of that I feel that perhaps the Bill may not give as good an account of itself as it is promised in the *Statement of Objects and Reasons*. I would, therefore, like to know: what are going to be the financial resources of this Press Council which is going to undertake the task of education of journalists also? Is it going to duplicate the work done by some universities in India, such as the university of Delhi, or of Punjab or of Nagpur and other universities? How is it going to fulfil this function and at the same time how is it going to act as a court when it is in doubt about the *bona fides* of something which had appeared in the Press? Of course, it is vested with the powers which are enjoyed by a civil court. But I want to know what resources it will have to enforce those powers which it is going to get under this Bill. All these things raise a large number of doubts in the mind of persons like me, because, one feels that though this Press Council means well, its way may be paved with good intentions, and when the way is paved with good intentions, you know where we go, though it is still beset with difficulties.

12 hrs.

Now, the purpose of the Bill is stated to be the freedom of the press. I want to ask the hon. Deputy Minister of Information and Broadcasting, what is the quantum of yellow press in this country, when compared with respectable, honest press. I want to ask the hon. Deputy Minister of Information and Broadcasting, what is the quantum of irresponsible writing in this country of mine. I remember that there are papers published in Delhi and elsewhere which publish all kinds of scandals and stories about sex and all that kind of thing. There are papers published in this country of mine which publish all kinds of vituperations against public men of all categories and all parties. There are papers in my country which try

to indulge in anti-national activities. I know a paper in one of the States of India which published recently that the aggression against India by Pakistan is aggression by one community on the other and the third community has nothing to do with it. I do not know what action has been taken against that paper. I feel that though they stand for the freedom of the press, undiluted, unmitigated and unfettered freedom of the press, I do not want that this freedom of the press should be abused by any person. I know a newspaperman who said, "I do not get any newspaper quota from you; I do not get any money from you; I do not get any assistance from you and therefore I can proceed in my own way, and I can do whatever I like." What guarantee is there that the freedom of the press will not be abused in such cases? You will say that the Home Ministry is there. I know what the Home Ministry does. The Home Ministry is a great Ministry, and I have great respect for it, but I think the Home Ministry is characterised by ineffectiveness where it should be effective. If this is going to be the guardian of the freedom of the press, may I know if it is also going to be the watchdog for those papers which indulge in licences of all kinds in the name of the freedom of the press?

When we were attacked by the Chinese in 1962, one newspaper in Delhi published a front-page story from a fictitious widow giving a fictitious story and calling the Government's action to account. What action was taken against it? He tendered an apology. Are apologies enough for such heinous, treacherous and treasonable actions? No. Therefore, I say that I love freedom, but I do not want to love freedom in the same way as the lady from Soviet Union tried to. When the Soviet Union had freedom, she walked on the right side of the road, instead of on the left. She was asked why and she said "We have got freedom now." I do not want this freedom to be abused. I want this Press Council, more than anything else, to be the

[Shri D. C. Sharma]

watchdog of the liberty of the press; and not only that; it should also be the watchdog in such a way that this liberty does not degenerate into a licence of any kind.

Do you know, Sir, that so much of literature is being published underground these days—literature which I cannot mention here, literature which does no good to our country, and does no good to our traditions and no good to our great democracy? But that is being published in the form of newspapers and pamphlets. How are you going to tackle all this problem? You will say, it is the problem of the Home Ministry. I will say that the whole press should be taken away from the purview of the Home Ministry and the Ministry of Information and Broadcasting should be made wholly and solely responsible for the running of the press and for keeping it in good condition and saving it from all kinds of vagaries and aberrations and all things of that kind.

Now, when you say that there is freedom of the press, what kind of freedom do the foreign correspondents enjoy in my country? After all they are also of the press. What is the news that they send out, and what is it that they sent out when we had the aggression from Pakistan? What action did we take against them? The only clause that was in the Bill against those persons who get money from the foreign people has been deleted. All right; let it be deleted; but I want to ask one question: what is the duty of this Press Council towards those foreign correspondents who always declare India as the aggressor? I was reading a letter in which very good gentlemen had said that "we have not been anti-Indian." He was talking of the United Kingdom. "We have not been anti-Indian; we have been pro-Pakistan." It is as if to be pro-Pakistan is not to be anti-Indian! This is the kind of subtle distinction which is made between one and another. What action are you going to take against such foreign

correspondents who send highly coloured, sensational and mendacious stories about my country, which put my country to shame and which put the valour of the jawans of my country in an unfavourable light and which try to downgrade our defence efforts and all that? What are you going to do about it?

I think this Press Council should not only deal with Indian newspapers but it should also deal with those foreign correspondents who try to do something against us. Then, I want to ask one more question. I want that the standards of newspapers should be improved in India. Of course, I think some of our newspapers have done as well as any other newspaper in any other country. I will say that with a sense of responsibility, but I would also say, how can we improve the standard of newspapers if we do not improve the working conditions of working journalists, the craftsmen, the apprentices, the printers and so on? Even the *New York Times* has had a strike only recently. It was on strike two years ago, the correspondents struck work and the paper did not come out for so many weeks. You will say that this is something which comes under the purview of the Labour Ministry. What is the good of having a Bill which is so circumscribed, when its right hand is tied down by the Home Ministry, its left hand is tied by the Ministry of Labour, its back is pulled by the foreign correspondents and its front is pulled in other directions by the people who are monopolists? What is the good of having this kind of a Press Council Bill? Anyhow, I will say that these things go together.

Mr. Deputy-Speaker: The hon. Member's time is up.

Shri D. C. Sharma: Two minutes more, Sir.

It has been said that the Joint Select Committee's recommendations have

been over-ruled, as if the House had not the power to over-rule the recommendations of any committee. The House is greater than any Joint Select Committee or anything else.

I find here special emphasis is going to be given to education. Why? I think all these persons will be fully educated. Science—the journalists will be fully conversant with science and literature. Law—I think every journalist knows as much law as is necessary. Culture—the journalists are the custodians of our culture. So, what is the good of having these things here?

I want to point out one thing. Read all the newspapers in India and you will find that no newspaper writes knowledgeably, efficiently and comprehensively on defence matters. We get sidelights on defence from the correspondents of other countries, but in our country there is no knowledge on defence matters so we must have a representative of Defence in this Council.

I find this body is a paradise of nominations! I do not believe in any paradise. If it is going to be undiluted nomination, I think it is not going to do much good. You may call it a semi-judicial body or anything you like, but I do not like a person having power to select any names he likes.

What is the power given to this Press Council? We are creating a lion, but you say this lion cannot roar; it has no claws and no teeth; it cannot bite and it cannot be a man-eater. The Press Council will have the power only to censure. This terminology of 'censure' is obsolete. I think something more should be done. We want something more from this Council besides censure, because censure has proved a useless thing in our bureaucracy.

With these words, I support this Bill.

डा० राय मनोहर लोहिया (कंसबा-बाद) : उपाध्यक्ष महोदय, भारत के प्रखबारों में 50 से 70 फ्रीसदी ख़बरें प्रेस ट्रस्ट ऑफ़ इंडिया के द्वारा छपती हैं और शायद संसार भर में इस से ज्यादा प्रेस की प्राजादी को और सच्चाई को मारने वाली और कोई संस्था नहीं होगी। इस लिए जब तक इस प्रेस ट्रस्ट ऑफ़ इंडिया को बिल्कुल प्रघार में बदला नहीं जायेगा तब तक किसी प्रकार की प्रेस की स्वतंत्रता और सच्चाई के बारे में बात करना मशौल है और उस का बुनियादी कारण यह है कि इस वक्त एक तिकोना है। एक तरफ़ तो प्रखबारों के मालिक हैं जो कि कारख़ानों के भी मालिक हैं और जिनका कि माध्यम इस प्रेस ट्रस्ट ऑफ़ इंडिया के बोर्ड ऑफ़ डाइरेक्टर्स है। दूसरी तरफ़ ऐसे मंत्री हैं और ख़ास तौर से काबीना के मंत्री हैं जिनका कि उन से सम्बन्ध है और तीसरी तरफ़ इस पी० टी० आई० में काम करने वाले ख़ास तौर से ऊंचे दर्जे के लोग हैं। इस तिकोने ने प्रेस ट्रस्ट को गंदा बना रक्खा है और कैसे? वह मैं सब से पहले एक दूसरे प्रावमी की बहस से सावित करता हूँ। श्री इब्रजीत गुप्ता ने इसी लोक-सभा में जो बहस की थी उसमें तीन, चार, सफ़े यहाँ पर जो पी० टी० आई० का संवाद-दाता था उस ने दिये थे लेकिन मंत्री जिसके कि ऊपर प्रारोप किया गया था उस की और उस के प्रादमियों की सलाह से यह सारा ख़त्म करवा दिया गया। फिर मेरी बात लीजिये। प्राघ घण्टे की बहस हुई थी 6 मई 1965 को। यह चार सफ़े पी० टी० आई० का जो संसददाता यहाँ लोक-सभा में था उस के दिये हुए हैं जिससे यह सिद्ध हो जाता है कि भारत के बित्त मंत्री का ख़ानदान बाहरी विदेशी मुद्रा की बोरी में लगा हुआ है जिस से यह सिद्ध हो जाता है कि सब तरह की बच्चों की दबाघों में भी ख़राबियाँ लाकर यह ख़ानदान मृनाफ़ा कमा रहा है। लेकिन लोक-सभा में भी इस बहस को जो पी० टी० आई० के संवाददाता ने दिया था,

[डा० राम मनोहर लोहिया]

यह मेरी नहीं है लेकिन चूंकि वित्त मंत्री श्री कृष्णमाचारी का मामला था इस लिए जो वहां पर दिल्ली के दफ्तर में मुख्य सब ऐडीटर बैठा हुआ है उस ने अपने मैनेजर से सलाह कर के बिल्कुल खत्म करवा दिया ।

इस सम्बन्ध में मैं आपको एक और घटना बतलाना चाहता हूं । मैं ने कभी अपनी सफाई नहीं दी । जब भूतपूर्व प्रधान मंत्री यहां मेरे थे तो मैं मिसीसिपी में था । वहां के असोसिटेड प्रेस प्रांक अमरीका ने मिसीसिपी में, वहां क्या डक़रत पड़ी, कौन मुझ को जानता है, सरकार के ही लोगों को वह नहीं जानते, लेकिन उसने बारबार टेलीफोन कर के मुझ से पूछा कि तुम को कुछ कहना है आवश्यक रूप से । यह खबर यहां से गई थी कि उन से कुछ संदेश पूछ कर बताओ तब मैं ने जेल से छूटने के बाद, क्योंकि मैं ने असोसियेटेड प्रेस को कह दिया था कि देखो मुझे इस अभ्याय से पहले लड़ लेने दो । मैं उस आदमी की याद में तभी कुछ कहूंगा जब यह अभ्याय से लड़ाई मेरी खत्म हो जायगी । मेरा ऐसा क्या है कि उस से ज्यादा बढ़िया स्तुति उन के मरने पर किसी आदमी ने नहीं की थी । लेकिन उस में एक वाक्य था कि मैं सन् 1946 तक के अपने नेता के बारे में बात कहता हूं बाद वाले के लिए कुछ भी नहीं कहता । वह यहां पर खत्म कर दिया गया । इसे पी० टी० आई० ने खत्म कर दिया । इसके बाद न्यूयार्क में जो इस का एक संवाद-दाता बैठा हुआ है और वह एक ही नहीं बल्कि यहां दिल्ली में जो 11 बैसे संवाद-दाता हैं उन में 9 ऐसे हैं जो मुझसे चिड़ते हैं । किस लिए ? कि मेरा जैसा आदमी क्यों अंग्रेजी के खिलाफ़ है : जब मैं किसी को भारत में एक हबार रुपये महाने से ज्यादा तनकाह नहीं देना चाहता जब राष्ट्रपति को नहीं देना चाहता जो फिर उन को तो और भी कम हो जायगी ।

इस लिए वह चिड़े हुए रहते हैं और चिड़े हुए रहने के कारण ही न्यूयार्क के संवाद-दाता ने मेरे प्रेस सम्मेलन की बातों को तोड़ा मरोड़ा, छोड़ा और कुछ बातें झूठ जोड़ कर के ऐसे यहां पर छपवाई कि उस के सबब से आज तक कुछ वर्गों में, सब में नहीं, लेकिन कुछ वर्गों में मैं अब तक बदनाम हूं । और शायद यह जो मंत्रालय है न, यह सूचना मंत्रालय, ऐसी झूठी खबरों के आधार पर मुझ से कुछ दुश्मनी भी निकाल लिया करता है क्योंकि आखिर को यह सारी जितनी चीजें चल रही हैं, अपनी बात को तो मैं अभी छोड़े देता हूं...

श्री प्रिय गुप्त (कटिहार) : पिछले दिनों के झगड़े का असर तो नहीं है इंदिरा जी के साथ जोकि अभी सूचना मंत्री है?

डा० राम मनोहर लोहिया : जब मेरा झगड़ा अब आप से ही नहीं है तो उन से कहीं होगा ? मैं समझता हूं कि शायद ही मैं ने किसी की इतनी इज्जत की हो । तो मैं आप को औरों की बतलाता हूं । एक बार इसी पार्टी की, जिसकी सरकार चल रही है उस के समापति श्री कामराज लखनऊ गये थे । पी० टी० आई० ने लखनऊ से पहले जो खबर भोजी कामराज जी के बयान की, उस में लिखा हुआ था कि उन्होंने मुंगरजी देसाई को नहीं भेजा था । मालूम होता है कि बाद में कुछ झगड़ा मचा होगा, तो दूसरी खबर आ गई और पहली खबर को खत्म कर दिया गया । मेरे पास इस बारे में सब सुबूत मौजूद हैं । मैं बिना सुबूत के नहीं बोल रहा हूं ।

उसी तरह से और जितने भाषण होते हैं, उन पर हमेशा कलम चलाई जाती है, मुख्य बातों को खत्म कर दिया जाता है, मंत्रियों के ईमान की कमी पर पर्दा डाला जाता है और जो कोई भी अंग्रेजी के विरोधी

है या सरकारी धोर शेर—सरकारी धोर बिड़ला, टाटा धोर मुकुर्जी की किञ्चलखर्ची धोर ऐयासी पर रोक लगाना चाहते हैं, उन सब से पी० टी० ध्राई० अपनी दुश्मनी निकालता है। ऐसी हालत में कहाँ रह जायेगा सत्य, कहाँ रह जायेगी ध्राडादी ?

यहाँ पर बिड़ला साहब के करोड बात में फलैट्स हैं। पी० टी० ध्राई० के बड़े बड़े ध्रफसर वहाँ पर तीस रूपये महीने में ऐसे फलैट पाते हैं, जिन की बाजार में कीमत पांच सौ, एक हजार रुपया महीना होगी। मैं ने जान-बूझ कर नाम नहीं लिया है। धगर ध्राप चाहें, तो मैं उन के नाम लिये लेता हूँ।

Shri P. R. Patel (Patan): Sir, I rise to a point of order. I want to know whether this discussion is relevant to the present Bill. The Bill is about one thing and the discussion done by my hon. friend is about something quite different.

Mr. Deputy-Speaker: He is saying that the press reports are not correct; they are distorted.

Shri D. C. Sharma: This is not the "PTI Bill", this is the Press Council Bill.

डा० राम मनोहर लोहिया : ये जो डायरेक्टर वगैरह हैं, जब कभी वे इधर से उधर घूमते फिरते हैं, वे 250 रुपये रोज घलाउन्स पाते हैं। बोर्ड ध्राफ डायरेक्टर्स में जो करोड़पति लोग हैं, वे ध्रखबारों के भी मालिक हैं धोर कारखानों के भी मालिक हैं। धब तक तो मैं सूचना मंत्री के बारे में कह रहा था। धब मैं वित्त मंत्री साहब के बारे में कुछ कहना चाहता हूँ।

Mr. Deputy-Speaker: You have said enough about the Minister of Finance.

डा० राम मनोहर लोहिया : उन पर ध्राप की विशेष मेहरबानी मालूम होती है। तो क्या मैं सूचना मंत्री के बारे में बोखूँ ? धगर मैं उनके बारे में बोखूँगा, तो ध्राप कहेंगे कि क्या बोल रहे हो—धगर मैं अपने दिल की बात बोल गया, तब।

वित्त मंत्री धोर बोर्ड ध्राफ डायरेक्टर्स के इन लोगों का ऐसा संबंध रहता है कि वित्त मंत्री इन को ध्रायात-निर्यात का लाइसेंस देते हैं दूसरी चीजें देते हैं जिस से वे खुप हो जाते हैं खुश हो जाते हैं धोर तब उन की मुद्रा की सब चीरी छुप जाती है।

इस के ध्रलावा जो खरीदने वाला है वही बेचने वाला है। यह ध्रजीब प्रेस ट्रस्ट ध्राफ इंडिया है। यही खबर बेचते हैं धोर धोर यही लोग खबर खरीदते हैं धोर खरीदने वाला धोर बेचने वाला एक ही हो जाये तो वह संस्था बिस्कूल बाहियात हो जाया करती है।

इस वक्त दिल्ली में प्रेस्ट ट्रस्ट ध्राफ इंडिया के जिन को विशेष-विशेष बड़े-संवाददाता कहते हैं वे 11 हैं जो सरकार धोर लोक-सभा के साथ जुड़े हुए हैं। इन 11 में 9 हैं ध्रंग्रेजी के ध्रक्त जिस का साफ मतलब है हिन्दुस्तान के दुश्मन क्योंकि मेरी राय में ध्राज जो ध्रंग्रेजी का ध्रक्त है वह हिन्दुस्तान का दुश्मन होमा।

इस के ध्रलावा ध्रमी मुझ को ताखा ताखा खबर मिली है कि कुछ दिनों से इतना सब होते हुए भी जितनी खबरें जाती हैं उन पर एक "पी" लगाना जरूरी हो जाता है।

उपाध्यक्ष महोदय : ध्राप भी ध्रंग्रेजी जानते हैं।

डा० राम मनोहर लोहिया : मैं हज़ूर की खिदमत में अर्ज कर दूँ कि आप की जितनी अंग्रेजी तो ख़रूर जानता हूँ। लेकिन वह जान कर भी मैं ने क़सूर किया है कि जब तक यहां से अंग्रेजी को ख़त्म नहीं किया जायेगा तब तक अक्ल, सब, उन्नति कभी नहीं हो सकती है। आप भी अगर मेरी बात को मान जाते और प्रेस ट्रस्ट ऑफ़ इंडिया को ठीक करवा पाते तो बहुत अच्छा होता। जब ये मंत्री लोग बोट लेने के लिए जाते हैं तो वहां हिन्दी बोलते हैं लेकिन यहां न जाने क्यों इन को अंग्रेजी बोलने में मज़ा आता है। और वे ऐसी अंग्रेजी बोलते हैं जिस को सुन कर मुझे उन्नीसवीं सदी की याद आ जाती है। कम से कम वे बीसवीं सदी की अंग्रेजी तो बोलें। वह लिख कर न लाया करें। जैसे ताज़ा वह हैं वैसी ताज़ा बोली रखें। मंत्री महोदय इस पर ध्यान दें कि जब 11 आदमियों में से 9 अंग्रेजी भक्त हैं तो कैसे काम चलेगा।

उपाध्यक्ष महोदय : माननीय सदस्य अब ख़त्म करें।

डा० राम मनोहर लोहिया : धनी ख़त्म कर देता हूँ।

“पी” माने “पास किया गया”। पहले ही से मंत्रीयों और करोड़पतियों के हाथों सब चीज़ काट-कूट दी जाती है। बिड़ला, टाटा, मुर्जी के खिलाफ़ कुछ नहीं हो सकता है।

उपाध्यक्ष महोदय : अब माननीय सदस्य ख़त्म कर दें।

डा० राम मनोहर लोहिया : मंत्री महोदय ख़रा इस तरफ़ कुछ ध्यान दें कि हर एक संदेश “पास” किया जाता है, हर एक पर “पी” लिखना पड़ता है। और वह कौन है “पास” करने वाला ? जब फ़्रांस का पतन हुआ था, तब अंग्रेजों की लोक सभा में एक सदस्य ने कहा था कि फ़्रांस के पतन का एक कारण यह है कि वहां के अख़बारों पर निरख

बिठा दी गई थी। मैं सन्नमता हूँ कि यहां के अख़बारों पर पहले ही से पी० टी० आई० की सेंसरशिप यानी निरख बैठी हुई है, उन पर दबाव है और ख़बरों को काट-कूट दिया जाता है और ऊपर से यह “पी” वाला न जाने कहां से आ कर बैठ गया है। इस तरह सच्चाई और ईमान बिल्कुल नहीं रह जायगा। इस लिए जब तक पी० टी० आई० को ख़त्म नहीं किया जाता है, तब तक कुछ नहीं हो सकता है।

उपाध्यक्ष महोदय, क्या मैं ये क़ाराब आप को दे दूँ ?

उपाध्यक्ष महोदय : आप अपने पास रखिए।

डा० राम मनोहर लोहिया : क्या ये साड़ी और दवा की बोतल की तरह रहेंगे ?

Shri Muthiah (Tirunelveli): Mr. Deputy-Speaker, Sir, the Press Council Bill is an important Bill which has been long overdue. The setting up of the Press Council is recommended by the Press Commission as early as 1954. The Bill seeks to regulate the duties and responsibilities of newspapers and periodicals and provide for their fair and efficient functioning.

The Press is one of the important organs of society. It is considered as the fourth estate in all democratic countries. It plays a leading role in the efficient functioning of democracy. It safeguards democracy and prevents developments towards totalitarianism and dictatorship. It thrives best in free and democratic countries. It is muffled in totalitarian countries.

The Press not only reflects public opinion but also instructs and guides it. The Press has a great role to play in guiding public opinion. It should serve as the liaison between the Gov-

ernment and the people. The freedom of the Press is essential for the healthy functioning of democracy. It is guaranteed by our Constitution, under article 19(1) that "all citizens shall have the right to freedom of speech and expression". Freedom of the Press comes under "freedom of expression". Freedom of the Press is essential to political liberty which is vital to democracy. The American Commission in their report: '*A Free and a Responsible Press*' have stated that freedom of the Press is essential to political liberty. The people of the country can benefit only from the fullest possible information and the fair presentation of differing opinions. Mahatma Gandhi's memorable words are worth recalling here:

"I do not want my house to be walled in on all sides and my windows to be stuffed. I want the culture of all lands to be blown about my house as freely as possible."

The right of the Press to freedom of expression implies certain responsibilities. It has to give correct information and make fair and unbiased comments and uphold moral and spiritual values. It has the right to criticise government's policies and actions, wherever necessary, in the best interests of the people and the country and to suggest a proper course of action, but it should not be influenced by bias at any stage. Its comments on proceedings in Parliament and State Legislatures should be absolutely fair. Absolute fairness is needed in the presentation of news and in the conveying of news and in making reports and making editorial comments. Reporters, correspondents and editors of newspapers should be free from bias and should be impartial and truthful and fair. They should be free from pressure from owners of newspapers, advertisers, political parties, foreign governments and foreign information services.

The press should strictly avoid the following: disclosing matters which must remain secret in the interest of national safety and security; disclosing information received in confidence; expressions which incite people to violence and criminal acts; expressions which are obscene and vulgar or which are dangerous or which will rouse passions and weaken the moral stamina of the people; expressions which damage other peoples' reputation without benefiting the people; reports which are deliberately false or distorted and which undermine the relations between peoples and States, and harmful advertisements. Newspapers should be careful in the choice of advertisements. They should not accept harmful advertisements.

Mr. Deputy-Speaker: Instead of dilating on the general subject, he should say something about the Bill under discussion.

Shri Muthiah: I am coming to that. There are certain irresponsible papers in our country both in English and in the regional languages which are harmful to youngmen and to their moral behaviour. There are papers in English and in regional languages which promote religious or communal or caste or linguistic conflicts. They should not be encouraged. Government should put down such trends.

I now come to the Press Council Bill. The Bill is intended to set up the Press Council. The object of the Press Council is to preserve the freedom of the press and to maintain and improve the standards of newspapers in India. The Press Council should look after editorial independence, objectivity of news presentation, fairness of comments and regulation of the conduct of the press in the matter of objectionable writings which are not legally punishable.

The Council has to enforce a code of conduct which would enhance the prestige of the profession, censure any journalist or newspaper guilty of

[Shri Muthiah]

violation of the code, ensure high standards for newspapers and journals and foster a sense of rights and duties among the citizens, keep under review any assistance received by any newspaper or news agency from foreign sources and, finally, study tendencies towards monopoly or concentration of ownership of newspapers and suggest remedies therefor.

The Select Committee has made certain important changes and recommendations. In sub-clause (3) of clause 4, the Committee has recommended the inclusion of scientists for representation in the Press Council and added "science" to the subjects specified there. This is a necessary amendment in view of the rapid advances of science and technology and their far reaching consequences.

The second change is in sub-clause (4) of clause 4. By this amendment, the Committee has provided that no newspaper or chain or group of newspapers should have more than one representative in the Council. This is to ensure that chains or groups of newspapers do not have undue weightage in the Council.

In clause 12 the Committee has made a change to empower the Press Council to review any assistance received by any newspaper or news agency in India from foreign sources. This amendment is important because it will have a check on newspapers which are anti-national and which have extra-territorial loyalties.

It is mentioned in clause 13 of the Bill that the decision of the Council in respect of any enquiry shall be final and shall not be questioned in any court of law. Since a judicial procedure is adopted for enquiry under clause 14, it must be open to any party to raise the issue in appeal on the ground of mistaken appraisal of evidence tendered before the Press Council and to seek remedy in the form of an appeal. This right is denied by clause 13 of the Bill.

In conclusion I want to submit that in the appointment of the Chairman of the Press Council, the Chief Justice of India should see that he is a person with adequate legal knowledge and varied cultural interests.

Shri Alvares: At what time is the Minister replying to the debate?

Mr. Deputy-Speaker: After one more speaker.

श्री श्रीकार लाल बरवा (कोटा) :
उपाध्यक्ष महोदय, इस बिल का स्वागत करते हुए जो संशोधन मैं उन का मैं विरोध करता हूँ। प्रवर समिति ने जो सुझाव दिये थे उन को दबाने के लिए शायद ये संशोधन लाये गये हैं। वहाँ पर इन सुझावों को चूँकि मन-वाया नहीं जा सका है, इस वास्तं उन को शायद यहाँ मनवाने की कोशिश की जा रही है और जो सुझाव प्रवर समिति के हैं उनको दबाने की कोशिश की जा रही है। ऐसा करना संसद् के माथे पर एक कलंक लगाना होगा।

इस काउंसिल के जो चेयरमैन होंगे उन को मनोनीत करने का अधिकार चीफ जस्टिस को दिया गया है। इस काउंसिल में प्रेस के नुमाइन्दे लिये जायेंगे, पत्रकारों के नुमाइन्दे लिये जायेंगे, एडीटर्स के नुमाइन्दे लिए जायेंगे, दूसरी तरह के लोग लिये जायेंगे, लेकिन कहीं पर यह नहीं लिखा गया है कि जो छोटे-छोटे अखबार हैं उन के नुमाइन्दे को भी काउंसिल में लिया जायगा। इस के अलावा कहीं पर भी कागज के कोटे के बारे में कुछ नहीं लिखा गया है। जहाँ तक कोटे का प्रश्न है आज से तीन साल पहले जो रुल बना था और जो कोटा अखबार वालों को दिया जाता था वही आज भी दिया जाता है। तीन बरस पहले जिस अखबार की पाँच हजार प्रतियां निकलती थी और जिस की आज पन्द्रह हजार प्रतियां निकलने लग गई हैं, उस को वही कोटा आज भी दिया जा रहा है, उसी कागज के आधार पर

वे प्रश्नकारों को निकाल रहे हैं। ब्लैक में से या किसी धीर तरह से उन को कागज का इंतजाम करना पड़ता है। इस बिल के धन्दर कहीं नहीं लिखा है कि इन के कोटे बढ़ाये जायेंगे। मैं समझता हूँ कि ये सारे जो उन के हक हैं वे मार दिये गये हैं।

एक धीर हक उनका मार दिया गया है। उन को पहले यह अधिकार होता था कि तीन वानिज्य चार वानिज्य या पांच वानिज्य जब मिल जाती थी तो भी वे हाई कोर्ट में जा कर अपनीस कर सकते थे। अब उस अपनीस का हक बिल्कुल उनको नहीं रहेगा। यह तो बिल्कुल एक काउंसिल बन करही रह जाएगी। यह काउंसिल तो बिल्कुल सरकार की ही पैरवी करेगी। सरकार के खिलाफ यह कभी किसी मूरत में नहीं जा सकेगी। यह काउंसिल जो भी कार्रवाई करेगी, एकतरफा कार्रवाई करेगी। सरकार के पक्ष में ही यह बोलेगी उस के विपक्ष में कभी नहीं बोलेगी। इस के फैसलों के खिलाफ किसी दूसरी जगह पर अपनीस हो सकती है, यह कही नहीं लिखा है। प्राप प्रेस काउंसिल बना रहे हैं। एक प्रेस काउंसिल सरदार प्रताप सिंह कैरों ने भी बनाई थी। उसके सारे पत्रकार, सारे पेपर गुलाम हो गए थे। ऐसा न हो यह भी उसी तरह की काउंसिल बने। प्राज स्थिति क्या है ? कुछ पेपर तो मिनिस्टर्स के बेंटे हुए हैं और कुछ पेपर कैपिटलिस्टों के बेंटे हुए हैं। इस का नतीजा यह हो रहा है कि जो छोटे-छोटे पत्रकार हैं, जो छोटे छोटे पत्र हैं वे छहर उधर मारे-मारे फिर रहे हैं। वे मर रहे हैं। इसका कारण यह है कि जितने बिज्ञापन मिलते हैं सब बड़े बड़े पेपर वालों को मिलते हैं। जो छोटे-छोटे पेपर हैं और जो गांवों के धन्दर अपने बिचारों को फैलाते हैं उन को किसी प्रकार की कोई सुविधा नहीं मिलती है। यही पेपर हैं जो गांवों के धन्दर जाते हैं। इस बिल में कहीं यह नहीं लिखा है कि छोटे पत्रों को ये सुविधाएँ दी जाएँगी, उन को इतना इतना

कागज का कोटा दिया जायगा। उन का कागज का कोटा इस इस हद तक बढ़ाया जायगा।

विदेशी पत्रों तथा पत्रकारों के हक में भी यह बिल है उन का विरोध तो प्राप कर ही नहीं सकते हैं। प्राज कनाडा और ब्रिटेन के पेपर हिन्दुस्तान के खिलाफ कितनी प्राबाज उठा रहे हैं, इस को प्राप देखें। लेकिन प्राप उन के खिलाफ कुछ नहीं कर रहे हैं। श्रीनगर के धन्दर पांच प्रगस्त को जिस वक्त काश्मीर पर हमला हुआ ये दोनों प्रेस वाले मौजूद थे। क्या उन को पहले से ही इस चीज का पता था ? दस अक्टूबर को जिस वक्त वहां पर विद्यार्थियों का वहां जलूस निकला, उसने धन्दर भी वे मौजूद थे। इन्होंने अपने पेपर्स के धन्दर इन के बारे में बातों को बढ़ा-बढ़ा कर लिखा। लेकिन भारत सरकार मौन है। पता नहीं क्यों ? यह बात हमारी समझ में तो प्राती नहीं है। हमारे जो पेपर हैं उन के ऊपर तो सब प्रकार के नियंत्रण सरकार लगा देती है और यह काउंसिल बिल भी उन के लिए ही बनाया जा रहा है लेकिन जहां तक उन पत्रों का सम्बन्ध है, सरकार कुछ नहीं करती है। उन को तो वह प्रोत्साहन दे रही है। शेष अम्बुल्ला की धीरत जिस दिन उस से मिल कर प्राई उस के दूसरे दिन ही विद्यार्थियों ने प्रान्दोलन शुरू कर दिया और इन पेपर्स ने उस को एक दिन पहले ही निकाल दिया। उस वक्त कोई बात नहीं थी, कुछ नहीं था, सिर्फ शेष अम्बुल्ला और उसकी धीरत मिल रहे थे। पेपर्स में बिल्कुल नहीं दिया। यह इन्होंने किस तरह किया, समझ में नहीं प्राता ऐसे पेपर्स को प्रोत्साहन देना और उनको चलने देना कहां तक ठीक है, यह प्रापको सोचना चाहिये।

बिज्ञापनों के धन्दर भी देखा गया है कि प्राई प्रतीजावाध चलता है। दो पेपर लखनऊ से 1963 में निकाले गए। एक रांची एक्सप्रेस और दूसरा भारत मेस।

[श्री श्रीकार लाल बेरवा]

“रोषी एक्सप्रेस” ने डिक्लेरेशन दिया । “भारत मेल” को न्यूजप्रिंट तक दे दिया लेकिन “रोषी एक्सप्रेस” को न्यूजप्रिंट नहीं दिया गया । यह बया वजह है कि एक साथ के दो पेपर्स को दो अलग अलग तरीके से देखा जाये । जब तक यह भेदभाव का बरताव बन्द नहीं होगा तब तक हमारे पेपर्स भागे उन्नति नहीं कर सकेंगे ।

मैं एक बड़े खेद की वाद यहां पर बताना चाहता हूं । 2 अक्टूबर को गांधी जयन्ती भी थी और श्री शास्त्री का जन्म दिवस भी था । आप 2 अक्टूबर के सारे अखबार उठा कर देख लीजिये, एक भी पेपर के अन्दर गांधी जी का फोटो नहीं होगा जब कि श्री शास्त्री के बड़े बड़े फोटो निकले । मैं पूछना चाहता हूं कि क्या इतने दिनों के अन्दर गांधी जी की मान्यता घट गई है । होसकता है कि आप की निगाह में ऐसा हो गया हो लेकिन देश के और विदेशों की निगाह में गांधी की प्रतिष्ठा नहीं घटी है । मैं जानना चाहता हूं कि यह हमारे पेपर्स का कुसूर था या हमारी सरकार का कुसूर था । इस बात की और हमारी सरकार को ध्यान देना चाहिये । कभी कभी मेरे मन में विचार उठता है कि शायद हमारी सरकार ने इस के लिये मना कर दिया हो, लेकिन ऐसा सम्भव नहीं जान पड़ता । पेपर वाले भी ऐसी गलती नहीं कर सकते, लेकिन फिर भी इन शिकायतों को सुधारने की जरूरत है ।

मैं आप से कह सकता हूं कि इस संकट के समय में पेपर वालों ने बड़ा साथ दिया । प्रेस वालों ने बड़ा जबर्दस्त साथ दिया है सामाजिक तथा सार्वजनिक कामों के अन्दर । हमारी जो विजय हुई है उस का बीसवां भाग इन प्रेस वालों

के कारण है क्योंकि समय समय पर सारे समाचार हमें मिलते रहे और जनता का मनोबल ऊंचा रहा । लेकिन अगर इन्हीं प्रेस वालों की सुविधायें न दी जायें और उन के हकों को कुचला जाये तो यह बहुत बुरी बात होगी । इस लिये यह जो प्रेस काउंसिल बिल है उस को प्रेस की स्वतन्त्रता के लिये बनाया जाये और वह प्रेस वालों को हर तरह की सुविधा देने के लिये तैयार रहे ।

एक बात मैं आप से और अर्ज करना चाहता हूं कि यहां पर पेपर्स के लिये डिक्लेरेशन की अधिक सहाय्यता नहीं है । ब्रिटिश जमाने में एक एक पेपर वाले के पांच पांच डिक्लेरेशन होते थे । अगर एक को जप्त कर लिया जाये तो दूसरे के नाम से चल जाये, दूसरे को जप्त कर लिया जाये तो तीसरे के नाम से चल जाये । लेकिन यहां पर तीन तीन चार चार महीने तक डिक्लेरेशन में भग जाते हैं । जब तक इन पेपर्स को इस तरह की सहाय्यता नहीं मिलेगी तब तक यह पेपर्स किसी तरह से भागे नहीं बढ़ सकेंगे । इस लिये प्रेस काउंसिल बिल जो बने वह पेपर्स की सहाय्यता के लिये बने और जो गन्दे पेपर्स हैं जो भारत के खिलाफ अपनी आवाज उठाते हैं या विद्रोह का नारा लगाते हैं उन को बन्द किया जाये । बम्बई का एक साप्ताहिक पेपर है जिस को लोक-सभा ने रोषी कराया था । लेकिन हमारी सरकार आज उस के नौ चांद लगा रही है । नौ चांद लगा कर उस को सम्मानित कर रही है । मैं जानना चाहता हूं कि क्या वजह थी लोक-सभा के उस को गलत करार देने की । क्या लोक-सभा उस वक़्त किसी के दबाव में आ गई थी । क्या गलत ढंग से उसे रोषी करवाया गया

था। उस को कौरन बन्द करना चाहिये था।

इसी तरह घमरीका का "न्यूजवीक" है जिस ने अभी हाल में यह समाचार निकाला था कि शायद हो सकता है कि पाकिस्तान ने काश्मीर पर हमला किया हो, लेकिन काश्मीर के सम्बन्ध में पाकिस्तान ने कहा था कि जनमत संग्रह होना चाहिये। जनमत संग्रह न कराने के कारण पाकिस्तान के पास कोई चारा ही नहीं रहा था जिस के अनुसार वह भारत के सामने दूसरी बात रखता। हालांकि पाकिस्तान ने हमला कर भी दिया तब भी वह उसे साफ हमला नहीं कहता। कहता है कि शायद हो सकता है कि काश्मीर पर हमला किया हो। ऐसे प्रखबारों को हमारी सरकार बड़े चाव के साथ, बड़े उत्साह के साथ प्रोत्साहन देती है। मेरी समझ में नहीं आता कि जितने हिन्दुस्तान के पेपर हैं उन को तो हर तरह से किसी भी बात को ले कर क्यों बचाया जाता है और विदेशी पेपर्स को हर तरह से प्रोत्साहन दे कर हमारी सरकार क्यों एड देती है। इस लिये मैं कहना चाहता हूँ कि जितने भी हमारी विरोधी कैंपाइज, ब्रिटेन और घमरीका के पेपर हैं उन्हें तुरन्त बन्द कर दिया जाये क्योंकि वह भारत के खिलाफ जहर उगलते हैं। चाख कर जो हमारे यहां के कम्युनिस्ट पेपर हैं जो कि दोनों देशों की नीतियों को सम्भाले हुए हैं, चीन और रूस दोनों को ले कर वामपन्थी और दक्षिणपन्थी नीतियां चलाते रहते हैं।

साथ ही ऐसे पेपर्स को भी बन्द कर देना चाहिये जिन के घन्दर नंगी औरतों के फोटो दिखलाये जायें। जैसे कि "स्मिट्ज" वगैरह प्रखबार हैं। हमारी सरकार बड़े चाव से उन को साइबेरी में बंजवाती है लेकिन जो पेपर्स ऐसे हैं जो

कि धार्मिक हैं, जो पब्लिक के घन्दर उत्साह पैदा करने वाले हैं उन को साइबेरी के घन्दर स्थान नहीं दिया जाता। ऐसे पेपर्स को मान्यता दी जाती है जो देश के खिलाफ जहर उगलते हैं और नंगी फोटो छापते हैं जिन को देख कर जनता भ्रष्ट होती है। इस लिये मैं निवेदन करूंगा कि जो पेपर्स अपमानजनक हैं, जो देश के प्रति विष उगलते हैं, उन को बिल्कुल बन्द कर दिया जाये और जो छोटे पेपर्स हैं उन्हें प्रोत्साहन मिलना चाहिये। ऐसे प्रखबारों का जो कोटा तीन साल पहले या कम से कम उस से दुगुना उन को मिलना चाहिये ताकि ब्लैक मार्केट बन्द हो जाये। साथ ही जो ऐसे पेपर्स हैं जिन की सी प्रतिमां भी नहीं निकलतीं लेकिन जिन को कागज मिल रहा है ब्लैक में बेचने के लिये उन को बन्द किया जाये।

अन्त में जिन पेपर्स ने इस संघर्ष के समय अपना सहयोग दिया है मैं उन को इस के लिये धन्यवाद देता हूँ और प्रार्थना करता हूँ कि जो ऐसे पेपर्स हैं जिन्होंने भारत के खिलाफ यहां ही नहीं विदेशों में भी जहर उगला है उन को बन्द कर दिया जाये।

Shri P. R. Patel: Mr. Deputy-Speaker, Sir, I have pleasure in supporting this Bill. The purpose of the Bill is to preserve the freedom of the press and to maintain and improve the standard of newspapers in India. But I ask the question whether the press is so free as it was before 1942. My feeling is that perhaps the press is losing its freedom, not because of the Government but because of other things.

Before 1947, to have a press and to publish a paper was a mission in life; today, it has become a business. So, the standard has gone down. Then, in those days we had the fortune to read the *Chronicle* and the *Bombay Sentinel*. Today I do not

[Shri P. R. Patel]

find any paper in the country which could be compared to the *Chronicle* and the *Bombay Sentinel*. What do we find today? I will not find fault with the Government, but the press business has become a business and it has lost that missionary zeal. Also, the persons working there, be they editors or correspondents—I have respect for them—do not enjoy the freedom that Horniman enjoyed in publishing a paper. So, if you want to raise the standard of newspapers, you have to see that some security of service is given to editors and the correspondents or the writers. Today, they are at the mercy of the management.

After independence, newspapers became a business and they look to the financial side. They look to the advertisements from the Government and from semi-government institutions because large advertisements have been given by these two. To secure advertisements they have to secure the favour of the Minister and for that they have to lose their freedom and praise the Minister and his work. That is weakness.

An hon. Member: Is the hon. Member publishing any paper?

Shri P. R. Patel: I am publishing a small weekly paper in Gujarati. I am of the opinion that the mentality of securing advertisement has affected the freedom of the Press. So my submission is that something should be done for this. Let us take the daily newspapers; there are newspapers in English language; there are regional language newspapers but they are read in cities. So far as the rural side is concerned, it is only the weekly newspapers that serve, but that is forgotten absolutely. Even though the Press Commission, some years back, gave a report that some encouragement should be given to weeklies, I do not find any encouragement. On the contrary, whatever encouragement is given is given only

to the daily newspapers and especially to the newspapers published in English language. Because these newspapers are mostly in cities, they have some contact with the Government officials and they get more advantages. So my submission is that the Government should see that not only the freedom is preserved but the Press gets the real freedom. There are yellow papers in our country; there are papers which are full of vulgar language and, therefore, some people say that our standard is very low, but if you compare them with the foreign newspapers, you will find that our standard is high because whatever obscene things we find in the foreign newspapers are not there in our papers. But at the same time we should be very careful about this. When we say that the freedom of the Press is the strength of democracy, we cannot take any action on any paper unless the editor of that paper is prosecuted or some other legal action is taken. Here in this Bill what have you provided for? The only provision that you make is censoring a newspaper or an editor. Would that be sufficient? Well, I have only one objection so far as the constitution of the Council is concerned and that is that the Chief Justice of India should be kept aloof. I am of the opinion that, as far as possible, the judiciary should be kept aloof; the Chief Justice should not be put on any Committee or Council; let him do his legal work independently and let him not come in contact with the government machinery as far as possible. If you want to preserve the democracy and freedom of the country, I am opposed to putting the Chief Justice of India on any Committee. Then comes the indirect election—a panel to be submitted out of which some members are to be chosen. If there is some other way of electing the members, I would prefer that because, in democracy, these panels and nominations must go; it is for the Government to find out a better way

of election rather than going to panels and nominations.

There is one thing in Clause 13, sub-clause (3). It says that the decision of the Council shall be final and shall not be questioned in any court of law. It seems that we are just afraid of legal courts and legal proceedings. If the decision of the Council is correct, what is wrong if it is tested by the Supreme Court or a High Court and if it is not correct and if it is reversed by the Supreme Court or a High Court, what is wrong therein? I do not think that those persons who will be sitting in the Council will be judges or having the knowledge of law; there will be only editors, representatives of the management of the Press and so on and nobody with the legal brains. I do not think that there is any provision in this Bill that the Council will be composed of legal brains. If the majority of the members of the Council pass a censure against any editor or any newspaper rightly or wrongly, what will happen? If it is rightly, then so far so good; but if it is wrongly, what is the remedy? It is not proper to bar a person from going to a judicial court. So some remedy should be provided either in a High Court or in the Supreme Court.

There is one thing in Clause 13. It says:

"Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that a newspaper has offended against the standards of journalistic ethics or public taste. . . "

I would like to know what are the "standards of journalistic ethics", whether there is any definition given anywhere of the "standards of journalistic ethics". How are these ethics to be interpreted? Will it not depend on the whim of the persons sitting there? Then comes the word 'public taste'. This is a very wide term.

Only those newspapers which have pictures of cinema actors and actresses and so many other things are read more. So what am I to understand by 'public taste'? You will find 'Blitz' and 'Observer' being read by many people; if they are read by many people, then public taste is there. So I would say that this also requires to be defined. Then it continues:

".....or that an editor or a working journalist has committed any professional misconduct or a breach of the code of journalistic ethics. . . "

What is 'professional misconduct'? If he is bribed by somebody or if he accepts some gifts from somebody . .

Shri Alvares: Libel.

Shri P. B. Patel: Newspapers would always be prosecuted for libel. It depends on the news that the editor gets. This is not the proper thing and to put all the things and to ask the people to judge the things is not proper. Then, I come to clause 12(f) which reads thus:

"to keep under review such cases of assistance received by any newspaper or news agency in India from foreign sources, as are referred to it by the Central Government."

14 hrs.

That means that if the Central Government would be pleased to refer a matter, then that would be looked into. If certain facts are lying with Government but Government are not pleased to refer that matter, then this council is not competent to look into that. As regards foreign assistance to newspapers, I do not understand why a newspaper which thrives on foreign assistance should not be stopped. I would request Government to look into it.

As regards foreign correspondents, this Bill would not apply to them.

[Shri P. R. Patel]

More harm has been done recently to our country by the foreign correspondents. What are we going to do with them? We want to punish our own persons, our own correspondents and our own editors; we want to censure our own editors, but those persons who send news outside, who send worse news, harmful to the country are not going to be censured, because we are helpless there. So, I would submit that some clause should be inserted in this Bill under which we could censure foreign newspapers or foreign correspondents also, and if such newspapers are censured, then the import of such newspapers would be automatically barred.

Shri C. R. Pattabhi Raman: May I at the outset gratefully acknowledge the valuable contribution which the Members have made during their speeches? Various opinions were expressed on the different provisions of the Bill, but I am very glad that the general consensus of opinion is in favour of having a statutory press council in India as recommended by the Press Commission.

While I would where necessary deal with the individual points raised over the different clauses when the clause-by-clause discussion takes place, I would like briefly to survey and where necessary clarify the points raised in the general discussion.

My hon. friend Shri N. Dandekar thought that the Bill was premature, that the press council should be a voluntary body and that for the purpose of correcting the individuals indulging in yellow journalism involving sedition, promotion of communal or religious hatred, defamation, scandal-mongering, obscenity, indecency—with his eloquence, he was giving a number of instances; I hope I shall not try to imitate him, but I shall certainly take note of the—~~the~~ relevant penal laws should be amended to make them more stringent. In

this connection, I would like to draw the attention of the House to paragraph 946 of the Press Commission's report. There, they have stated:

"It is true that the legal system of the country does contain provisions for dealing with such offences. We are discussing in the next chapter the scope of the Press Laws, but we realise that whatever the law relating to the Press may be, there would still be a large quantum of objectionable journalism which, though not falling within the purview of the law, would still require to be checked."

The Press Commission themselves went exhaustively into the question of how to deal with yellow journalism. In fact, they had a lot of voluminous evidence before them, and then came to the conclusion that in spite of the legal punishment provided for in the penal laws of the country, there should be a body like the press council to check the marginal cases which would not strictly fall within the purview of the law. It is mainly for this purpose that we are envisaging the establishment of the press council of this country.

The Press Commission recommended the establishment of a Press council as early as 1954, and a Bill came before Parliament in 1956, which subsequently lapsed. Now, by this measure which is before the House, we are implementing the Press Commission's recommendation. While many Members and some press organisations, particularly the Indian Federation of Working Journalists, are complaining that the establishment of the press council has been delayed, I am rather surprised that Shri N. Dandekar should think that the Bill is premature.

As regards the voluntary or statutory nature of the council, the recommendations of the Press Commission

are in favour of the latter. In this connection, I would like to quote paragraph 949 of the Press Commission's Report. It reads thus:

"The fact that the Press Council in the United Kingdom is a purely voluntary body has undoubtedly handicapped it in the exercise of its authority over the press. Its decisions in certain cases have been the subject of violent controversy particularly by those affected. Even in the last instance the Council could not ensure the appearance of Mr. Gunn before it when it was investigating the matter. We feel that a voluntary body of this nature might not have the necessary sanction behind its decision nor legal authority to make inquiries."

In that case, namely the *Daily Sketch* case . . .

Shri N. Dandekar: It was just one case.

Shri C. R. Pattabhi Raman: But that is symptomatic. They knew that they were helpless. I would like to tell my hon. friend that in the course of the earlier discussion I had read out from the latest report of the press commission in England, and I had pointed out that they are throwing up their hands and saying 'What else can we do?'. Actually, in that case, the letter to the editor was mutilated and torn out of context and only certain portions were used, and the man concerned complained. It was deliberately done, and when the press council summoned those people, they just twitted their fingers and said 'I would not come before you'. That is precisely what they have pointed out in that report.

From the observations of the Press Commission, the case for a statutory press council is clear. In any case I think it is rather late to consider and decide whether we should not have a voluntary press council in this country. It must be remembered that

so far the press has not been able to set up a voluntary press council.

My hon. friend Shri Warior referred to the composition of the council, which, he felt, was not in line with the recommendations of the Press Commission. Dr. L. M. Singhvi thought that it would not be proper to associate the Chief Justice of India with the nomination of the chairman or the members of the press council. With regard to the Chief Justice of India, I thought that I could point out the real position when the point would be raised, but I may straightway say that there are some instances already; for instance, paragraph 11 in Part D of the Second Schedule to the Constitution deals with provisions as to the judges of the Supreme Court and of the High Courts. That gives a definition of the expression 'actual service' in relation to a judge. It provides:

"(b. "actual service" includes—

(i) time spent by a Judge on duty as a Judge or in the performance of such other functions as he may at the request of the President undertake to discharge";

From this it will be clear that the President—which would also mean really an Act of Parliament—can request the Chief Justice to discharge or undertake any other function. Since this has been envisaged in the Constitution itself, there can be no question of any impropriety or any constitutional bar to the Chief Justice being associated in this matter or being assigned certain specific functions under the Press Council Bill. I find that in the matter of the river water boards also, there is a similar provision. I have not been able to lay my hands on it just now. That would also be a good example. Similarly, section 58 (4) of the Employees' State Insurance Corporation Act, 1948, provides that in case of dispute between a State Government and the corporation as to the sharing

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of the medical expenses, it shall be referred to an arbitrator appointed by the Chief Justice of India. I do not think that I need multiply these instances. But because it fell from a distinguished lawyer like my hon. friend Dr. L. M. Singhvi, I thought that I must devote some time to this aspect of the matter.

Broadly speaking, in the matter of composition, the Bill closely follows the recommendations of the Press Commission. It consists of a chairman and 25 other members as recommended by the Press Commission. There are 13 working journalists including editors, 6 members representing the proprietors, 3 Members of Parliament representing the public at large and 3 members from among persons having special knowledge or experience in the field of education, science, literature, law or culture. The expression 'science' also has been added by the Joint Committee, and we have accepted it. Thus, it would seem that the membership is sufficiently broad-based, and provides for a balance of representation for different wings of the press and various sections of the people.

As regards the nomination of the chairman and the members of the council, I had occasion to explain earlier why we could not retain the provision as it existed in the earlier Bill. It was only after a detailed discussion and examination in the Joint Committee that we came to the conclusion that the best course would be to request the Chief Justice of India to nominate the chairman of the press council and to be a member of the committee of three persons for the selection of the members of the council other than Members of Parliament. The Chief Justice himself agreed after consulting his successor, whose name had been announced, to the inclusion of the provision in the Bill, and I do not see, therefore, anything improper in

this arrangement. In fact, this will go a long way in creating confidence and respect in the persons selected to the council. Actually, the working journalists were very clear on the point and they wanted a judge. The Press Commission also had indicated that. But we thought in the Joint Committee that it would be unfair, to say the least, to fetter the discretion of the Chief Justice. So, we left it to him; he would certainly bear in mind the wishes of the working journalists and see that the person is one with judicial background or knowledge. It need not be said that he should be actually a judge, because as you, Sir, are aware, there are practising advocates-general, or ex-advocates-general or distinguished lawyers and so many other people concerned with law such as jurists, for example, professors of law and so on.

In regard to the powers and functions of the council, Shri N. Dandekar referred to the freedom of the press vis-a-vis Government. Shri Khadilkar thought that the standards of foreign newspapers and journals being imported into India should also be subject to review by the press council. Shri A. N. Vidyalkar was of the view that under the provisions of the Bill the press council would be merely an advisory body for Government.

Members also referred to monopolistic tendencies in the press. Some expressed their concern that there is nothing in the Bill empowering the Press Council to do much in this regard except to suggest remedies therefor. The Press Commission itself envisaged that the Press Council should concern itself mainly with the formulation of a code of conduct for the press which will enhance the prestige of the profession, and censure anyone who is guilty of infraction of the code. The Commission further considered that the regulation of the conduct of the press in the matter of such objectionable

writing as is not legally punishable—that is the borderline, and marginal cases, they always had in mind—should also be the responsibility of the Press Council. In other words, the emphasis is on the creation of a professional body for the self-regulation of the press by the press itself.

In regard to the expansion of the functions of the Press Council to include a review of the standards of foreign newspapers and journals being imported into India, it would be difficult to include this function, because no Act of Parliament has extra-territorial application. From what fell from my learned friend, he implied that. It will, therefore, be impossible to think of the Press Council trying to improve their standards. As regards the effect of such newspapers on the Indian press, there will be no objection to the Press Council including such things in their annual reports under 'the factors affecting the standards of the Indian press'. If the Council feels satisfied that foreign newspapers with particular standards should not be imported into this country, they can make a suitable recommendation to that effect suggesting corresponding amendments, if necessary, in the laws governing import of foreign publications. Government would consider such recommendations at the appropriate time.

I am unable to appreciate the objection of Shri A. N. Vidyalkar that the Council has become an advisory body. There is no provision in the Bill saying that the Council would merely act as an advisory body for Government on matters referred to it by the latter. In fact, the original cl. 13(2), as it stood before the Bill was referred to the Joint Committee, gave rise to some misunderstanding that Government was trying to revive, in the form of the Press Council, the old Press Advisory system which did not find favour with the Press Commission. The House will remember that there was a discussion on this point. Two or three

members referred to it. After censure, if there is repetition, the Press Council should place the matter before Government for such action as they thought fit. If I may say so, this provision was quite rightly criticised and, therefore, we dropped it. The word 'advisory' would take away the strength, *proprio vigore* of the system of dealing with pressmen as their equals. The Joint Committee deleted the sub-clause after some discussion.

As regards the monopolistic tendencies, to which reference has been made frequently—I quite see the force of it—the action that Government or the Press Council could take in this regard is somewhat limited in view of the freedom of speech and expression and the right to carry on any occupation, trade or business guaranteed by the Constitution. The House is aware that when an attempt was made in regard to the price page schedule, it was struck down by the court. I have answered a number of questions on that. This is the position today. There are so many fundamental guaranteed rights; if I may say so, they are the glory of our Constitution. Therefore, one has to proceed rather very carefully in this matter. It would be pertinent to point out that the Press Commission itself recommended that the Press Registrar should keep a close watch on the circulation of newspapers, and if he came to the conclusion that in a particular area or in a language, a monopoly had developed, he should bring it to the attention of the Press Council, who should conduct an investigation into the existence of the monopoly. Here I would like to read what the Press Commission said nearly 11 years ago. If I may say so, it is quite valid today. This is from paragraphs 830 and 831 of their Report:

"830. In our view, an investigation of this character, besides helping the Press Council to come to definite conclusions on

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the subject will serve to educate public opinion on the monopoly. If monopoly is to be discouraged, the public must realise the implications of a monopoly. An investigation will also throw light on unfair practices, if any, in which the newspaper might have indulged".

Paragraph 831 is also very important.—

"831. We expect that an investigation of this nature and the publication of the findings of the Press Council would have the direct effect of breaking the monopoly by drawing public attention to it. Members of the public who realise the danger may change to another paper, and the starting of rival papers would also be stimulated. The figures in the Readership Survey already show that a considerable percentage of the readers of many papers today dislike the views expressed therein and would welcome the starting of rival papers. It should be open to the Press Council to suggest specific measures for encouraging competition in such areas. We might state, however, that we are strongly opposed to the subsidising of such competition in any manner by Government".

They even went to the extent of warning against subsidising by Government. In other words, the Press Commission did not contemplate any action beyond the publication of developments relating to monopolies in the press by the Press Council and suggestion of remedies to Government. This has been amply provided for in the amended Bill before the House.

Some concern has been expressed against cl. 14 conferring certain general powers on the Council, with particular reference to the lack of a specific protection against disclosure of

sources of information before the Press Council—with regard to black-mailing, forcing journalists to divulge information etc. I am going to deal with that. As I have already explained, there is nothing peculiar in these provisions. They are merely enabling provisions intended to make the working of the Council more and more effective. The Council would consist predominantly of experienced working journalists, including editors and other newspapermen—there will be 13 working journalists, of whom 6 will be editors; I read the whole list—and it is difficult to envisage that the Council would force in each and every case the disclosure of sources of information by a journalist, which the majority of the members of the Council themselves hold as a journalistic privilege. The Council may well be expected to use its discretion in utilising its powers but the absence of such enabling powers would seriously hamper the working of the Council. No special privilege is given to a journalist under the Evidence Act and, therefore, the law of the land requires a journalist to disclose sources of his information if it becomes relevant for any particular proceeding. This is the position in many other countries. Actually, case law in England and America is more or less "in pari materia" so far as we are concerned. This is precisely a privilege of the Journalist.

Lastly, I would like to refer to one of the principles drafted by the Press Commission for inclusion in the code of conduct to be formulated by the proposed Press Council which reads as follows—I am quoting from paragraph 957(8) of their Report—

"Confidence shall always be respected and professional secrecy preserved, but it shall not be regarded as a breach of the code if the source of information is disclosed in matters coming up before the Press Council or courts of law".

That always happens. Suppose something comes out as a result of the investigation. So that has to be taken into account. I suppose this at least will satisfy Members that even the Press Commission did not contemplate any special protection for journalists.

Cl. 13(3), to which reference was made, conferring finality on the decisions of the Council has been added at the instance of the Working Journalists' Federation, Hon. Members are aware that even under the Industrial Disputes Act

Shri P. R. Patel: Barring the jurisdiction of the courts?

Shri C. R. Pattabhi Raman: It cannot. I may straightway say that nothing can prevent the Supreme Court on a special leave from treating any matter coming before it. If it allows a petition by special leave, it can go into the decision of any tribunal. It is fundamentally wrong to read into the provision anything else. Here the Working Journalists themselves wanted it. I was associated with the Labour Ministry for sometime earlier. There is a real fear on the part of trade union workers that this is really a procedure by which there is delay and labour suffers. So in order to prevent it, the working journalists wanted this provision to be there. It went through two or three filters, if I may say so. All the time, we thought that this cannot prevent—if there is really anything wrong—the writ jurisdiction coming in. The special leave application to the Supreme Court is there.

As regards arrangement for financing the Press Council, to which some exception was taken, I explained earlier the idea was that there must be a cess levied on newsprint. I am pointing out what is the position in India so that hon. Members may know it.

Incidentally, I think hon. Members also know that the price and quantity of newsprint imported at the time the Press Commission reported involved only a few thousand rupees, while the present price and volume would involve lakhs of rupees as income to the Press Council, but I am going to point out how it is not possible.

As regards arrangement for financing the Press Council, to which some exception was taken, I explained earlier that having regard to the financial procedure laid down in the Constitution, it would be difficult to make provision for self-financing arrangements. Even if a provision is made for the levy of a cess, all such revenues accrue to the Consolidated Fund of India, and no moneys can be withdrawn from that fund except under appropriation made by law. It follows, therefore, that payment to the Press Council will, in any case, have to be formally voted by Parliament out of the Consolidated Fund and covered by a provision in the Appropriation Bill. It must also be noted that the present consumption of newsprint has risen very much more than what was contemplated at the time of the Press Commission. Thus, while there is no special advantage in making a provision for the levy of a cess, the inclusion of such a provision would result in certain practical difficulties in the collection of the cess. As any such provision would not in any way make the financing arrangement of the Council different, we thought that there may be no special provision for levying a cess for this purpose. In any case, the Council will have to be financed out of the funds given by the Government.

Certain general objections were raised, particularly by Shri Dandekar, that in most of the provisions it has been provided that actions of the Council are subject to prior approval of the Central Government. It should be emphasised here that

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there are certain matters in respect of which the Central Government has to frame rules and there are other matters in respect of which the Council will have to make its own regulations. Already there is a Clause where they have got the right to make their own rules. So, one need not be confused with the other. As far as the establishment and financial matters are concerned I need hardly say that the Central Government and Parliament should be the final authorities as the moneys are paid from the Consolidated Fund. This is achieved by subjecting the Council's regulations or actions on these matters to the approval of the Central Government which is answerable to Parliament. The rules to be framed by the Central Government are subject to the approval of Parliament, thus ensuring Parliament's supervisory authority over the rules. As regards the day to day functioning of the Council and in regard to its actions against individual newspapers or persons, the Council is left entirely free to decide its own procedure and to frame its own regulations therefor. I assure this House that there will not be any interference from Government on the efforts of the Council in evolving its procedure and its own methods for the preservation of the freedom of the press and for the improvement of standards of newspapers in this country. I suppose I have made the position of the Government vis-a-vis the Press Council in its functioning amply clear. There need be no doubt about this bifurcation of Government's powers on financial and establishment matters and independent and unfettered powers of the Press Council in its day-to-day functioning and in enforcing its decisions over the industry.

Shri Alvares referred to amendments made after the report of the Joint Committee. Even when it was discussed in the Joint Committee, I pointed out the stand of Government. I might be asked why I did not write

a Minute of Dissent in that case, but that is never done.

There are two clauses to which reference has been made. One is Clause 12(2) (f), which reads.

"to keep under review such cases of assistance received by any newspaper or news agency in India from foreign sources, as are referred to it by the Central Government:"

which is followed by the proviso:

"Provided that nothing in this clause shall preclude the Central Government from dealing with any case of assistance received by a newspaper or news agency in India from foreign sources in any other manner it thinks fit."

That is, because there is the Press Council, the Central Government should not be precluded from taking action with regard to this assistance or any loaded thing that may come. I had pointed out then and I repeat now that a number of Governments especially to the east and west of us are seeking technical personnel. They insert advertisements in papers. There is a regular process. They go to the Commerce Ministry and sometimes to the Education Ministry. They even indicate the region. Supposing it is Fiji, they may indicate Bombay; if it is Singapore, they may indicate Madras. It depends on the Indians there, the language they speak etc. There can be no objection to that.

Shri Alvares: "Review" does not mean you necessarily take note of the advertisement. It is a review.

Shri C.R. Pattabhi Raman: Actually, the words are:

"to keep under review such cases of assistance received by any newspaper or news agency..."

I pointed out then, and I repeat now— I am glad that I was able to convince the other House, and I hope I will be able to convince this House also—

that if the original clause had stood, there would be thousands of complaints, and it will become a regular tribunal. They have a separate department in the Ministry dealing with advertisements. You may have seen in papers various Communities and creeds, all holding our national flag. It may refer to such an advertisement in the emergency or to various other matters. Daily there are thousands of advertisements, and I can envisage thousands of cases coming up, with the result that this Council will have no other business except dealing with individual cases. Therefore we said they should not be cluttered up with this sort of work.

I shall also read the original Clause 13(2):

"Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that there has been any interference with the freedom of the Press by any person or authority, including any Government."

That has also been removed. I pointed out then and I repeat now the reasons for this. As I pointed out, it will become a regular court of law, which is not what is envisaged of it.

The word "nomination" was referred to frequently. "Nomination" is really a term of art. It is really the Chief Justice who decides who should be the Chairman. Then he, the Chairman and another person together empanel the Council. That is only in the first instance. In fact if I may be pardoned for this expression, I was very particular that after the first empanelment, the franchise question should be entirely with the Press Council. They will decide thereafter how it should be done. The regional language papers, journalists associations, press reporters associations, press correspondents associations, so many associations may come, and we must never face these troubles in the beginning. It is left to the Press Council to give recognition after going through the papers and credentials.

Then we have made it very clear that even among editors, only those who are free, from any link with management, pure and simple editors, should be eligible. The actual clause says that.

I do not think I have anything more to say. I will deal with other things when the clauses are taken up.

Newsprint quota is the only thing that remains. I want to assure hon. Members that there are rules with regard to it. So far as advertisements and newspaper quotas are concerned, we are guided by certain rules that are published.

Shri Mohammed Koya (Kozhikode): Our complaint is against the rules.

Shri C. R. Pattabhi Raman: Nothing can prevent the Press Council from advising us on newsprint. I submitted in the Joint Committee, and I repeat now, that under the rules today as they are we have got two or three methods of checking circulation. I do not say they are perfect. I personally feel that they should be tightened much more. I have no doubt that a number of papers that are appearing ostensibly cannot have any newsprint for their purpose. I have no doubt that there is blackmarketing. We are trying our very best to check it. We cannot multiply our officers. We have various inspectors, the Registrar and the Auditor Bureau of Circulation. They are not foolproof. We are devising a system.

Finally, may I say that the whole world is looking at this Bill. We have had a number of enquiries from sister countries. We are all hoping that this will be a model, and I have no doubt that by experience suitable amendments can be made. I move.

Mr. Deputy-Speaker: The question is:

"That the Bill to establish a Press Council for the purpose of preserving the freedom of the

[Mr. Deputy Speakers]

Press and of maintaining and improving the standards of newspapers in India, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That Clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill

Clause 4— (Composition of the Council)

Shri N. Dandekar: I am moving my amendments, Nos. 3, 5, 6, 8, 11 and 12.

I beg to move:

(i) Page 2, line 18,—

for "twenty-five", substitute—

"twenty-seven". (3)

(ii) Page 2, line 18,—

after "person", insert—

"with not less than five years' service as a judge of a High Court."; (5)

(iii) Page 2, line 20,—

after "chosen", insert—

"from four categories". (6)

(iv) Page 2, line 26,—

for "six", substitute "eight". (8)

(v) Page 3, line 1,—

for "the Chief Justice of India" substitute—

"the Chairman of the Union Public Service Commission". (11)

(vi) Page 3, line 11,—

omit "in the prescribed manner," (12)

Shri Warior: I am moving my amendments, Nos. 2, 4, 7, 9 and 10.

I beg to move:

(i) Page 2, line 18,—

after "Chairman", insert—

", Vice-Chairman" (2)

(ii) Page 2, line 18,—

(i) after "Chairman", insert—
"and Vice-Chairman"; and

(ii) for "a person", substitute—
"persons". (4)

(iii) Page 2, line 21,—

for "thirteen", substitute "sixteen" (7)

(iv) Page 2, line 26,—

for "six", substitute "three" (9)

(v) Page 2, line 38,—

(i) after "aforesaid", insert—

"half the number of members under sub-section (3)(a) of section 4 shall be elected by the representative organisations of the working journalists in the case of the former and two members under sub-section (3) (b) of section 4 shall be elected by the newspaper management organisations and"; and

(ii) for "all the other members", substitute—

"the rest of the members". (10)

Shri N. Dandekar: I would like to take my amendments in separate groupings, Nos. 3 and 8 I would like to take together, because one is consequential upon the other. No. 8 is concerned with increasing the number from six to eight, in sub-clause (3) (b), of members to be appointed from among persons who own or carry on the business of management of newspapers. I feel, on going through

the weightage given, there is something wrong. There are four categories, of members, namely (a), (b), (c) and (d). Categories (c) and (d) are, of course, men in public life in the field of education, science, literature, law and culture, and three from Parliament. As regards categories (a) and (b), who are in one fashion or another from the newspaper world, either working journalists or proprietors or managers of newspapers and so on, I get the very definite feeling that there is a grave imbalance against item (b). I have therefore suggested that we should add two more to the number of members from among persons who own or carry on the business of management of newspapers—as distinct, of course, from ownership of newspapers; this is concerned with management.

And consequent upon that, I have suggested that in sub-clause (1) of clause 4 the total number should be, the Chairman and twenty-seven other members, instead of twenty-five. I would not like to labour that point: it is simply a question of a reasonable, balanced representation on the Press Council of the various elements in the newspaper world.

Then I would like to go on to amendment No. 5 which is concerned with the person who shall be nominated as Chairman by the Chief Justice. Here I would like to say, first of all that I frankly am not satisfied with the explanation which the hon. the Deputy Minister offered for dragging the Chief Justice into this at all. The first explanation he gave was that the Constitution permits the Chief Justice to undertake the duties in the Constitution plus such other duties as the President may request him to discharge. And he glossed over it by saying that since the President would be assenting to this Bill, therefore it must be assumed that the President had assented, within the meaning of the Constitutional provision, to a request being made to the Chief Justice to undertake this. I am quite clear in my mind that the occasions on

which the President would be asking the Chief Justice to take any particular function would be rare and—highly important, but—specific. There may be, for instance, a reference where he might ask for his opinion about a proposed legislation; or there may be occasions on which he may invite the Chief Justice himself to be so good as to conduct a particular inquiry, or matters of that kind where the Chief Justice as chief justice is what the President wants—in other words, a person with his great legal knowledge, knowledge of the law of evidence, knowledge of legal procedure, his experience in assessment of evidence etc., which is relevant. The only other instance that the hon. the Deputy Minister gave was that of the Provident Funds Act or some other matter concerned with labour welfare legislation. In which the Chief Justice would be the person appointing an arbitrator—a perfectly correct kind of function that the Chief Justice can perform without impropriety, that is to say, indicating a person of some standing who can be entrusted with difficult matters of arbitration and so on. But I frankly am not satisfied that it is either proper or constitutional to ask the Chief Justice to accept the burden in a matter of the kind we are now considering.

Having said that, I naturally have to proceed on the assumption that the Government are going to be adamant about this. That is why my amendment No. 5 is concerned with stating that the Chairman shall be a person with not less than five years' service as a judge of a High Court, nominated by the Chief Justice of India,—if there is any particular reason to drag the Chief Justice into this at all. It is not that he knows the entire population of the country from Cape Comorin right up to Simla, but that he has special knowledge of persons of high judicial competence. Moreover, as regards this body, the Press Council consisting of persons eminent in their own field, but a miscellaneous collection of persons in so far as judicial

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experience goes, in so far as handling of evidence goes, in so far as assessment of evidence goes,—this body should have presiding over it as its Chairman a judge of some experience and some standing. If that is the intention, the Chief Justice would be a proper person to nominate a chairman of that kind for this particular body. And therefore my amendment No. 5 is concerned with suggesting, in sub-clause (2), that the Chairman shall be a person with not less than five years' service as a judge of a High Court, nominated by the Chief Justice of India. It is only in those circumstances that the nomination of the Chairman of the Council by such a person as the Chief Justice would have any meaning and propriety.

My amendment No. 6 is merely of a clarificatory kind. In sub-clause (3), where the clause says that "the other members shall be chosen as follows", I have suggested the insertion of the word "categories", that is, "the other members shall be chosen from four categories as follows", because I see later on that the "categories" are referred to. When I was reading the Bill, sub-clause (6) of clause 5 says this:

"Every fresh appointment to fill a casual vacancy or a vacancy caused by the retirement of a member shall be made from the same category of persons to which the member in whose place the appointment is to be made belonged, and every such appointment shall be made by the same authority by which and in the same manner in which, that member was appointed".

So I looked round for a definition of "category", I did not find it. I presume that in sub-clause (3) of clause 4 are the categories; I am only assuming, because I cannot find any other categories anywhere. So I suggest, in order to avoid confusion as to what is meant by "categories", there is

need for this amendment No. 6 which would make sub-clause (3) read as follows: "The other members shall be chosen from four categories as follows"; and then come (a), (b), (c) and (d). I feel sure the Minister will see the point of making clear what exactly are the categories referred to, by accepting this amendment.

I have already spoken about amendment No. 8 partly in relation to amendment No. 3 where I have suggested the increase of membership by two. This amendment I seek for the reason that, as I said, there are thirteen members of the Council from among working journalists who are again, sub-divided into certain sub-categories. It says "of whom not less than six shall be editors of newspapers who do not own or carry on the business of management of newspapers, so however that the number of editors of newspapers published in Indian languages shall not be less than three". That is perfectly sound. But then, having regard to the fact that thirteen members shall be working journalists, I do submit with great conviction that to have only six members representing the management of the newspapers would be an inadequate representation in the light both of the representation of the working journalists as well as the total membership of the Council. It reduces them to an insignificant number of persons out of a total of 25 in the proposed council and therefore instead of six members from among persons who own or carry on the business of management of newspapers, I suggest that the number of members from this particular category ought to be eight.

My next amendment No. 11, is concerned with the constitution of the committee which will, in the first instance, be selecting the members of this Council. You will recall, Sir, that the chairman of the Council himself is to be nominated by the Chief Justice and there remains the question of how the remaining 25 or, as I have suggested, 27 members are to be chosen. Quite rightly, the machinery

for this has to be provided; but it is sought to be provided in this fashion, namely, "...shall be nominated by a committee consisting of the Chief Justice of India",—this time he himself is to be a member,—"...the Chairman of the Council and a person to be appointed by the President of India and in making such nomination..." That is a further matter to which I will come presently.

Sir, it is going much too far to get the Chief Justice himself involved not merely in nominating the chairman, a person of outstanding capacity and of standing and status and of experience and so on and I have moved an amendment that he should be a judge of five years experience,—but the unfortunate Chief Justice is also to be a member of the selection committee consisting of himself, the Chairman of the Council whom he himself will have nominated and a person nominated by the President of India. I think it really becomes improper that the Chief Justice should be dragged into this business of selecting members of the Council. There will be a whole lot of people proposed for instance in respect of the 13 members of the council who are to be the working journalists, the Chief Justice has to be put in a position of having to say: no, I do not think that this gentleman is fit; I think this fellow is gaga; this chap is too old or that fellow is too young; among this bunch of so and so's these are the only thirteen people who are fit and proper, etc. I do not think that the Chief Justice ought to be dragged into a matter of that kind at all. It is both derogatory and wrong to drag the Chief Justice into that kind of situation. I do not also think he has any special competence for discharging a function of that kind. There is also the other provision; he is to join in selecting six members from among persons who own or carry on the business of management of newspapers. And these selections have to be made out of panels prepared by various representative bodies. The procedure is altogether such that I am quite clear in my mind

that the Chief Justice ought not to be involved in it, not indeed, with great respect to the Chief Justice, is he particularly or specially competent to discharge a function of that kind. Therefore, Sir, my amendment is to substitute for the Chief Justice the Chairman of the Union Public Service Commission. And then the picture changes immediately. I am suggesting a person who is the head of a statutory body, the UPSC. The head of the UPSC and its members have wide experience of precisely the kind of function that is involved,—to select, in accordance with the requirements, from a body of persons who consider themselves qualified to be on this Council,—to select persons whom he, in collaboration with the two other esteemed gentlemen, think would be the proper persons to be on the council. And that is precisely the purpose of amendment No. 11, to delete the Chief Justice of India from this committee and to put in the Chairman of the Union Public Service Commission.

Then Sir, there is my amendment No. 12. It is the first of a series of amendments I shall be moving, which are concerned with eliminating the most undesirable features from this Press Council Bill, relating to its procedure or rules and so on, which make it a creature of the Central Government. This clause here reads: "Before making any nomination under clause (a) or clause (b) of sub-section (3), the Committee referred to in sub-section (4) shall, in the prescribed manner, invite panels of names..." The Government have to indicate the manner in which the panels of names have to be invited. It seems that the government have very little faith in the capacity of these persons to handle the business of selecting these 13 and the other 6 or 8 as the case may be, members of the Council, or perhaps,—that is what I suspect to be the case,—government wants to make this Council a creature of the government, right from the commencement of it,—beginning with how the panel shall be constituted. It really means, of course, that a whole lot of people shall be

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first eliminated from being eligible to be chosen. As I said, this is the first of a series of amendments I have proposed which were solely and wholly animated with the purpose of reducing the degree of interference with the affairs of the Press council by government procedures, government interference, government sanctions, government approvals, government indication of the manner in which people are to work and so on. I have therefore suggested the deletion of the words 'in the prescribed manner'.

Shri Warior: Sir, this clause is one of the most important clauses because it gives a chance to speak on the composition of the Council and once it is all right, we can say that the intention of the Bill is more or less gained because it rests upon this. My first amendment is that not only a chairman but a vice chairman is also necessary—my amendment No 2. The Chairman is nominated by the Chief Justice; he can himself nominate the Vice Chairman also so that in the absence of the Chairman the functions of the Council can be carried on. In all the other bodies, we have got this office and why should we not have one in this Council? I think it is necessary that we should have this.

There is a more important thing. I have had occasion to mention that the composition itself is weighted more in favour of the management of the newspapers rather than the working journalists. It is the working journalists who require more protection than the management. When the question of the freedom of the Press is talked so much we always visualise that it is a question of the working journalists more than the management and if in the Council the working journalists are weighted against by the inclusion of more representatives of the management plus, next to them, the chief editors and some such people, I think that it will not be conducive to the interests of the working journalists or to attain the objective

of the Bill. Hence I have suggested that the number must be increased if it is necessary but even then, if the number is limited, we can have at least three of the editors and the other three must be left for the working journalists to be nominated. This council must be more representative rather than selective. Instead of giving powers to select from any of these categories it is necessary that the organisation must be given recognition in the Bill itself so that the representatives may not be selected at the whims and fancies of somebody outside the profession. These professional bodies will have their say whenever the selections are made. This is the point that I wanted to make in respect of this amendment.

Then there is another amendment which I wanted to make. That is, the period of membership should not go for more than a year. There is a provision that a member can stand again, but that should not be there. New members must be coming to the Council so that the Council will have a new thinking on all the problems that come before the Council. Hence, I have to make the amendment that the membership should not be for more than one year.

Then, I have sought to substitute "16" instead of "13" at page 2, line 21, in clause 4. That also denotes the very same purpose. Instead of 13 from among the working journalists of whom not less than six shall be editors, it must be at least 16 so that at least 13 will be working journalists and only three will be editors.

Shri Dandekar has objected to the provision of constituting a committee of nominated members. It has much relevance in this respect. It can be avoided. As I suggested, the members should be selected from the organisations. The members should not be selected from a panel or from certain rules which are made by the Government. They must not be fenced or

fettered like that. It can be safely put that they can be selected from the organisations of the working journalists and of the management also. Both of them have got organisations and it is not so many, as the Minister has pointed out. I think there are only a few recognised organisations of working journalists; not very many. From those organisations, they can be asked to select or elect their own representatives to be put on the Council.

Shri Mohammed Koya: The question comes in only when there are more organisations.

Shri Warrior: That depends also on the recognition of the Government. That can be eliminated. These are the main points which I wanted to point out. In my amendment No. 10, I have said:

"After aforesaid, insert,—

"Half the number of members under sub-section (3) (a) of section 4 shall be elected by the representative organisations of the working journalists in the case of the former and two members under sub-section (3) (b) of section 4 shall be elected by the newspaper management organisations and."

So, if this is also accepted, I think that the difficulties which Shri Danfeker has pointed out can be eliminated. I hope my amendments will be considered and accepted.

Shri Shree Narayan Das (Darbhanga): I would like to speak a few words on these amendments. I have not sent in any amendments.

Mr. Deputy-Speaker: You have not sent in amendments.

Shri Shree Narayan Das: I have not. But I would like to speak. I did not send them yesterday and I did not know that they would be circulated today. I would only like to make a few observations if you permit me.

Now, in clause 4, sub-clause (3), there is a provision that the represen-

tatives of Indian language newspapers will be assured three seats out of 13. Now, the newspapers in the regional languages are going to play a very important part in our country. There are 14 languages, and there are a number of newspaper published in the Indian languages, and they exceed the number of newspapers published in English. Therefore, representation on the Press Council for the Indian language newspapers should be sufficient and adequate. Here, out of 13 members, from among the working journalists, only three seats have been assured for Indian language newspapers. I know others may be nominated, but only three seats have been assured for Indian languages. Out of 13, only three seats will be compulsorily given to the Indian language newspapers. The others may come through the recommendation of the various organisations. But I would like to submit that this is inadequate for Indian languages. At least, five seats should be reserved for Indian language newspapers and adequate representation should be given for all the Indian languages. The Indian language newspapers may also come in that category. Therefore, I suggest that instead of three, the number should be five.

There are 14 languages mentioned in the Eighth Schedule of the Constitution. Here, in the Bill, only three seats will be given. So, in a year, there will be three representatives of the Indian language newspapers. I would suggest that there should be a provision to the effect that "provided that every Indian language mentioned in the Eighth Schedule to the Constitution shall be given representation by rotation." By this, no other Indian language newspapers will be neglected. By rotation, all the languages mentioned in the Eighth Schedule to the Constitution could be covered. Whichever representation is given to the Indian language newspaper shall be given to every Indian language mentioned in the Constitu-

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tion, by rotation. Otherwise what may happen is, only some Indian language newspapers may be represented always and the others will be neglected in the course of years. Therefore, there should be some mention of such a proviso to the effect that every language mentioned in the Eighth Schedule to the Constitution shall be given representation by rotation. This is my suggestion. I did not give notice of the amendment, but I submit that such an amendment is necessary, because there are 14 languages, and not more than three or four may be given representation, according to the Bill, as it is, I submit that every Indian language should be given representation on the Press Council by rotation, so that no Indian language will be neglected. This is the only suggestion that I wish to make.

Then, it has been provided that—I do not know, and it is not very clear to me—out of 13 members, not less than six shall be editors of newspapers who do not own or carry on the business of management of newspapers. This means that out of 13, six seats will go to such editors who do not own or carry on the business of management of newspapers. The other seven seats may go to those who may be people who own newspapers or carry on the business of management of newspapers. I am not clear about it. I suggest that out of 13, not less than six seats should go to those members who are working journalists, who do not own or carry on business of management of newspapers; not less than six seats should be assured to them. The other seven seats may go to those persons who own newspapers or who carry on the business of management of newspapers. As it is, representation to those who own newspapers or who carry on the business of management of newspapers is very much indeed. What I suggest is that not less than six members shall be those from among the working journalists who do not

own or carry on the business of management of newspapers; the rest of the seats is assured for the others. I, therefore, submit that this suggestion of mine should be looked into.

The Minister of Information and Broadcasting (Shrimati Indira Gandhi): "13 members from among the working journalists" have been provided.

Shri Shree Narayan Das: You have mentioned that not less than six shall be editors of newspapers who do not own or carry on the business of management of newspapers. That is, these six persons will be from those editors who do not own or carry on the business of management of newspapers. The other editors may own the business or carry on the business of management of newspapers. Therefore, the representation given to those persons who own newspapers and carry on the business of management of newspapers is very great. I think this question should be looked into and suitable amendment made.

Shri Warior: Can he not move an amendment now? This is the first day and so the usual rule that notice must be given on the day before may be waived.

Mr. Deputy-Speaker: There was sufficient time.

Shri C. R. Pattabhi Raman: On the first amendment of Shri Dandekar.

Mr. Deputy-Speaker: We are not taking it up now. We are now on clause 4.

Shri C. R. Pattabhi Raman: I regret I am unable to accept the amendments. The position is this. Only the other day, I said, in the absence of the distinguished Minister who was away, that there are about 8,000 to 9,000 small newspapers in this country, and their number is increasing; out of this, the number of

language papers is about 6,000 or 7,000. I would not swear by it but the number is somewhere there. Anyway, it is a huge number. The point raised by Shri Warior about the provision for a Vice-Chairman is a delicate one; it is very delicate to strike a balance in this respect. The history of the Bill is there; I do not want to repeat it. I have already told the House that first the report of the Press Commission was there; then there was the Press Consultative Committee; then the Bill was introduced. Again and again they all came to a working arrangement with the Council consisting of a Chairman, and 25 members of whom 13 shall be working journalists. So, if the Vice-Chairman comes in, he will be outside this category. That means he will really disturb the balance. I am not able to agree to this.

With regard to what fell from Shri Shree Narayan Das about the management, etc., we have accepted the definition of 'newspaper' which is given in the Press and Registration of Books Act, 1867, namely,

"'newspaper' means any printed periodical containing any public news or comments on public news."

With regard to working journalists, we have accepted the definition contained in the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955. The definitions are quite clear.

15 hrs.

With regard to categorisation, my esteemed leader under whom I had worked for sometime, Sir Tej Bahadur Sapru, once questioned the Allahabad High Court's constitution. It had to be constituted as follows: one-third ICS officers and one-third advocates and one-third barristers. On a particular day, one barrister was less and therefore, he said it was no High Court at all. Categorisation will lead to this difficulty.

Shri N. Dandekar: Groups (a), (b) (c) and (d) are presumed to be categories. Suppose I were to ask from where a member is to be selected when a vacancy arises, clause 5(6) says it should be filled from the same category. So, the word 'category' has been used later in clause 5.

Shri C. R. Pattabhi Raman: I have understood him to say, in *sert* "from four categories". So far as selection is concerned, we have taken care to see that the editors have nothing to do with the management. The Press Commission gave a very amusing instance of one editor being an 82 year old woman, who did not know any language and who was put as editor for the purpose of salary. They have given so many examples. So, these 13 will include 6 editors, who must come under working journalists. My esteemed friend was saying that these may include people in the management also. Management is covered by sub-clause 4(2) (b):

With regard to the amendment dealing with Chairman of the UPSC, I have already answered the point and I do not want to repeat. The working journalists would like to have no person other than the Chief Justice to nominate the Chairman.

Sir, I think I have dealt with all the amendments.

Mr. Deputy-Speaker: I shall now put Mr. Dandekar's amendment, Nos. 3, 5, 6, 8, 11 and 12.

Amendments Nos. 3, 5, 6, 8, 11 and 12 were put and negatived.

Mr. Deputy-Speaker: I shall now put Mr. Warior's amendments Nos. 2, 4, 7, 9 and 10.

Amendments Nos. 2, 4, 7, 9 and 10 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5—(Term of office and retirement of members).

Shri N. Dandekar: I beg to move:

(i) Page 3, line 26,—

after "Chairman", insert—

"shall hold office for five years".
(13).

(ii) Page 3, line 36,—

for "the Central Government", substitute—

"the Chief Justice of India."
(14).

(iii) Page 3, line 1,—

for "the Central Government", substitute—

"the Chief Justice of India".
(15).

(iv). Page 4, line 9,—

after "appointment", insert—

"other than that of the Chairman." (16).

(v) Page 4, line 16,—

for "no member shall", substitute—

"no member other than the Chairman may". (18).

(vi) Page 4, line 18,—

add at the end—

"but shall thereafter be eligible for re-appointment after the expiry of a period of eighteen months".
(19).

Shri Warier: I beg to move:

Page 4,—

omit line 15 (17).

Shri N. Dandekar: My amendment No. 13 is in connection with the period for which members shall hold office. Sub-clause (1) says:

"Save as otherwise provided in this section, the Chairman and

other members shall hold office for a period of three years."

I cannot imagine a provision more carefully worded to bring about turmoil in the continuity of the working of the Council. There would be no continuity unless at least the Chairman, who is going to be a whole-time paid officer, a person of considerable experience, nominated by the Chief Justice, was allowed to remain for a longer period. For the Chairman there ought to be a longer term than for the other members, so that whatever the change in the detailed composition of the Council, there is one person who overlaps from one period to another. So, my amendment is to this effect:

"Save as otherwise provided in this section, the Chairman shall hold office for five years and other members shall hold office for a period of three years."

No particular difficulty about nomination or otherwise can arise. He does not represent any particular interest. He is a person chosen presumably for his experience, qualifications, standing, respect and regard with which people consider him, a person nominated by the Chief Justice, whereas the other members are representatives of various interests. I do think this amendment is necessary in terms of continuity of the working of this important body, which after all is going to be invested with judicial powers and which would be gradually—I presume that is really the intention—evolving a code of conduct of ethics, of journalism a body of case law, growing from precedent to precedent. For this, I cannot imagine a more necessary provision than that the Chairman ought to provide continuity between one Council and another. I do not suggest he should be a permanent Chairman, but if the other members are there only for a period of three years, he should hold office for a longer

period and therefore I have suggested five years.

Coming to amendment 14, I notice this time they have jettisoned the Chief Justice. Sub-clause (14) says:

"The Chairman may resign his office by giving notice in writing to the Central Government."

The Chairman is a person who, we are at great pains to insist, should be appointed by the Chief Justice. But this clause says he may resign his office by giving notice in writing to the Central Government. I object to it. I do not like the Chief Justice being brought in and thrown out at the convenience of the Government. Therefore, I have suggested that for the words "Central Government" the words "Chief Justice" ought to be substituted, so that the person who nominates is the person to whom the resignation also comes. The normal theory is that the power to accept resignations or to dismiss a person should vest in the person with whom there is the power of appointment. If the Chairman wants to resign,—I am sure the reason will frequently be that the Government is fiddling around too much with the Council and interfering with its working;—in any event, the Chief Justice ought to know that the particular person whom he has nominated throws up his hand and wants to resign. Therefore, I am quite clear that if the Chief Justice has to be brought into this at all, he ought to be the person to whom the Chairman ought to send in his resignation.

Similarly, I want the words "Central Government" on page 4 also to be substituted by "Chief Justice". That is my amendment No. 15. If that is accepted, the sub-clause would read:

"That Chairman may resign his office by giving notice in writing to the Chief Justice and any other member may resign his office by giving notice in writing to the Chairman, and upon such

resignation being accepted by the Chief Justice or, as the case may be, the Chairman, he shall be deemed to have vacated his office."

I am sure the Deputy Minister would see the rationale of this and will be pleased to accept this amendment.

Next I come to amendment No. 16. This is to sub-clause 6 of clause 5. The sub-clause as it stands reads:

"Every fresh appointment to fill a casual vacancy or a vacancy caused by the retirement of a member...."

The word "member" has been defined in the definitions, in clause 2, like this:

"member" means a member of the Council and includes its Chairman;"

So, whenever the Chairman is not specifically referred to, the word "member" includes the Chairman. With that remark I would like to read the sub-clause as it stands:

"Every fresh appointment to fill a casual vacancy or a vacancy caused by the retirement of a member shall be made from the same category of persons to which the member in whose place the appointment is to be made belonged, and every such appointment shall be made by the same authority by which and in the same manner in which, that member was appointed."

Surely, Sir, the Chairman nominated by the Chief Justice would not belong to any particular category and, if that is so, as I am quite clear it is because the Deputy Minister was at pains to show that he would not like even to say that the choice of the Chief Justice should be limited to a High Court Judge with a particular period of experience and that the whole world or at least the whole of India was open for the selection of the Chairman, then un-

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less the amendment which I have given is accepted, the amendment which seeks to insert the words "other than that of the Chairman", it will not serve the purpose. With the insertion of the words that I have suggested the sub-clause would read like this:

"Every fresh appointment other than that of the Chairman to fill a casual vacancy caused by the retirement of a member shall be made from the same category of persons to which the member in whose place the appointment is to be made belonged, and every such appointment shall be made by the same authority by which and in the same manner in which, that member was appointed."

Unless this is done, and if on the first occasion the Chief Justice chooses, shall we say, to appoint a doctor as the most eminent and suitable person to be the Chairman of the council, thereafter every fresh appointee to fill a vacancy or a casual vacancy of the Chairman will have to be a doctor because he will have to be of the same category, since the word "member" here, in my opinion, includes "Chairman".

Finally, I come to my two other amendments, amendments Nos. 18 and 19. They are both concerned with sub-clause 7 of clause 5. It is a very important clause. First I shall read the sub-clause as it stands:

"A retiring member shall be eligible for re-appointment:...."

Please remember here that the word "member" here includes the Chairman. The sub-clause says:

"A retiring member shall be eligible for re-appointment:

Provided that no member shall hold office for a period exceeding six years in the aggregate and on the expiry

of such period he shall cease to be a member."

It is an extra-ordinary provision. I can understand that the main purpose of the provision is that people should not become fixtures on this Council, there ought to be a period of time after which they ought to really allow fresh blood to come in. But, while I concede the need for a provision which would put some of these gentlemen into cold storage for a while after having been on the Council for a number of years, there is no reason why really eminent persons, persons who have done good work on the Press Council should for all time be tabooed after an aggregate of six years of service. Equally, I see no reason at all for a similar limitation to the Chairman's period of office. Therefore, the two amendments that I have suggested are necessary and will have this effect. In the first place, this proviso will not apply, this permanent bar against further re-appointment,—I am not touching the main provision that a retiring member shall be eligible for one re-appointment and I am concerned only with the proviso which bars further re-appointment—shall not apply to the Chairman at all. As regards the bar against other members; it will not apply after expiry of a period of 18 months following an aggregate period of six years during which these persons may have been members of the Council. Therefore, the sub-clause with my amendment will read like this:

"A retiring member shall be eligible for re-appointment:

Provided that no member other than the Chairman may hold office for a period exceeding six years in the aggregate and on the expiry of such period he shall cease to be a member but shall thereafter be eligible for re-appointment after the expiry of a period of eighteen months."

I do suggest an experiment of this kind. You will have on the Press Council some men who will render invaluable service. They are the people who will give content to the things that have been so glibly talked about, as if they were too easy, like the setting up of codes of conduct, setting up standards of journalism etc. All these 13 or 25 people on the Council are not going to be people of such calibre as to set up these high standards, but there will be, in course of time, on this Council one or two people, may be three or four, who will render such invaluable service, that a permanent bar to their re-appointment after they have been on the Council for six years would be tragic. I, therefore, suggest that such a bar should be lifted after a period of 18 months after they have ceased, under the main clause proviso, to be members.

Shri Warior: Sir, I wish to support the first amendment which my hon. friend, Shri Dandekar has moved. When the appointment is made by the Chief Justice of India, why should the resignation be accepted by the Central Government? There is some confusion or contradiction in it. The Government will be advised to think it over once more. I think when the appointment is made by the Chief Justice the power of acceptance of the resignation should also be vested with the Chief Justice. That is only reasonable and logic.

When I move my amendment No. 17 and oppose the other amendments moved by Shri Dandekar, there are two reasons for it. One reason is that there will always be a chance of monopolisation of such a position of membership of the Council. That should not be there. We should not be diffident or we should not anticipate that there will be a dearth of new blood who will also be able to render invaluable service to the cause of journalism. We have developed journalism in the country and I am sure new elements will be coming in. Shri Dandekar has pleaded for the

retention of those people who have rendered invaluable service, who have got experience, who can give their experience for the development of journalism. But their retention should not be a bar for the new elements to come in. So it is always better that we give room for some resignations so that there will not be a monopolisation of seats and there will always be a chance for new elements to come in. That is why I have moved my amendment No. 17 which seeks to omit the word "A retiring member shall be eligible for re-appointment". There need not be any fear that other eligible, capable and qualified members will not come in as members of the Council. If this clause is allowed to remain there, there will always be a tendency, as we see in so many other fields, to lobby for the retention of the old member, he will get votes by all sorts of mischief and it become a hot-bed of all sorts of intrigues. That should be eliminated and that can be eliminated only if this sub-clause 7 is omitted. I, therefore, move that my amendment may be accepted by the Government.

Shri Shree Narayan Das: Sir, for the consideration of the House I have to make one point. In sub-clause (2) of clause 5 it is mentioned:

"Where a person chosen as a member under clause (a) or clause (b) of sub-section (3) of section 4 is censured under the provisions of sub-section (1) of section 13, he shall cease to be a member of the Council."

I would like to suggest that this is not a sufficient punishment, that if a complaint is received against some journalist and he is censured by the Press Council then he will only cease to be a member. I would like to suggest that he should be disqualified at least for 5 years from being a member of the Council. Otherwise, only ceasing to be a member of the Press Council is not sufficient and deterrent punishment. I think there

[Shri Shree Narayan Das]

should be some disqualification so that once he is censured he cannot be a member of that Council for at least five years or so. This is my suggestion and I would like the hon. Minister to consider that.

Shri C. R. Pattabhi Raman: With regard to the first amendment of Shri Dandekar, the Press Commission is silent on the term of office of the Chairman and members of the Press Council. There was some discussion on this point in the Rajya Sabha and also in the Joint Committee and it was approved after some discussion. The amendment suggests that the term of office of the Chairman should be five years and that of members three years. There is no point in giving different terms for Chairman and members. I think three years is a sufficiently long period for working this experiment. If at the end of that period it is felt that the term should be increased, we can consider bringing in an amendment at that stage. Clause 5(7) provides for re-appointment after retirement. Shri Dandekar wants fresh blood.

Shri Warrior: The difficulty is that once the Council is dissolved there will be no element for continuity. That is the point raised by Shri Dandekar.

Shri C. R. Pattabhi Raman: Once you build up a body, the pattern of its work is very simple. It is the same in the Bar Council and the Council of Chartered Accountants. The position is that we do not want any person to be there for more than two terms. There may be some vacancies in the middle of the term also and there is provision for filling up the vacancies. I am afraid I am unable to accept it on the ground of continuity being lost. There will be a code of conduct and members are *au fait* with ethics. So, I do not think any vacuum will be created.

Shri N. Dandekar: The way of functioning of the Bar Council is different.

How do you draw comparison between the Bar Council and this Council?

Shri C. R. Pattabhi Raman: In the case of the Bar Council you must be a lawyer. In the case of the Medical Council you must be a doctor. In the case of the fourth estate nobody can be prevented from starting a newspaper on the ground that he is only a matriculate. Any citizen is free to start a newspaper and there is no qualification prescribed for that.

Then, regarding nomination being made by the Chief Justice and the resignation going to Government alone actually all the notifications are made by the Central Government. The appointing authority of the Chairman of the Council would be, therefore, the Central Government. His salary is provided from the Consolidated Fund of India. The acceptance of the resignation is merely a procedural matter and there is no need to bother the Chief Justice with the acceptance of resignation. Further, before its acceptance we have to go into the fact of the resignation. The Chief Justice should not be unnecessarily bothered on this question. Therefore, we are unable to accept it.

With regard to the third amendment about the proposed addition of "other than that of the Chairman", the proposed addition of the words will make the clause vague in regard to fresh appointment to fill a vacancy caused by retirement or resignation of the Chairman of the Council. In clause 5 sub-clause (6) has to be read in conjunction with sub-clause (5). Our intention obviously is that appointment to fill such vacancies in respect of the office of the Chairman also should be made by the same authority by which and in the same manner in which the retiring/resigning Chairman was appointed. From this point of view, the amendment is not only unnecessary but also defeats the original scheme of the Bill. The wording of clause 4(2) is very clear.

that the Chairman shall be nominated by the Chief Justice of India.

Coming to the omission of line 15, Shri Warior wants that a retiring member should be ineligible for re-appointment. I am not able to accept it. Even if line 15 is removed, the proviso still continues under subsection (6) of section 5 and continues to give the same meaning as it gives even without the deletion of line 15, if the intention of the member is that no person shall be eligible for re-appointment after a full term of 3 years this is not acceptable to us because the continuity in the functioning of the Council will be completely lost if every member of the Council is made ineligible for re-appointment after the first term itself. Taking all the factors into consideration, the Joint Committee suggested and we accepted that no member should hold office for more than a total period of six years. Frankly, I would not like to disturb it.

Shri Dandekar's point is that the Chairman should be eligible for appointment any number of times. I take it that is what he precisely means. The question whether there should be a maximum limit on the period for which a person could be considered eligible to serve as a member or Chairman of the Council was discussed at great length in the Joint Committee. Varied opinions were expressed on this point. The general consensus was that varied talent is available in the vast country and a specific provision should be there for the entry of fresh blood into the membership of the Council from time to time. It was felt that taking all factors into consideration no person should be eligible for appointment as a member or Chairman for more than six years. We accepted this decision. In this office there should be rotation and no member should develop—I would not say vested interest—the habit of remaining there for ever. We do not want that provision to be disturbed.

Coming to amendment No. 19 of Shri Dandekar about the re-appointment after the expiry of a period of eighteen months, the idea is that a person who has already served for a total period of six years should be eligible for re-appointment after a lapse of eighteen months.

Shri D. C. Sharma: What is the sanctity for eighteen months?

Shri C. R. Pattabhi Raman: I read into it his anxiety to reward a person who has done very good work. In such cases, according to him, if after 18 months it is found that they would like to have him, better have him. This was discussed in the Joint Committee and it was not accepted. If, later on, the Press Council wants such a provision we can always amend the law. So, I am unable to accept this amendment.

Mr. Deputy-Speaker: I shall now put amendments Nos. 13, 14, 15, 16, 17, 18 and 19 to the vote of the House.

Amendments Nos. 13 to 19 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill".

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6—(Conditions of Service of members)

Shri Warior: I beg to move:

Page 4, line 27,—

add at the end—"or of any State Legislature". (21).

Shri N. Dandekar: I beg to move:

Page 4, line 20,—

for "the Central Government", substitute—

"the Chief Justice of India after consultation with the Central Government". (20).

[Shri N. Dandekar]

I am really surprised that for some extra-ordinary reasons they bring in the Chief Justice only for nomination purposes and then they throw him out of the window. The Chief Justice is not the person to whom the Chairman, nominated by him, is to tender his resignation. The Chief Justice will not be the person who has the power to accept the resignation. Now, I recognise the technical distinction between nomination and appointment; but I hope the Deputy Minister is not trying to make anything out of it or saying that the Government has got the right not to accept the person that the Chief Justice nominates. Virtually, therefore, the Chief Justice is both nominating and appointing him. I do not care who issues the notification and so on. It is the Chief Justice who will be nominating and appointing the Chairman. Now, having done that, he should be the person to whom the resignation should be sent; but it is said here that it is the Government that is going to accept this gentleman's resignation. Now, we have this extraordinary proposition that the Chairman shall be a whole-time officer and shall receive such salary as the Central Government may think fit. The Chief Justice is to nominate some one for the position of the Chairman of the Council without knowing anything at all about the terms of this particular office, what salary it will carry and so on. Frankly, I would not like to say how I would react if I were the Chief Justice; but I personally would certainly say to the Government to keep to itself this appointment, saying that I do not want to have anything to do with it at all. Alternatively, if I am to be the appointing authority, the resignation should come to me and I should know the terms of his office, what salary is offered to him and so on. So, the amendment which I have tabled, namely, amendment No. 20, is to this effect that the Chairman shall be a whole-time officer and shall be paid such salary as the Chief Justice of India after consultation with the Central Government may think fit.

The rest of the clause is all right. But I do think that my amendment is necessary; otherwise, it is something like a farce that the Government is trying to put across. Everything connected with this Chairman is going to be Centrally controlled and yet they want to put it out to the public and to the world as a great Institution; I think the Deputy Minister said that the world is eagerly awaiting to see us pass this Press Council Bill to see how it works so that they can say, "How wonderful! Let us have a Press Council" and it is possibly also to throw dust all round, in the eyes of everybody. The Press Council Chairman is going to be appointed by the Chief Justice but, except for that, he is going to be pushed around. His salary is to be determined by Government. His terms and conditions of service and everything is to be done by the Central Government. I know, the Deputy Minister would not accept this amendment but nevertheless I move it with very great hope.

Mr. Deputy-Speaker: The House has already rejected it.

Shri Warior: There is no necessity to move it, but this process is there. My amendment is only to add "State Legislatures" after "Houses of Parliament". I think, the meaning and the intention is quite clear and Government will not have any objection to that because, possibly, members may come from State Legislatures also and they must not be debarred. So, this provision must be widened to include them also.

Mr. Deputy-Speaker: Shri Dandekar's amendment has already been rejected by the House, I think.

Shri N. Dandekar: I am talking about amendment No. 20.

Shri C. R. Pattabhi Raman: But I take it that I am bound to answer it. Here again, it has got a history about it. The Press Consultative Com-

mittee considered this matter and they felt that Government should be free to settle with the incumbent any salary according to circumstances. Actually, honorarium was also there but it was deleted. Accordingly the provision in clause 6(1) has been made. After some discussions the Joint Committee also adopted the same provision. As the salary of the Chairman is to be paid from the funds of the Government, it may not be appropriate to make a specific provision in the Bill that the salary would be decided by Chief Justice. If such a specific provision is made the salary decided by the Chief Justice may be taken to reflect the financial assessment of the worth of the individual concerned by the Chief Justice. The implication is that. It may also be embarrassing to the Chief Justice and to the person selected.

15.33 hrs.

[DR. SARAJINI MAHISHI in the Chair].

No doubt, having regard to the qualifications and experience of the individual, if the Chief Justice, after nominating the person as Chairman of the Council, recommends a suitable salary, Government will give due weight to his recommendation. But Government should be free to negotiate with the incumbent concerned and it should be clear that the amount has been decided by the Government in consultation with the incumbent concerned so that there need be no embarrassment to the Chief Justice in the matter. So, I am afraid, I am unable to accept the amendment.

With regard to Shri Warior's amendment, I think he was also a member of the Offices of Profit Committee, when I was its Chairman. Actually, it appears that Parliament had power to disqualify a person from being a member of the Legislative Assembly or Legislative Council of a State but it has no power to grant exemption to any person except to the extent provided from disqualification resulting from the person holding any office of

profit under the Government of India. You are aware of those rulings also. If any person has been chosen as a member of the Press Council and he happens to be a member of any State Legislature, necessary exemption from disqualification should be granted by the State Legislature concerned. So, it is really for the State Legislature to deal with it. Therefore I am unable to accept that amendment also.

Mr. Chairman: I shall put amendments Nos. 20 and 21 to the vote of the House together.

Amendments Nos. 20 and 21 were put and negatived.

Mr. Chairman: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 to 9 were added to the Bill.

Clause 10— (Staff of the Council)

Shri N. Dandekar: Sir, I beg to move:

(i) Page 5, lines 4 and 5,—

omit "Subject to such rules as may be made by the Central Government in this behalf," (22)

(ii) Page 5, lines 9 and 10,—

for "made with the prior approval of the Central Government", substitute—

"made by the Council" (23)

These amendments that I have moved are in line with my general argument, namely, that I want to make this Council what the Government pretends it is but which it does not allow it to be, that is to say, autonomous.

In clause 10, sub-clause (1), as it is reads as follows:—

"Subject to such rules as may be made by the Central Government in this behalf, the Council may

[Shri N. Dandeker]

appoint a Secretary and such other employees as it may think necessary for the efficient performance of its functions under this Act."

I suggest that the words "Subject to such rules as may be made by the Central Government in this behalf" should be deleted. The Council ought to be presumed to have sufficient sense to be able to frame its own rules and regulations or whatever it likes to decide whether it wants a Secretary. Therefore, if those words are deleted, the sub-clause will read thus:—

"The Council may appoint a Secretary and such other employees as it may think necessary for the efficient performance of its functions under this Act."

That I conceive to be true autonomy.

Similarly, sub-clause (2), as it is, reads as follows:—

"The terms and conditions of service of the employees shall be such as may be determined by regulations made with the prior approval of the Central Government."

I suggest again that this is plainly a detraction of the autonomy of this organisation and the words that I suggest should be deleted are:—

"made with the prior approval of the Central Government."

Then, this autonomous body will have this power. If this amendment is accepted, the sub-clause will read:—

"The terms and conditions of service of the employees shall be such as may be determined by regulations."

Regulations or rules are, so to speak, by-laws which the Council itself makes.

There are a series of such amendments that I have put down. The purpose of everyone of them is to re-

move those detractions from the autonomy of this Press Council which, in my judgement, makes it not so autonomous as the Government pretends all over the place that it is supposed to be. When these amendments are put through, there will be some semblance of autonomy to this Council. I, therefore, commend these two amendments.

Shri C. R. Pattabhi Raman: The amendment, as I understand it, seeks to remove the authority of the Central Government over the Press Council in regard to the appointment of the Secretary and other staff. Since the funds of the Press Council are provided by the Government and the expenditure is incurred out of the Consolidated Fund of India, it has been provided that the appointment of Secretary and other staff shall be subject to the rules framed by the Central Government. For the same reason it has been provided that the service conditions of the employees shall be determined by the Council itself by making regulations with the prior approval of the Government. It will be noticed that the Central Government only has supervisory authority over the Press Council in these matters. Under clause 22(3) of the Bill even the rules to be framed by the Central Government are to be laid before each House of Parliament and are subject to Parliament's approval. Thus, Parliament itself will have the supervisory authority in these matters. If the proposed amendment is accepted, the Council will be entirely free in regard to the appointment of the Secretary and other staff and the supervisory authority of both the Government and the Parliament will be completely taken away. As I said, the reports and all these have to be placed on the Table of the House every year. So, I am afraid, I am unable to accept this amendment.

With regard to the second matter referred to, namely, deletion of the words "made with the prior approval of the Central Government", the argument mentioned in reply to the previous amendment really holds good

here. The Press Consultative Committee made the recommendation that the terms and conditions of service of the employees made by the Press Council should be subject to the approval of the Government. It has been approved by the Joint Committee. If the amendment is accepted, the overall responsibility of Government with regard to the service conditions of the employees of the Council will be removed. I am afraid, I am unable to accept this amendment also.

Mr. Chairman: I shall put both the amendments to the vote of the House together.

Amendments Nos. 22 and 23 were put and negatived.

Mr. Chairman: The question is:

"That clause 10 stand part of the Bill."

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11 was added to the Bill.

Shri Warior (Trichur): I beg to move:

(i) Page 5, line 24,—
after "newspapers", insert—
"and the editorial staff including reporters". (24)

(ii) Page 6, line 10,—
add at the end—
"but only after consulting the Press Council". (29)

(iii) Page 6,—
(1) line 19,—
for "study", substitute—
"watch";
(2) line 21,—
for "study of", substitute—
"close watch on"; and
(3) line 22,—

for "to suggest remedies therefor", substitute—

"to take appropriate action thereon". (31)

Shri N. Dandekar: I beg to move:

(i) Page 5, line 24,—
add at the end—

"and their freedom in regard to presentation of news and expression of views and opinions". (25)

(ii) Page 5, line 28,—
for "foster", substitute—
"the fostering of". (26)

(iii) Page 6, lines 2 and 3,—
omit "of public interest and importance". (27)

(iv) Page 6, lines 5 and 6,—
omit "as are referred to it by the Central Government". (28)

(v) Page 6,—
omit lines 14 to 18. (30)

(vi) Page 6, line 22,—
for "therefor", substitute—

"for any undesirable practices resulting therefrom". (32)

Shri U. M. Trivedi: Without going into the amendments, what I feel on reading Clause 12 read with clause 13 is that the whole Bill seems to be a much ado about nothing. I do not know why this Bill has been brought before this House and why the time of the House is being wasted on this. I see no possibility of making any use of the provisions contained in this Bill. After all, we have got certain Bills with reference to certain provisions; for instance, we have got the Indian Medical Council Act or the Advocates Act where powers are given to the Bar Council or to the Medical Council to take action against those who are on their rolls; some action is contemplated, but such powers are absent in Clause 12; there are no powers even to provide for the qualifications of an editor. What type of editors have we got? We have got some learned men;

[Shri U. M. Trivedi]

we have got some cultured men and at the same time we have also got persons who do not know which is north and which is south. Why is there not any provision for the qualifications of an editor of a newspaper to whom the great, grandiose position is to be given? Why are there no qualifications provided in this Bill that only such and such a person can become an editor? We have got a saying in Sanskrit:

कवयो कालिदासाद्या

कवयोः वयमप्यदि ।

Everybody becomes a 'kavi'; everybody becomes an editor, be it Kasturi Rangan or anybody who calls himself a trash writer or an yellow press proprietor. It was very essential for a provision to be made in this regard in this Bill, but there are absolutely no powers that are given under Clause 12. The object of the Council is to preserve the freedom of the Press and to maintain and improve the standards of newspapers in India. What action is Government going to take in this connection? What are the rules under this provision by which they can maintain and improve the standards of newspapers in India? What rule-making power is there in this Bill by virtue of which the standards of newspapers can be maintained and improved? I fail to see any standards prescribed for this purpose.

Sub-clause (h) of Clause 12 says:

"to provide facilities for the proper education and training of persons in the profession of journalism."

Does it provide that unless and until a person obtains a degree in journalism, he cannot become an editor? Clause 13 says: "...censures the newspaper, the editor or journalist..." What is this? Is the editor to be removed from the list of editors or from the list of newspapers or any such punishment is to be meted out to him? Therefore, I feel that this a sheer waste of time of the House, waste of energy, waste of money and much ado

about nothing. I fail to see with what object this Bill has been brought before the House. If there is any desire to serve the newspaper community, to serve the journalists, to serve the real journalists, to serve those editors who have risen high and who want to rise high and make a contribution to the growth of this country, it is most essential that they should not be treated on par with the other fakes in the community; there must be some criteria provided for the purpose of discriminating between these two types. Therefore, I suggest that the Government should think well to make its own amendment if it so likes. The rule-making power provided in Clause 12 is the just and proper place where further provision should be made that unless and until a person has put in so many years of service or he has such and such educational qualifications or this or that, he shall not be registered as an editor, and a register of editors all over India must be prepared. Unless and until there is a particular provision that he shall be removed from the list of editors or from the register of editors as a punishment, this Bill is not going to serve the purpose for which it has been introduced. It is unfortunate that I did not read this Bill to begin with, but when I read it later, I was surprised at the various provisions. I, therefore, say with all the respect that I have for the House that this is a "much ado about nothing".

Shri Warior: My Amendment No. 24 is intended to include the editorial staff, including reporters. Sub-clause (a) says:

"to help newspapers to maintain their independence". I think that it must be more clearly pointed out here that the newspapers do not mean all and everything, but especially the editorial staff, including reporters, because it is their freedom that must be looked into more; they are the people who are suffering most from the attacks not only from the government side but also from the public side and

the management side and they have no remedy. It is, therefore, their freedom and their independence that the Government should safeguard. It is very necessary that the Act should explicitly provide for that.

My amendment No. 29 is to the following proviso, namely,

"Provided that nothing in this clause shall preclude the Central Government from dealing with any case of assistance received by a newspaper or news agency in India from foreign sources, in any other manner it thinks fit;"

I agree that the Government should have such powers, but at the same time the Government should not also ignore the existence of the Council there. Hence, I want to provide: "but only after consulting the Press Council." Government recognises the existence of the Council, takes the advice of the Council. Therefore, I feel that, only after taking the advice of the Council, should the Government come to a decision to take any action on a particular newspaper.

Regarding Amendment No. 31, it is said in sub-clause (j):

"to study developments which may tend towards monopoly or concentration of ownership of newspapers, including a study of the ownership or financial structure of newspapers, and, if necessary, to suggest remedies therefor;"

Here I want to impress upon the Government and the House that the time is past for making a study of the developments. Actually we have come to a stage where it is necessary to watch the developments because already the monopolistic tendencies have come to stay here. The Monopoly Commission have submitted their report and they have stated that monopolistic tendencies have already come in. Of course, I cannot agree with Mr. Dandekar here and he also cannot agree with me. What I want to suggest here is that it is now time

to watch the developments which may tend towards monopoly. At least it must be provided that the Council must take immediate action to restrict or restrain the monopolies. So, I have suggested the substitution of the word 'watch' in place of the word 'study', so that the clause would then read:

"including a watch on the ownership or financial structure of newspapers, and if necessary, to suggest remedies therefor;"

That is the suggestion made in this clause, namely that the council should suggest remedies. But I want to extend that and say that they should have power also to take appropriate action thereon. Once the press council has come to a conclusion in a particular case that there is necessity for suggesting remedies to restrict the ownership or financial structure of newspapers, I want that the council should have powers to take appropriate action where necessary. That power must be given to the press council so that the press council also will have a better status and a better recognition among the newspaper owners and generally in the newspaper world.

These are the suggestions that I would like to make through these amendments of mine, which I am afraid Government may not be in a position to accept, but I hope they would tell us what their position is in regard to these suggestions.

Shri N. C. Chatterjee (Burdwan): As a Member of the Joint Committee it is my duty to dispel some of the doubts created by the speech of my hon. friend Shri U. M. Trivedi. It will be entirely wrong to put down in clause 12 and prescribe—I have thought over the matter very carefully—that every editor shall be a graduate or a first class M.A. of some recognised university. If such were to be the case, there would have been no *Amrit Bazar Patrika*, and there would have been no *Ananda Bazar Patrika*, and no great editor of the

[Shri N. C. Chatterjee]

Mahratta papers or the Punjabi papers which fought for India's independence and which did so much to build up democratic India. You know, Sir, the part they played in India's freedom movement. How could you possibly put down in this clause that you must have a second class M.A. in political science or a first class degree-holder in history as an editor? That would be entirely inappropriate, and that will be really checking the autonomy of the council.

Shri N. Dandekar: There is no autonomy in this.

Shri N. C. Chatterjee: We are building up a professional body. I ought to tell you that we examined journalists of experience, and we had journalists on the Joint Committee also and they gave us the benefit of their experience and we thought that we should here formulate the main objectives only. The first is to help the newspapers to maintain their independence. Would it help newspapers to maintain their independence, if we say that the editor must have this particular degree or that particular degree, otherwise he will not be eligible for being appointed as the editor of a newspaper?

The second thing is:

"to build up a code of conduct for newspapers and journalists in accordance with high professional standards".

What more does my hon. friend want? We have given them ample power. They can make any regulations. They can take proper action to effectuate these objects. There are also other things which have been provided for. My hon. friend Shri U. M. Trivedi is not here just now. I wish he had been here. In sub-clause (h) it has been provided:

"to provide facilities for the proper education and training of persons in the profession of journalism."

We have left it to them. If they think that it is essential that something definite should be there and some definite steps should be taken, then they will do it, and we shall welcome it. We are leaving it to the council. We are giving them complete power to build up a proper professional apparatus which will serve India and serve it well, having regard to the highest standards which we have all along maintained and which we want to improve and not to diminish.

Another function of the council is:

"to ensure on the part of newspapers and journalists the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities of citizenship;"

You will remember that in article 10 of our Constitution we have consciously guaranteed to all citizens freedom of speech and freedom of expression. In the great *Crosswords* case which my hon. friend the Deputy Minister argued, and in the great *Organiser* case, that great judge of the Supreme Court, Mr. Justice Patanjali Sastri said that freedom of the press means complete freedom from any interference, and, therefore, pre-censorship was struck down as unconstitutional; deliberately the provisions of the Indian Constitution imposed this fetter on both Parliament and the executive by saying that they cannot say that there shall be precensorship, and, therefore, they cannot say that this or that particular paper shall not go to Madras or to Kerala; such a thing was struck down as illegal. What we are saying is that we want to keep unimpaired the independence of the press. Will it be consistent with that standard to say that you shall have this degree or that degree or you shall draw so much salary or you must be a Shastri to be the editor of a Hindi paper, and if you have something less than a Shastri degree you cannot run a Hindi paper? I think that that

would mean extending it to an absurdity.

I submit that what we have done is perfectly consistent with the object of the statute. The object of the statute is to build up a professional body which will be self-educative, which will be self-reformative and which will take proper steps for the purpose of building up the standards and maintaining and improving the standards and provide facilities for education and provide facilities for improvement. We know that there are lapses and we know that there are some newspapers which need to be pulled up, but we hope that that will not be done by executive fiat but we want that to be done by an organisation of the press consisting of the elected representatives of the organisation of the press. They are the best men to put their own house in order. I am sure Parliament will take it in that spirit and not be a party to censuring the authors of this measure by saying that we are doing something absolutely absurd. Take, for instance, the case of censure. Will censure mean something else? That will be left to the council. Under this Bill we are giving them the power to censure. If any further action is needed, they can always take it. But can we here say that on censure a man shall be removed for ten years from the editorship of a paper? That would depend upon the particular offence that he has committed; that would depend upon the particular act of which he is guilty and also the enormity of the offence. Therefore, I submit that it will be thoroughly inappropriate and improper to say that we have done something which will not effectuate the object of the Bill and will do something which will not really improve the press. We are giving complete power to the press council, and we are only laying down the general principles as to the lines on which they should function. Parliament should not go into further details, but should give them unimpaired authority within that particular objectives, to put their own house in order

and to reform themselves and to maintain and improve standards.

Shri N. Dandekar: I would like to take my amendment No. 25 first and in that connection also my hon. friend Shri Warior's amendment, namely amendment No. 24 because I support it. These two taken together will have this effect. Sub-clause (2) says that the council may in furtherance of its object perform the following functions, namely:—

"to help newspapers to maintain their independence;"

If the amendment of my hon. friend Shri Warior, namely amendment No. 24 and my amendment, namely amendment No. 25, were accepted, the sub-clause would read as follows:

"to help newspapers and editorial staff including reporters to maintain their independence and their freedom in regard to presentation of news and expression of views and opinions."

In order to explain that I would like for a moment to digress a bit. The preamble of the Bill speaks of its object as being:

"to establish a Press Council for the purpose of preserving the freedom of the press....".

Sub-clause (1) of clause 12 gives it a statutory position in the Bill itself by saying:

"The object of the Council shall be to preserve the freedom of the Press and to maintain and improve the standards of newspapers in India."

Sub-clause (2) lays down what the council shall actually do in furtherance of that object. I have gone through all this, and I am astonished to find no reference whatever to what the council should do in so far as the furtherance of the objective of preserving the freedom of the press is concerned. There is everything else except that the council will do anything at all in the matter of preserva-

[Shri N. Dandeker]

tion of the freedom of the press. It seems to me rather odd, and I think perhaps that somebody had forgotten that the main purpose was to preserve the freedom and that means a lot more than merely helping the newspapers to preserve their independence; it means a lot more than merely the independence of newspapers; Shri Warior spoke of the question of ownership it may mean the question of control of management; it may mean the question of chain newspapers indirectly controlled by some interest and therefore not being independent.

16 hrs.

If the Government is really keen on this, that the whole purpose of this Bill is the preservation of the freedom of the press, I suggest that it should be specifically stated that the Council may in furtherance of its objects, perform the following functions, namely, "(a) to help newspapers and the editorial staff including reporters' to maintain their independence and their freedom in regard to the presentation of news and expression of views and opinion." That I conceive to be the minimum content of the expression 'freedom of the press', not just independence of the newspapers.

My next amendment is No. 26. This, I think, is purely a matter of correcting wrong syntax. The sub-clause says "to ensure on the part of newspapers and journalists the maintenance of high standards of public taste and foster a due sense of both the rights and responsibilities of citizenship". I think there is something wrong with the syntax. I am therefore suggesting that it should "the fostering of a due sense of both the rights and responsibilities of citizenship".

Amendment No. 27 is not quite so formal; it is rather more important. It is to sub-clause (e), as to what the council may do in regard to certain other matters, namely, 'to keep under

review any development likely to restrict the supply and dissemination of news'—and then extraordinarily, it goes on,—'of public interest and importance. I think it is one of the fundamental parts of the freedom of the press that it includes the right to decide what news shall be disseminated. If you want urgent developments likely to restrict the supply and dissemination of news, it should not be merely concerned with the supply and dissemination of news of one particular kind or another, or what somebody may, in his opinion, think is of public interest and importance. For instance, it may be regarded by the Information Ministry as a matter of considerable public interest and importance that the Deputy Minister's speech on this occasion should be reported but not mine! I suggest that opportunity for that kind of judgment as to public importance and public interest ought not to be here. What ought to be here is that the Council, in furtherance of its objects, may do this, namely, keep under review any development likely to restrict the supply and dissemination of news. In other words, all kinds of news, without having somebody to decide what is of public interest and what is of public importance. I therefore suggest the deletion of the words 'of public interest and importance'.

I come next to my amendment No. 28. It is a very important sub-clause which I seek to amend, sub-clause (f). In the discharge of its functions to preserve the freedom of the press and to maintain standards etc. it is one of the functions of the Council, as laid down here, to keep under review such cases of assistance received by any newspaper or news agency in India from foreign sources, "as are referred to it by the Central Government." I have been wondering for a long time, and I am still unable to grasp, why there should be jurisdiction to the Press Council to go into the question of foreign subsidising—

let us use a blunt word,—directly or indirectly, by way of all kinds of phoney advertisements of one kind or another at exorbitant prices, of a newspaper or news agency in India, only when the matter is referred to it by the Central Government. I think it ought to be well within the ambit of the Council to take up any such matter of this kind as comes to its notice, notwithstanding that the Government deliberately chooses not to refer it to the Council. I am prepared to put it that way, because I think we ought to be quite clear about this. We have not a unitary totalitarian government here. We are a country in which we are practising democracy. There would be very wide differences of opinion on public policy; there would be newspapers expressing and supporting various, wide and divergent opinions on public policy. If this matter of subsidising of newspapers or news agencies by foreign sources is to be investigated only when the Government says 'investigate', then I think this could be pretty dangerous. I cannot agree to this kind of thing under any circumstances. I think it ought to be left entirely to what my honourable friend Shri Chatterjee claimed was going to be an autonomous Council. I have been saying this over and over again, that this pretended autonomous Council will not be really autonomous. Here, and there, and all over the place, the Central Government is intruding, to control, to regulate, to direct; and here, in this particular case, to direct what it shall investigate in the matter of subsidising of Indian newspapers and news agencies by foreign sources and what it shall not. I suggest this is really fundamental to the question whether our democracy is to remain free without being eroded in an indirect fashion through the moulding of public opinion by newspapers financed from foreign sources. If it is left to the choice of the Government as to what shall be investigated and what shall not, it is quite possible that certain types of subsidising will not be investigated and certain types of subsidis-

ing will be investigated. I suggest it should be entirely a matter for the Press Council to decide whether and when to investigate or not to investigate, and if to investigate, how to investigate.

On the other hand, in so far as the provision to this sub-clause is concerned, I think Government is quite entitled to have it, namely, "provided that nothing in this clause shall preclude the Central Government from dealing with any case of assistance received by a newspaper or news agency in India from foreign sources, in any other manner it thinks fit." I think that is right and proper. There can be wider questions of public policy and various other aspects I can think of where Government ought, necessarily, to have the liberty to deal with matters of this kind. But we are concerned here with the functions of the Press Council. The object of the Council is to maintain and improve standards of newspapers and preserve freedom of the press. One of the ways by which freedom of the press can be eroded in a concealed manner is by subsidising it. I suggest therefore that the right of the Council to investigate foreign subsidies ought to be unlimited.

Then I have an amendment to cut out a certain number of frills from this very pretentious sub-clause, namely, omit (h) and (i). The Council will be over-full already with the kind of objects we have here, without having yet another, such as 'to provide facilities for the proper education and training of persons in the profession of journalism'. I am surprised at this. Shri Chatterjee was at pains to emphasise the fundamental proposition that the profession of journalism is open at both ends. Anybody can get in without anybody asking 'who?' or 'why?' and you can get out of it when you want. Nobody will say 'You will not get out or you will get out under certain circumstances'. But now, it is thought necessary to provide facilities for the pro-

[Shri N. Dandekar]

per education,—not merely education, but proper education—and training of persons in the profession of journalism. I think this kind of twaddle ought to be knocked right out of the Bill

Then there is another, sub-clause (i). This is really comic, if you can understand it. You are more competent, Madam, in understanding English than I am.

"To promote a proper functional relationship among all classes of persons engaged in the production or publication of newspapers".

A "proper functional relationship" when the whole thing is always in a flux. A man today is a working journalist. He may be an editor, he may be a manager, he may be a proprietor, he may be a reporter, a professional journalist doing the business of running newspapers, the business of managing newspapers, owning newspapers. There can be no such thing as a "proper functional relationship" among all these changing classes of persons engaged in the production or publication of newspapers. This is really another bit to twaddle in the way we very often find in companies' Memorandum of association and so on: to slap in everything that one can think of and then say, "That is all right. We have got everything in and these chaps will be busy". We do not want here the kind of thing, that is usually written in a memorandum and articles of association of a company. Here, we want something pithy, something clearcut. We want to emphasise freedom of the press, independence of newspapers, availability of news—nothing to restrict availability of news—and so on, setting up standards of journalism and so on. I suggest that sub-clauses (h) and (i) ought to be deleted. In fact I had also suggested another deletion, but it somehow got omitted in the typed list I had sent to the office. I had also suggested the deletion of sub-clause

(k), which is even more peculiar "to promote technical and other research". The object of the Council under Clause 12(1) is to preserve the freedom of the press and to maintain and improve the standards of newspapers in India, and in furtherance of that object, they may promote technical and other research. This is another fancy phrase that we have got hold of—technology, research, this and that. It just goes on backwards and forwards. However, I have not tabled an amendment somehow. So, I will leave it at that.

My last amendment, No. 32, is to sub-clause (j). The clause itself is pretty comprehensive:

"to study developments which may tend towards monopoly or concentration of ownership of newspapers, . . .

I do not know whether this has really got anything to do with the Press Council. But there it is. I know the allergy of my friend Mr. Warior to the word "monopoly", but I have been looking for those monopolies and I could not find them. And now, from such newspaper accounts as we get it appears that the Monopolies Commission has also not been able to find any monopoly either. However, I have no objection to the word "monopoly" remaining here.

" . . . including a study of the ownership or financial structure of newspapers, and if necessary, to suggest remedies therefor;"

I suggest that instead of the word "therefor" it should be "to suggest remedies for any undesirable practices resulting therefrom". I do not think we are worried about the size of newspapers. The size of newspapers in this country, compared to the size abroad, is childish. They are not anything like the size of newspapers in terms of resources and certainly all

that goes with it. What would be wrong is that if you have got a chain of newspapers or a monopoly development, you may have certain undesirable practices resulting from such a situation, and if this is to be within the scope of the Press Council, then I suggest that there is no point in suggesting remedies for concentration of ownership. What is needed is remedies for any undesirable practices resulting from concentration of ownership, and I therefore propose my amendment No. 32 for acceptance.

Shri C. R. Pattabhi Raman: At the outset I must say that I am much obliged to Shri Chatterjee, who with his usual clarity and depth explained the contents of Clause 12.

Independence is always interpreted as freedom of expression and also freedom from pressure, from whatever source, which may stand in the way of the freedom of the press in the matter of presentation of views and expression of views. Shri Chatterjee has correctly pointed out that the guaranteed freedom is freedom of speech and expression. It is also a right. It is under that umbrella that we are working. If I may repeat, though it is rather embarrassing for me, 13 or 14 years ago, it fell to me to appear for the petitioner in *Ramesh Thapar vs. Madras Government*, in which the Madras Maintenance of Public Order Act was struck down for the simple reason that not only freedom of expression is guaranteed, but also the right to circulate that expression. Later on, it also fell to me to appear for Rao in *V. G. Rao vs. State of Madras* where also I was successful. So, the fact remains that we are functioning under the umbrella of these fundamental rights.

16.14 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

The recommendation of the Press Commission in para 951 is precisely

what is contained here; only it has been licked into shape by one or two verbal amendments by the Joint Committee. It is more or less the same as the recommendation. They say:

"We recommend that an all-India Press Council be established by statute."

I shall refer to Shri Dandekar's amendments seriatim. First was his amendment dealing with editorial staff. I think I have answered it already with regard to independence. Editorial independence is one of the important factors in the maintenance and improvement of standards of the press and the newspapers in India. I am not saying this just for a fact. It may not be realised that our Press is supposed to be one of the best in the world, for not only objective writing. We are quoted elsewhere; our articles and editorials are quoted elsewhere. We have got a very high standard in India. Not only that. Of course some one or two papers may be falling away, straying away from the high standards. But even our cartoons are reproduced elsewhere. Therefore, we do not have to be worrying with regard to the requisites so far as the Press Council is concerned. I have already given the definition of working journalists. Shri Dandekar's amendment wants the addition of the words "and their freedom in regard to presentation of news and expression of views and opinions." That is accepted as being one of their functions under clause 12(2)(e), as has already been pointed out by Shri Chatterjee. I do not want to repeat myself. Sub-clause (e) as amended is clear enough.

I think the architecture of the section if I may say so, or the grammar of it will be better and so I accept amendment No. 29 Sub-clause (c) reads "... maintenance of high standards of public taste and foster a due sense of ..." 'Fostering' will be better and with great respect to him I accept his amendment.

[Shri C. R. Pattabhi Raman]

Now, in sub-clause (e) he wants the words 'of public interest and importance' to be omitted. I understand him to say why should the government come in? The fact of the matter is that the Press Council will have to take notice and restrict the supply and dissemination of news from enemy sources, news relating to private parties and citizens, news about secret information, news which would endanger friendly relations with other countries . . . (Interruptions.) I am giving instances. Secondly, if the words are deleted it will mean that the Council is expected to go into any development likely to restrict the supply and dissemination of news, irrespective of the fact whether it is in public interest or it is important. How can we expect the Press Council to go into the flimsy cases. The Council would be able, one can expect, to decide which news is either important or of public interest. So, from this point of view, I am unable to accept this amendment.

The next amendment wants the omission of the words 'as are referred to by the Central Government'. I pointed out that it will be impossible to clothe this tribunal with inquisitorial powers, investigatory powers. There is the sister ministry, the Home Ministry, which will have all this information. For instance, how will the Council know about foreign sources? As I told the House, it may be a friendly country and it may want to advertise for a post here.

Shri N. Dandekar: This clause means what it says and it is only this. The Central government may think fit that this newspaper will not be investigated and they may think fit that this newspaper will be investigated. That is exactly the point. I am sorry to interrupt him but this is fundamental. I think in a democratic country where political parties form the government, it is of the utmost importance that the governments should not say that their own newspapers should not be investigated.

Shri C. R. Pattabhi Raman: The amendment as it reads is clear enough. I shall reply to this in detail, to the best of my ability. The existing provision provides that the Council shall keep under review such cases as are referred to it by the Central Government. It should be emphasised that any assistance given by foreign sources to Indian newspapers for *mala fide* purposes will be through unauthorised and secret channels. They are not going to announce it, that they are giving aid to such and such a newspaper. What is the provision they have to investigate and know what the resources are and how they have been giving? Then, it is very difficult for a professional body like the Press Council without any intelligence staff and machinery even to find out the source from which such assistance is conferred. It may not be only money; it may be so many other things. And then, this is a matter which should be really be left to Government for an inquiry. That is what I explained in the Joint Committee when the Bill was taken up for consideration there. If, out of the information obtained by Government, we feel that a *prima facie* case exists, involving the deterioration of the standards and the performance of the newspapers concerned, Government would certainly refer this case to the Press Council for a review. In certain cases, relations with foreign Governments and agencies may be involved. For these reasons, it would not be desirable to empower the Council to enquire into such cases ab initio. It should be properly left to Government to deal with such cases as it thinks fit. So, the Government will refer the proper cases to the Press Council for their opinion, and therefore, I am unable to accept the amendment.

Then, Shri Warior moved his amendment to the effect that the words "but only after consulting the Press Council" should be added at line 10,

page 6, in clause 29. I take it that the intention of the sponsor is that before taking any action in respect of cases relating to assistance received by a newspaper or news agency from a foreign source, Government should consult the Press Council. This has been covered by my observations on amendment No. 28 which I just now dealt with. The more important point is, it has not been envisaged in the Bill that the Press Council should be an advisory body for Government on the action to be taken by Government against newspapers. In fact, the press advisory system did not find favour with the Press Commission who said that there is no need for press advising in a democratic set-up. Further, preliminary enquiries are to be made by the Government and only if Government is satisfied that a particular case is fit to be examined by the Press Council, that case will be referred to the Council for a review. Otherwise, the Council should not come into the picture. This amendment cannot, therefore, be accepted. There may be cases where the Government may, for certain reasons, make policy decision. That would not mean any aid of linking up of the agency.

Regarding amendment No. 30, I think it was Shri Dandekar who desired that the following should be removed from the functions of the Press Council:

"to provide facilities for the proper education and training of persons in the profession of journalism; to promote a proper functional relationship among all classes of persons engaged in the production or publication of newspapers;"

These functions were broadly recommended by the Press Commission itself. The above functions will be among those which are necessary for improving the standards and perfor-

mance of the press in India. The Press Council may be expected to evolve its own system. Only one thing was added by the Rajya Sabha; otherwise they felt that the function, namely, "technical and other research" should be left so broad as that. Actually, the Press Commission also wanted to set up an institute; they thought that if necessary an institute may be set up later on when experience is gained, and they confined themselves to sub-clause (K) —"to promote technical or other research".

Then, I turn to amendment No. 31 of Shri Warior. I think he referred to the three parts in this amendment. The first two parts are really drafting changes. For the word "study", he wants to substitute the word "watch", and for the words "study of", he wants to substitute "close watch on". But I personally think that "study" is a wider term. It bites more and it embraces more. I think it will bite more if the word "study" is there, rather than the word "watch." "Study" is more precise. How can the Council merely watch the developments towards monopoly or concentration? Obviously, a close study is required if they are to suggest remedies.

The third part of his amendment is to substitute "to take appropriate action thereon" for the words "to suggest remedies therefor". This amendment really hands over the power for remedial action to the Council instead of to the Government. I think that this is not only impractical but that the Council, which is a domestic tribunal, has no powers to take any action in his matter. Can they do this sort of thing? It is for the Council to report and it is for the Government to examine their suggestions and see what action is called for. It will be an ineffective amendment. The Monopolies Commission and the Press Commission have referred to the question of monopolies.

[Shri C. R. Pattabhi Raman]

Study itself is all-embracing and nothing will preclude their stating what they want to say not only with regard to a paper having a monopolistic tendency so far as language is concerned, but also a paper operating from various centres. I know what is in his mind. But nothing precludes the Press Council from stating what they want to say and actually the papers will be referred to by name.

Shri Warior: I am not a master of the English language. But I think 'study' means always investigating and investigating only, whereas the other thing means vigilantly watching whether a monopolistic tendency is there. I do not know if I have conveyed what is in my mind.

Shri C. R. Pattabhi Raman: The stand. But study does not mean like a *mantram* reading one, two, three, etc. They may come to a conclusion in five minutes and make some recommendation.

Regarding amendment 26, I am much obliged to the hon. mover. But I am bound to point out what happened in the Rajya Sabha. I believe I did not point that out. I was quite willing to accept the words "the fostering of" instead of "foster". But it really means the Bill being taken back to the Rajya Sabha. That is what I had already indicated. Therefore, I do not accept it.

Mr. Deputy-Speaker: I shall now put all the amendments Nos 24, 25, 26, 27, 28, 29, 30, 31 and 32 to the House.

Amendments Nos. 24 to 32 were put and negatived.

Mr. Deputy-Speaker: The question is:

That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13 was added to the Bill.

Clause 14- (General powers of the Council).

Shri N. Dandeker: I beg to move:

Page 7,—

for lines 10 to 22, substitute—

"(2) For facilitating an inquiry held under sub-section (1) of section 13, the Central Government may, on a request made in that behalf by the Council, invest the Council or a Committee thereof constituted under section 8, with the powers of a Commission of Enquiry under the Commission of Enquiries Act, 1952". (33)

Shri Warior: I beg to move:

Page 7,—

after line 22, insert—

"Provided that in enforcing the provisions contained in this section, the conventional obligations, rights and proprieties of a journalist are not in any way infringed." (34)

Shri N. Dandeker: Amendment 33 is to delete the whole of sub-clauses (2) and (3) of this clause and to substitute therefor a short sub-clause (2). Firstly, I shall explain why I suggest the deletion of these two sub-clauses. They seek to confer upon the Council extraordinary, wide, sweeping powers of courts. It says:

"While holding any inquiry under this Act, the Council shall have the same powers as are vested in a civil court, while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters, namely:

- (a) summoning and enforcing the attendance of persons and examining them on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavits;

- (d) issuing commissions for the examination of witnesses or documents."

It goes on to nail that down definitely by saying:

"Every enquiry held by the Council shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 of the Indian Penal Code."

May submission is that the Press Council composed as it is intended to be, and on the whole quite properly composed for the function which it is supposed or which it has got to discharge under section 12, namely, three Members of Parliament, of the two Houses taken together; three gentlemen representing or having experience and knowledge in the field of science, education, law or culture—we may imagine one gentleman in law sneaking in under that particular sub-clause—thirteen members from among the working journalists and six members from among persons engaged in the business of management of newspapers, with a Chairman not necessarily having any judicial knowledge, knowledge of procedure, knowledge of evidence, knowledge of assessment of evidence or any such thing, is largely designed so that professional men may be judged by their own brothers in the profession. That is the concept. I will not here labour the point how autonomous it is or it is not. But the main concept is that professional lapses shall be judged by their brothers in the profession. It is a fine principle. It is a sound principle. If you want as your main objective, not technical qualifications, examinations, this, that and the other, but setting up of standards of conduct, ensuring freedom of the Press and all those things that we have been discussing, it is a perfectly competent body for that kind of purpose and its enquiries are to end when it may censure the person into whose affairs it may enter. But is it right, proper, expedient, or ne-

cessary, to invest a body like that with this tremendous lot of powers and with this status of a court? I know, for instance revenue authorities are invested with powers of courts. Adjudicating authorities where substantive offences are adjudicated, not codes of conduct or standards or ethics of journalism and things like that, where judgments are pronounced, where evidence is heard and so on, and judgments are reached which under certain circumstances are either wholly appealable or appealable on points of law and so on, these judicial powers, judicial proceedings, judicial procedures, judicial status is understandable. But I think with horror of this Press Council composed as it is going to be composed, concerned with the kind of things with which it is going to be concerned having the power of censure, that is to say largely of expressing disapproval, having also judicial powers of this kind. I, Sir, look upon this with horror. I do not think we ought to treat judicial procedures and things of this kind in this kind of light fashion. In this contemptuous fashion, as if we do not think that they are of any importance and we go round investing a miscellaneous collection of persons with powers of this kind. Therefore, I have suggested that that ought to be deleted altogether and substituted by this:

"For facilitating an inquiry held under sub-section (1) of section 13, the Central Government may, on a request made in that behalf by the Council, invest the Council or a Committee thereof constituted under section 8, with the power of a Commission of Enquiry under the Commission of Enquiries Act, 1952."

I strongly submit that thus far only we may go if necessary. It is only necessary to go even that far when in any particular case these powers are necessary as an ordinary rule of procedure. This Council ought to evolve modes of discussion and all that sort

[Shri N. Dandekar]

of things. Where people of a certain profession are to be judged by the people of their own profession, for standards and not for offences, for maintenance of standards, I am quite clear that sub-clauses (2) and (3) of clause 14 ought to be substituted by the sub-clause that I have put down in my amendment.

Shri Warior: This clause relating to the production of documents is a very important one. I had spoken at length on this point during the general discussion. This is the Damocle's sword hanging over the head of the journalists of India. We have several instances of courts ordering the production of documents and sources of information under the provisions enshrined in the several penal laws of our country. If the Press Council is also empowered with the same right I do not know how any journalist could function with freedom and independence. In fact the Press Council should come to the help of the journalist and protect the fundamental right of the journalist not to disclose the source of his information. Otherwise, there is no sense in saying that the whole Bill is intended to protect the freedom and independence of the working journalists. Once a journalist worth his salt is prepared to disclose the source of information on compulsion by the court nobody will disclose anything to him and he cannot just function.

Further, in a country like ours it is not democracy that is strengthened day by day but bureaucracy. Though for all appearances there is democratic tradition, if we go into the day to day political or administrative life in the country we will find that it is bureaucrats who are controlling everything. I will give you only one instance. It was dished out in Trivandrum by the accredited correspondent of a newspaper of standing that the Chief Secretary did some mischief and it came out in the papers. Because of that the accred-

ited correspondent had to lose his transport pass in Trivandrum for a few weeks. I say that this action is not in keeping with the decency and decorum of the office held by that officer. I do not know how it happened but it is a fact that correspondents are victimised in that way. They cannot go against the wishes of the bureaucrats. And if the bureaucrat occupies a high position and the journalist unfortunately goes against the wishes of that high official, at once victimisation will start in one way or the other and it will be rather impossible for that journalist to function.

When the late Shri Feroze Gandhi held up documents in this House received from the Finance Ministry containing evidence against Shri Mundhra who is now in jail, the whole House applauded him. Suppose Shri Feroze Gandhi is hauled up and asked to mention the source of his information and he discloses it will he enjoy the same respect from the House? He will be treated as a coward. Since he was a brave man he could hold his own. That protection must be given to the journalists. If the Press Council does not protect them, who will protect them. Shri Pattabhi Raman, the Deputy Minister, knows that there are provisions in the penal laws of this country to haul up journalists and ask them to disclose the source of their information. But if the Press Council also is an attendant to the court and to the penal laws, where shall we go then? I think that this is very objectionable and this clause must be amended suitably.

Shri C. R. Pattabhi Raman: With regard to the first amendment of Shri Dandekar the position is that clause 14 confers certain powers for purposes of inquiry on the Press Council and he really wants the deletion of it and, in its place, the Commission of Inquiry Act put in. The existing provision is merely an enabling one.

It does not say that the Press Council will be a civil court for all purposes nor does it say that the entire Civil Procedure Code is applicable to the Press Council or for all purposes of the Council. It will be noticed that only the minimum necessary powers are conferred on the Press Council in order to make the Council work efficiently. Without the powers the efficient working of the Council would be seriously hampered. I gave the instance of the *Daily Sketch* case and of Mr. Gunn's refusal to give evidence. The Press Commission itself drew attention to that aspect of the matter. The Council would consist predominantly of eminent and experienced working journalists, editors and proprietors of newspapers and they may well be expected to use their discretion in utilising these powers. After all, the Council is a domestic tribunal and it cannot be expected that there will be cases of harassment of members of the profession at the hands of such a body. The Council would be able to utilise its powers whenever it considers necessary in any particular case without coming to the Central Government for such powers in each and every case.

Section 4 of the Commissions of Enquiry Act, 1952 also includes all the powers that are mentioned in clause 14(2) of this Bill. The proposed amendment would mean that in each and every case where the Press Council or the Committee are satisfied that it requires the powers specified in clause 14(2) it will have to approach the Central Government for conferring such powers every time on the Council or the Committee in respect of each and every individual case. This seriously hampers the independent, smooth and self-regulatory functioning of the proposed Press Council. Further, this would cause delays as the Central Government may also have to examine each and every case before conferring the powers. I have pointed out in the earlier stages that you just cannot condemn a person without hearing him and

these powers are only with regard to summoning of witnesses, deposition and filing of documents. These are all inevitable. You cannot function without it; otherwise, you will get all the inequality clauses come into play. You cannot condemn a man without hearing him because that will offend the principles of natural justice. Therefore, only such powers are envisaged in the clause as will enable the Council to function properly with regard to taking evidence, deposition and all that.

With regard to Shri Warior's amendment, namely,—

"Provided that in enforcing the provisions contained in this section, the conventional obligations, rights and proprieties of a journalist are not in any way infringed."

— It must be repeated again and again that so far as journalists are concerned, they are peers trying their own equals. They will have to use their discretion. As I pointed out in the very beginning, the law of the land is very clear. The Evidence Act is very clear. Journalists are not some people who are outside the citizenship clause. They are, after all, citizens. It is well understood that you cannot compel journalists to disclose the information. All this is well known. Therefore, the statutory provision of this type will deprive the Council of powers under clause 14(2). That is all I have to say with regard to clause 14.

Mr. Deputy-Speaker: I shall put amendments (Nos. 33 and 34) to the vote of the House together.

Amendments Nos. 33 and 34 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 14 stand part of the Bill."

The motion was adopted.

Clause 14 was added to the Bill.

Clause 15 was added to the Bill.

Clause 16.— (*Fund of the Council*)

Shri Warior: I do not move my amendment.

Shri N. Dandekar: Sir, I beg to move:

(i) Page 7, line 27,—

after "Fund", insert—

"and may accept grants and donations from any persons or authority". (35)

(ii) Page 7, lines 33 and 34,—

omit "subject to the approval of the Central Government".

Amendment No. 35 is merely to fill up what seems to be a lacuna in sub-clause (1) of clause 16. (37). This is how it reads:

"The Council shall have its own Fund; and all such sums as may, from time to time, be paid to it by the Central Government and all grants and advances made to it by any other authority or person, shall be credited to the Fund...."

I think it is necessary to provide that the Council shall have the powers to accept grants and donations from other persons or authorities; otherwise, I do not see how it can have any grants or donations from other persons, referred to in the latter part of 16(1). The Council must have powers to accept grants and donations from any person or authority and that is the only intention of my Amendment No. 35. If the Minister thinks that this is unnecessary and that the Council can nevertheless receive grants and donations from other persons or authorities without any specific powers to do so and that it will be lawful, I do not press it.

Amendment No. 37 is again one of my attempts to try and make this poor little Council more autonomous

by suggesting the deletion of words "subject to the approval of the Central Government". The sub-clause as it is now says:

"All moneys belonging to the Fund shall be deposited in such banks or invested in such manner as may, subject to the approval of the Central Government, be decided by the Council."

I do not think that these gentlemen are going to be so illiterates that they would not know which bank to put their money in or how to invest their surplus funds. I suggest that the approval of the Central Government should not be necessary. I know the Deputy Minister keeps on saying that these people are going to play round with the moneys of Government. Nobody is suggesting that this has got to be a statutory council. If the Government thinks that this has got to be a statutory council and if they wish to give grants, they must naturally come to the House here and have the grants voted. But I do not see why questions such as which bank these people should keep their money in or in what manner they should invest, should be subject to the approval of the Central Government, particularly as there is a provision and rightly, for audit later on. I realise that my amendment is a pathetic attempt to try and make this Council autonomous, that is to say to take it away from the grip of the Central Government. Nevertheless, I shall press the amendment.

Shri C. R. Pattabhi Raman: It is already implied in Clause 16 it is already provided that "grants and advances made to it by any other authority or person, shall be credited to the Fund and all payments by the Council shall be made therefrom." So I do not think any amendment is necessary here.

With regard to the second one, i.e., the funds proposed to be given by the Central Government and expenditure from the Consolidated Fund of India,

I have already explained the position. It is natural, therefore, that the manner in which the money is invested should be subject to the approval of the Central Government.

Mr. Deputy-Speaker: I shall now put Amendment No. 37 to vote.

Amendment No. 37 was put and negatived.

Shri N. Dandekar: I wish to withdraw my Amendment No. 35.

Amendment No. 35 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 16 stand part of the Bill."

The motion was adopted.

Clause 16 was added to the Bill.

Clauses 17 to 21 were added to the Bill.

Clause 22.— (Power to make rules)

Shri N. Dandekar: I beg to move:

(i) Page 8, line 27,—

for "The Central Government",
substitute—

"Subject as hereinafter provided, the Council". (38)

(ii) Page 8,—

for lines 29 and 30, substitute—

"Provided that until the Council is established such rules may be made and notified by the Central Government." (39)

(iii) Page 8,—

omit lines 34 and 35. (40)

(iv) Page 9,—

after line 6, insert—

"Provided that no such rules shall be made under clauses (d) and (e) of this sub-section without consulting the Central Government." (41).

I will be very brief in my observations. Here again is an attempt on my part to make this Council as autonomous as I can possibly make it and as far from the control of Government as I can possibly make it. In the series of provisions in Clause 22 where everything is either to be done by the Central Government or requires the permission of the Central Government or requires the prior approval of the Central Government, I am suggesting deletion or substitution of those with a view of giving powers to the Council itself. But I would like to say one word specifically about amendment No. 41 where I have accepted that the rules which the council may make as regards the form in which they keep their accounts and present their budget and annual report and the manner in which the accounts shall be maintained and audited shall not be framed without consulting the Central Government. That, I think, is the real answer to this business of saying all the time that this council is going to be dependent financially upon Government, and hence this, that and the other control is necessary. I agree that when Government give money to any organisation, whether it is statutory, voluntary, ordinary or autonomous, company, individual, Bharat Sewak Samaj or anybody, there ought to be an audit and there ought to be an accounting. I agree that so far as sub-clauses (d) and (e) are concerned, under which, if my other amendments were accepted, it would be for the council to make rules about the form in which and the time within which the budget and annual report are to be prepared by the council and the manner in which the accounts of the council are to be maintained and audited, no such rules shall be made under those sub-clauses (d) and (e) without consulting the Central Government; that is why I have in amendment No. 41 sought to provide that—

"Provided that no such rules shall be made under clauses (d)

[Shri N. Dandekar]

and (e) of this sub-section without consulting the Central Government."

Shri C. R. Pattabhi Raman: May I very briefly refer to this question of rules and regulations? There are certain matters under the scheme of the existing Bill in respect of which power is being conferred on the Central Government to prescribe the rules for carrying out the general purposes of the Act. Quite apart from these matters, there are other matters which are to be determined by the Press Council itself by making suitable regulations. I have already referred to the provision relating to regulation-making powers and so on.

So, there are two distinct matters which should not be confused with one another. It is not possible to delegate the rule-making power to the press council as distinct from the regulation-making powers which is being delegated to the press council.

Mr. Deputy-Speaker: I shall put amendments No. 38, 39, 40 and 41 to vote.

Amendments Nos. 38 to 41 were put and negatived.

Mr. Deputy-Speaker: I shall now put clause 22 to vote. The question is:

"That clause 22 stand part of the Bill."

The motion was adopted.

Clause 22 was added to the Bill.

Clause 23.—(Power to make regulations)

Shri N. Dandekar: I beg to move:

(i) Page 9, after line 25, insert—

"(d) the manner in which panels of names may be invited under sub-section (5) of section 4". (42)

(ii) Page 9, omit lines 26 and 27. (43)

I am now making my last and final desperate effort to make this press council autonomous. This clause tries to give some powers to the council to make regulations and so on but takes it away by saying that these regulations should have the prior approval of the Central Government. The amendments that I have suggested would make the council more autonomous at least in the matter of the regulations which it is supposed to have the power to make.

Mr. Deputy-Speaker: These amendments are now before the House.

Shri C. R. Pattabhi Raman: The press consultative committee also had dealt with this matter and they recommended that the regulations made by the press council in regard to the service conditions of the employees should also be subject to the approval of the Central Government. This would provide the Central Government with an opportunity to see that the employees of the press council also get comparable pay scales and conditions of service having regard to their qualifications and experience.

Mr. Deputy-Speaker: I shall now put amendments Nos. 42 and 43 to vote.

Amendments Nos. 42 and 43 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 23 stand part of the Bill".

The motion was adopted.

Clause 23 was added to the Bill.

Clause 1.—(Short title and extent)

Shri N. Dandekar: I beg to move:

Page 1, lines 6 and 7, omit 'except the State of Jammu and Kashmir'. (1)

This amendment is self-explanatory. I see no reason why the measure should not apply also to the State of Jammu and Kashmir. Therefore, I have suggested the elimination of the words 'except the state of Jammu and Kashmir'.

Mr. Deputy-Speaker: This amendment is now before the House.

Shri C. R. Pattabhi Raman: As I have already pointed out, the Press council Bill is relatable to entry 39 of the Concurrent List and entry 44 of the Union List. Though entry 39 of the Concurrent List relating to newspapers is applicable to the State of Jammu and Kashmir, entry 44 (incorporation, regulation and winding up of trading corporations, whether trading or not, with objects not confined to one State but not including universities) of the Union List extends to that State only so far as such corporations relate to the legal and medical professions. We have, therefore, no legislative competence at present to extend this Bill to that State. Of course, steps are being taken to have the legislative competence. But as it is, we have no legislative competence. The matter can be taken up when the relevant entry is made applicable to the State of Jammu and Kashmir. Steps are being taken in that direction. Till then we have no legislative competence to extend it.

Shri N. Dandekar: I accept the hon. Minister's explanation. I seek leave of the House to withdraw my amendment.

Amendment No. 1 was, by leave, withdrawn.

Mr. Deputy-Speaker: The question is:

"That clause 1 stands part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill

The Enacting Formula and the Title were added to the Bill.

Shri C. R. Pattabhi Raman: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

16.56 hrs.

RESOLUTION RE: CONTINUANCE OF PROCLAMATION IN RESPECT OF KERALA

The Minister of State in the Ministry of Home Affairs and Minister of Defence Supplies in the Ministry of Defence (Shri Hathli): Sir, on behalf of Shri Nanda, I beg to move the following Resolution:

"That this House approves the continuance in force of the proclamation dated 24th March, 1965 in respect of Kerala issued under article 356 of the Constitution by the Vice-President discharging the functions of the President, for a further period of six months with effect from 11th November, 1965".

As the House is aware, the second proclamation of President's rule in Kerala was issued by the Vice-President discharging the functions of the President on March 24, 1965 and approved by the Lok Sabha on May 8, 1965, and by the Rajya Sabha on May 11, 1965. This is due to expire on 10th November, 1965. The proviso to article 356(4) provides for the continuation in force of such a proclamation for a further period of six months and for a maximum period of three years. So unless the proclamation is revoked, it would cease to operate on the expiry of the period of six months from the date of the passing of the second of the Resolutions approving the proclamation under clause 3. The proviso says:

"Provided that if and so often as a resolution approving the con-

[Shri Hathl]

tinuance in force of such a Proclamation is passed by both Houses of Parliament, the Proclamation shall, unless revoked, continue in force for a further period of six months from the date on which under this clause it would otherwise have ceased to operate, but no such Proclamation shall in any case remain in force for more than three years".

Government have carefully considered the question of further continuance of the Proclamation. It is really with reluctance that I am approaching this House with this Resolution. But having regard to all the conditions and the report received from the Governor, the decision which Government have arrived at is to extend it by a further period of six months. The Home Minister wrote to the Governor on July 13, 1965, requesting him to make a close study of the political situation that had arisen within the State and the existence of conditions in favour of or militating against the formation of a stable government in accordance with the provisions of the Constitution, and the feasibility or otherwise of holding a fresh general election. The report of the Governor dated 17th October, 1965 has since been received. In the light of the findings which are based on detailed study and consultations with the leaders of the political parties in Kerala, it has been decided to continue in force the Proclamation for a further period of six months. After a careful study of the present conditions, this step is being taken, very reluctantly. But there is no other alternative. I wish it had been possible for me not to approach the House with this Resolution, but as the Governor's report indicates that there

is no possibility of forming a stable Government in Kerala, with reluctance I am approaching the House.

17 hrs.

We are all wedded to democracy. We want that the democratic set up should function in Kerala when elected representatives of the people are in a position to run the administration of the State. But conditions as they are and as have been reported by the Governor would not enable us, under present conditions, to have a general election which would have a possibility of having a stable ministry. It may be suggested: why not have a general election and find out whether it will be possible to have a stable ministry or a coalition ministry? The last mid-term election in Kerala, which was held in the hope of providing a stable Government to that State, however did not improve matters in the least. If anything, it added to the confusion in the political life of the State, so much so, that the Proclamation of President's rule actually came as a relief to the people.

Shri Warior (Trichur): Question.

Shri Hathl: They may not say, but I know.

... who had been through a long period of instability.

Shri Ranga knows the various problems, how we discussed them.

Mr. Deputy-Speaker: The hon. Minister may continue tomorrow.

17.01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, November 4, 1965/Kartika 13, 1887 (Saka).