

Constitution and the Representation of the People Act, 1950."

*The motion was adopted*

SHRI K. C. PANT : I introduce† the Bill.

COMPANIES (AMENDMENT) BILL\*

THE MINISTER OF COMPANY AFFAIRS (SHRI RAGHUNATHA REDDY) : I beg to move for leave to introduce a Bill further to amend the Companies Act, 1956.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Companies Act, 1956."

*The motion was adopted*

SHRI RAGHUNATHA REDDY : I introduce the Bill.

10.13 hrs.

NEWSPAPERS (PRICE CONTROL) BILL

THE MINISTER OF STATE IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRIMATI NANDINI SATPATHY) : I beg to move :

"That the Bill to provide for the Control, in the interests of the general public, of the prices of newspapers with a view to ensuring that newspapers continue to function, in the prevailing conditions, as effective mass communication media and for securing their availability at fair prices, be taken into consideration."

Sir, the House will recall that with the imposition with effect from the 15th November, 1971, of an excise duty of 2 paise on newspapers having a circulation in excess of 15,000, a large number of newspapers all over the country increased their prices not only to the extent of the excise duty but well in excess of it. The price increase was, however,

not uniform. It varied from 3 paise to 8 paise, including the excise duty in both cases,

The newspapers justified the price increase on the ground that even apart from the excise duty, there had been increase in cost, and that they had been contemplating a price increase entirely independent of the levy of the excise duty. This argument could not, however, be regarded as valid for at least two reasons. First, the fact that even apart from the excise duty, the price increases varied from 1 paise to 6 paise showed that these increases were not entirely in response to the cost increase which, even if they could not be absorbed by the newspapers in the normal way, could not have had such varied effect on their finances. Secondly, the cost increases, whatever they may have been, have had their influence over a period of time. I wish they should not have chosen the same date, that is, the 15th of November when the excise duty came into force, to increase the newspaper prices. This naturally arouses some doubts about their intentions.

The House will recall that this matter of increases in the newspaper prices came up for consideration on the 24th of November, 1971, in connection with the situation in Calcutta where as a result of such increases and the consequent strike of newspaper hawkers, the city has to go without newspaper for a number of days. On that day, in a statement in this House, I appealed to all newspaper-owners to restrict their price increase to the actual amount of the excise duty payable by them. I am happy that the Calcutta newspapers heeded this appeal, and by reversing their earlier decision, agreed to publish their papers at the pre-15th November prices plus the excise duty that had then become payable. The newspapers in other parts of the country did not, however, follow suit, though I had made it clear that my appeal was directed to newspapers all over the country, and that the same pattern would be followed everywhere.

The House is aware of the keenness of Government to hold the price-line, specially in the present situation, where it is more than over necessary not to allow any runaway prices. In this effort to hold the price-line, the Government naturally look upon the newspapers for

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†Introduced with the recommendation of the President.

[Shrimati Nandini Satpathy]

help as the principal media to influence public opinion. For this, therefore, they should have set a good example by not increasing the price which was unrelated to the fact of the situation.

Government are aware that there have been increases in certain items of cost. To what extent these increases can be absorbed by the newspaper, either in the present method of working, or by taking special steps for this purpose, is a matter for detailed examination which, if the newspapers so desire, Government will be ready to undertake. There can, however, be no justification for *ad hoc* increases of different magnitudes by different newspapers in response to the same set of circumstances. The newspapers have themselves claimed that they are the disseminators of information and knowledge. This is indeed so, but that is all the more reason why the newspapers should exercise special restraint in the matter of prices.

The Bill which I seek leave to place before this House for consideration is intended for this purpose. It enables Government to fix prices but provides for revision and review on the representation of newspapers. The guidelines for determining the prices of newspapers have also been specifically provided for in the Bill. In placing the Bill before the House, I am fully aware of the important role which the newspapers play in a democracy such as ours. It is indeed to strengthen this role, to increase the circulation of the newspapers and to make them a more effective media of mass communication that I feel that a Bill of this nature has become necessary. As I have pointed out, the Bill is of an enabling nature. It gives Government the power to fix prices. It does not require Government to do so. I would once again appeal to all newspaper-house, specially to those which have increased their prices beyond the prices charged by them immediately prior to the 15th November, 1971, to refrain from increasing the prices beyond what they charged on that day except to the extent of excise duty payable by them. By doing so, they will make it unnecessary for Government to issue any order under the Act which is now sought to be passed. It will, however, be open to newspapers to represent to Government their difficulties on the ground of cost increase, and Government will, after due consideration, decide what price increases, if any, would be

reasonable. It is only by acting thus that the newspapers will uphold the best traditions of the press and thereby further increase the confidence the people have in them.

With these words, I beg to move that the Bill taken into consideration.

MR. SPEAKER : Motion moved :

"That the Bill to provide for the control, in the interests of the general public, of the prices of newspapers with a view to ensuring that newspapers continue to function, in the prevailing conditions, as effective mass communication media and for securing their availability at fair prices, be taken into consideration."

SHRI SAROJ MUKHERJEE (Katwa) : Mr. Speaker, Sir, I think every section in this House will appreciate the purpose of the Bill and welcome the Bill, the purpose of the Bill being that the continued publication of newspapers should not be disrupted and the common man, the newspaper reading public, may get paper at a fair price; and for that, price control is necessary. But through the Speaker I want to request the Minister in charge,—though it is not her department—that as the war is over and we have won victory, the duty levied on the newspapers must now be abolished.

In my opinion, the newspaper readers should never be subjected to any impost by way of a levy on newspapers because every civilised country wants that the percentage of newspaper readers should increase day by day. If any such levy is imposed, the burden will obviously fall on the readers. All sections of the House want that the number of newspaper readers should increase and the publication of newspapers is not interrupted. But regrettably, I cannot restrain myself from saying that one of our colleagues here, a member of the ruling party, I am referring to Shri P. R. Das Munabi—he is not here—demanded in a public meeting in Calcutta that *Ganashakti*, the daily organ of the CPIM in West Bengal was still coming out and it should not be allowed to come out. I do not know how a Congressman professing to be a democrat wants to stop the daily organ of another party. I am constrained to ask what a lover of democracy he is.

Coming to the Bill, the Minister should look into the affairs of small newspapers. In the Bill, it has been mentioned that various classes of newspapers will be taken into consideration while fixing the price of newspapers. But it should have been more specific concerning the small newspapers because we who run small and medium newspapers know the difficulties of running them since the cost of production in their case is higher than in that of the big newspapers who have the advantage of earning lakhs of rupees through advertisements. They can lower the prices. But in our case, the cost of production is very high and try to increase the size of our papers like the *Ganashakti*, we have necessarily to increase the price. In our case, it was done after the imposition of the duty because at the same time we increased our size. We added the duty of 2 paise and increased the price by another 2½ paise for the increase in size. This has to be considered by Government before issuing orders in such cases, because there may be cases where injustice may be done to newspapers, big or small, if they are not consulted and their statement accounts, cost of production etc. are not analysed. I have not put in any amendment to this effect, but my request is that Government should look into this factor before passing orders in each case. I suggest there should be a small parliamentary committee to advise the Minister so that the order in the case of each newspaper does not prove wrong or unjustified. This is necessary because if it is left to the department, there may be discrepancies or injustices done. To avoid that, the Minister should take advice from a small parliamentary committee or some such committee before issuing final orders in the case of each newspaper.

On the whole, we support the Bill. But there should be protection for small and medium newspapers and consultation with them before their prices are reduced. If the suggestion of a small parliamentary committee is unacceptable, let the Minister at least take care to see that the small and medium newspapers are not hard hit by their orders.

श्री आर० बी० बच्चे (हरदोस) : माननीय अध्यक्ष महोदय, मैं इस बिल का विरोध करता हूँ। कारण यह है कि मंत्री जी ने यह नहीं बताया कि जो प्रेस कॉन्सिल आफ इंडिया है, उसको कंसल्ट किया गया है या नहीं। जो प्रेस कॉन्सिल आफ इंडिया बनो हुई है उसकी

ओपिनियन ली गई है या, नहीं। क्या यह बात सब नहीं है कि 15 नवम्बर के पहले ही कुछ पेपर्स अपनी प्राइसेज बढ़ा लेते थे, क्योंकि उनको अपने कर्मचारियों को डी० ए० और भत्ता देना था। चूंकि सभी चीजों की मार्केट प्राइस बढ रही है इसलिए 15 नवम्बर के पहले ही उन्होंने कहा था कि हम प्राइसेज बढ़ा रहे हैं लेकिन इसकी तरफ सरकार ने कोई ध्यान नहीं दिया। फिर सरकार ने एक्साइज इयूटी भी लगा दी। मैं कहता हूँ फिजिशियन हील दाईसेल्फ—पहले सरकार को एक्साइज इयूटी हटानी थी और फिर प्रेस वालों से कहना था कि प्राइमेज न बढ़ायें।

अध्यक्ष महोदय, इस बिल के क्लॉज 1 में लिखा हुआ है—

"It extends to that part of India wherever the Government thinks fit."

यह केवल कलकत्ते में जो स्थिति थी, उसके लिये ठीक था लेकिन सदर्न इंडिया और मध्य प्रदेश में इस बिल को लागू नहीं होना चाहिए था। कलकत्ते में हाकर्स ने स्ट्राइक की थी और प्राइसेज बढ़ गई थी इसलिए कलकत्ते के बारे में ठीक है लेकिन जो बाकी पार्ट आफ इंडिया है उसमें इसको लागू नहीं होना चाहिए। एक ही चक्की में सभी को पीसना ठीक नहीं है। बड़े पेपर्स को तमाम एडवर्टाइजमेंट मिलते हैं। जो कांग्रेस पार्टी के पेपर्स हैं या जो कांग्रेस पार्टी के तरफ के पेपर्स हैं या जो पेपर्स कांग्रेस पार्टी के फंवर में हैं उनको तो बहुत एडवर्टाइजमेंट मिलते हैं लेकिन जो पेपर्स कांग्रेस पार्टी के खिलाफ हैं, उनको एडवर्टाइजमेंट नहीं मिलते हैं और जब उन पेपर्स को एडवर्टाइजमेंट नहीं मिलते हैं तब उनकी जो बिक्री होती है उसी से अपना निर्वाह करना पड़ता है। इसलिए छोटे छोटे पेपर्स पर इसको क्यों लागू होना चाहिए, यह बात समझ में नहीं आती है।

मन्त्री जी ने कहा है कि यह एक एनेक्लिन प्राविजन है लेकिन मेरा ऐसा कहना है कि यह एनेक्लिन प्राविजन बहुत ही डेंजरस है। इसमें लिखा है :

3 (1) If the Central Government is of opinion that for the purpose of securing the

[श्री आर० बी० बड़े]

availability of any newspapers or any class of newspapers at fair prices, it is necessary or expedient to do so, the Central Government may, from time to time, by order published in the Official Gazette, determine the maximum prices which may be charged for such newspapers or newspapers of such class as may be specified in the order.

इसमें लिखा है कि सेंट्रल गवर्नमेंट के पास प्राइस फिक्स करने की पावर रहेगी। केन्द्रीय सरकार के पास इस एनेग्लिंग प्राविजन का होना बहुत डेंजरस है। ऐसी हालत में अगर कोई कांग्रेस का पेपर होगा तो उसके खिलाफ कोई ऐक्शन नहीं लिया जायेगा लेकिन अगर कोई पेपर जनसंघी या कम्युनिस्ट होगा तो उसके खिलाफ ऐक्शन लिए जाने की सम्भावना बनी रहेगी। इसलिये मैं कहता हूँ कि एनेग्लिंग होते हुए भी यह बड़ा डेंजरस है। डिमोक्रेसी में प्रेस का एक बड़ा भारी महत्व होता है और केवल इसलिए कि प्राइसेज बढ़ रही हैं, इस तरह का बिल लाना मैं मुनासिब नहीं समझता हूँ।

इसमें एक प्राविजन पनिशमेंट देने के सम्बन्ध में है लेकिन अपील का कोई प्राविजन नहीं है। अपील सेन्ट्रल गवर्नमेंट के पास होगी। इस प्रकार से सेन्ट्रल गवर्नमेंट ने सारी सत्ता अपने हाथ में ही रखी है। डिमोक्रेसी का एक बड़ा अंग न्यूजपेपर्स को समझा जाता है, समाचार पत्रों को प्रजातंत्र का रक्षक समझा जाता है लेकिन यहां पर केन्द्रीय सरकार सारे अधिकार अपने हाथ में ही ले रही है। अंधा बाटे रेवड़ी, फिर फिर अपने कौ दे। इसी कारण मैं इसका विरोध करता हूँ। जहां प्राइसेज बढ़ी हैं और उसका कारण पता है, वहां तो ठीक है लेकिन 15 नवम्बर के पहले ही मन्त्री कौ के पास न्यूजपेपर वाले जाए थे और कहा था कि हम प्राइसेज बढ़ा रहे हैं क्योंकि महंगाई बढ़ गई है लेकिन उस पर ध्यान नहीं दिया गया। सबने इंडिया का "हिलू" पत्र है और मध्य प्रवेश के पत्र हैं जिन्होंने कहा था कि हम प्राइसेज बढ़ा रहे हैं—एकसाइज इयूटी के कारण नहीं, बल्कि हमें अपने कर्मचारियों को बढ़ा हुआ डी० डू० देना है क्योंकि महंगाई बढ़ गई है

इसलिये हम प्राइसेज भी बढ़ा रहे हैं लेकिन उसकी तरफ सरकार ने कोई ध्यान नहीं दिया अगर प्राफिट कमाने के लिये ही कोई प्राइस बढ़ाना चाहता हो, तब तो आपकी बात सही है लेकिन अगर वास्तव में कोई डिफीकल्टीज हों तो उनकी तरफ ध्यान देना चाहिये। इसमें सेन्ट्रल गवर्नमेंट ने सारी सत्ता अपने हाथ में ही रखी है। इसके लिये अपीलेंट एथारिटी का प्राविजन इसमें रखना चाहिये था, जैसे कि प्रेस कौंसिल आफ इंडिया है। ऐसी कोई बाड़ी इसमें रखनी चाहिये थी। तो फिर वह कम से कम निष्पक्ष न्याय उनको मिलता। इसलिये माननीय मंत्री महोदया से कहता हूँ कि यह जो कहा है कि एक्सटेंड्स टु दि होल आफ इंडिया, यह न कहते हुए एक्सटेंड्स टु दैट पार्ट आफ इंडिया जैसे कलकत्ता है, जहां कि प्राइसेज बढ़ गई है, वहां के लिये किया जाना चाहिये। और अपीलेंट एथारिटी सेन्ट्रल गवर्नमेंट के पास रख दिया यह भो ठीक नहीं है। उसमें सेन्ट्रल गवर्नमेंट के पास अपील होगी तब तक आप का आर्डर स्टे होगा या नहीं होगा, यह भी पता नहीं है। मेरा यह कहना है कि वह स्टे होना चाहिए क्योंकि अगर एक एक दो दो महीने तक आपके यहां से जवाब नहीं जाता है और आपके यहां से दो दो तीन तीन महीने तक टालते चले जाते हैं, पत्रकार दफ्तरों के चक्कर काटते काटते थक जाते हैं। तो जिस वक्त अपील होती है, उसी वक्त इनको स्टे मिलना चाहिये।

इन्हीं शब्दों के साथ मैं इसका विरोध करता हूँ।

SHRI ANANTRAO PATIL (Khed): This Bill, though small in size, will have a big impact and far-reaching effect on the newspaper industry. As a Member of this hon. House and a member of the press industry, I am obliged to place before the House some facts and make a few suggestions for the consideration of the Government.

It is true that nearly 150 newspapers have increased their price since 15th November along with the excise duty. The increase in price ranges from 3 to 7 paise per copy. We must go into the reasons why this has happened.

When the excise duty was imposed, we were expecting that Government would make it compulsory that the increase should not be more than the two paise, but the Government did not take any such step, but when there was a strike in Calcutta newspapers, Government had made certain commitments to the Calcutta newspapers, and so they thought it fit to apply this to all newspapers in the country. Government made an appeal on the floor of the House that newspapers should voluntarily reduce their prices, but most of them did not respond and this has compelled the Government to bring this measure.

I am very glad that the Government is fully aware of the interests of the readers of newspapers, but while fixing the prices, it should be done in relation to the number of pages. We were expecting that a statutory price-page schedule would be laid down which would help the small and medium newspapers also. This arbitrary and unilateral increase in price has been resorted to, you will find, mostly by the big national newspapers which are English newspapers. There are some language newspapers also but they belong to the chains and groups.

Suppose a newspaper having six pages was selling at 12 paise, and now it has increased the price to 15 paise, one paisa in excess of the excise duty, it is because the agents make payment after 90 days and the newspapers have to pay the excise duty per day. To make good that loss, the small and medium newspapers have increased their price by one paisa. So, the small papers should not be equated with the papers which have increased their price by seven paise and are having a revenue of several lakhs by way of advertisements.

In Clause 3 Government are taking power to issue orders from time to time fixing the maximum price. This is good, because the readers would get the newspapers at a fair price. Government have also enumerated some guidelines for the fixation of the prices, but they are not complete. It is said in clause 3(d), that certain relevant circumstances will be taken into consideration, but the circumstances have not been defined. I would urge upon the Government to take into consideration the number of pages also in fixing the price. You must take into consideration the circulation and also the maximum space given by the newspaper to matter and

to advertisement. There are newspapers which give 16 pages out of which 12 pages carry advertisements only. The ratio is 70 to 30 whereas the Press Commission recommended a ratio of 35 to 65 or 40 to 60. The ratio has gone reverse but Government has not done anything. Also, the price should be related to the pages. As I said you must take into consideration the maximum space given to matter and the maximum space given to advertisements. You must also take into consideration whether it is a big, medium or small newspaper and whether it is a English newspaper or an Indian language paper and also whether the paper belongs to a big chain or group or it belongs to public trusts and cooperative societies. These classifications must be taken into consideration while fixing the price. The classification should not be on the basis of the classification of newspapers which you have made in the case of salaries of journalists for wage board award implementation. The classification must be on the basis of circulation, the revenue it gets from advertisements, whether it is small, medium or big newspaper and whether it is a language newspaper or English newspaper. You should also take into consideration the relation of price to the number of pages. While moving the Constitution Twenty-fifth Amendment Bill, Mr. Gokhale said, the price-page schedule was struck down because the Constitution Twenty-fifth Amendment Bill was not passed then. Now that we have passed it, I request the Government to bring the price-page schedule, and help to run the industry in a better way and make it an effective media of mass communication. Please do not think haphazardly. Think coolly and calmly and bring in the next session the statutory price-page schedule.

With these words, I support the Bill.

**SHRI K. NARAYANA RAO (Bobilli) :**  
Sir, last time when hon. members expressed concern about the over-night increase in the price of newspapers in response to the imposition of excise duty, we were all shocked for more than one reason. Firstly, when the country has been facing such a calamity and excise duty was specially meant to meet that calamity, would it be moral, legal and ethical for any industry to take advantage of that opportunity to make profits? Secondly the reasons given by the industry do not hold good. If any newspaper had really any difficulties about the cost structure, it could have

[Shri K. Narayana Rao]

taken another opportunity to increase the price. Synchronising it with this special occasion clearly shows the behaviour of the capitalists in this country.

Actually what has been happening in our economic system for a number of years now is this. Whenever indirect taxes have been imposed, every industry including those manufacturing consumer goods, has been taking that opportunity to increase the price of the commodities thus creating inflationary tendencies. Actually, the consumer has been forced to pay not only the excise duty but also the increase in the price which is far above the excise duty. It is an elementary principle of economics to make a distinction between direct and indirect taxes. Direct taxes are borne directly by the people on whom you have imposed it whereas the indirect taxes are passed on to the consumer. But we have now a new economic theory under which when the excise duty is passed on to the consumer, it will be a little more than what is actually imposed by the Government. It is happening in this country. In fact, a part of the excise duty is supposed to be absorbed by the industry; but, they are not only doing that but they are passing a little more than the tax to the consumer. This is a matter which the Finance Ministry should look into. They should ensure that whenever any excise duty is imposed the price rise is only equal to the duty because this unfortunate phenomenon is taking place in this country. Government should bring forward a comprehensive Bill prohibiting the industries from increasing the price over and above the excise duty that is imposed from time to time. With these words I support this Bill.

**SHRI INDRAJIT GUPTA (Alipore) :**  
Mr. Speaker, as far as the intention of this Bill goes, it is laudable and I think everybody here will support it. But we have to note that it required a national emergency before the government thought of coming forward with such a measure. It was not until a large number of newspaper proprietors decided to take advantage of the crisis condition in order to raise their prices, it was not till then that the government work up to this need of having a statutory power with them to see that the prices for newspapers are ensured to the reading public. However, better late than never.

Now that this Bill has come, I would just like to point out that the considerations which have been stipulated in clause 3 which the Central Government will have regard to when fixing prices have rather an ominous sort of flavour about them. Once this statute is applied in the case of any newspaper, or group of newspapers, and these criteria are to be gone into, including (d) which says "all other relevant circumstance", I am apprehensive lest we should get into the same kind of rut as the authorities have got into when fixing the price of motor cars in this country. The same kind of trouble will arise again if all these factors have to be gone into, and they are wide. "all other relevant circumstances", I think is a phrase which provides the loophole for these newspaper proprietors and we will find that there is a constant tendency for the prices to move upward. Even if the government fixes the maximum price from time to time, that ceiling will tend to move in an upward direction gradually, as it happened in the case of motor cars.

For one thing it is very difficult to implement it unless the government have any effective method of checking two very basic factors, and I do not think at present they are able to check them. One is the question of newsprint, the improper purchase or procurement of newsprint by some of the big newspapers and disposal of that newsprint in the black market. There is no need to dilate on that. I think the Minister knows it too well. It is a very long established, well flourishing racket which is going on. I can speak of Calcutta. While I cannot speak of other places, I can assume that it is happening elsewhere too. It is being indulged in by Ananda Bazar Patrika and some other newspapers. Attempts have been made from time to time to prosecute them for this but nothing much came out of it.

Then my friend, Mr. A. K. Sen's paper, **BASUMATI**, has been closed for some time. One of the reasons for that, the so-called financial difficulties, which they pleaded, is known to everybody in Calcutta. It is a fact that the newsprint which they had been getting was being disposed of elsewhere and was not being used for the purpose for which it has been procured. The evil has been there. There is no check on this at all.

The second factor is the question inflated figures of circulation which obviously are resorted to in order to procure advertisements. Now, there is some system, ABC system and all that, which is supposed to be foolproof. As far as I know, it has never prevented newspapers from inflating their figures of circulation, even if they want to, and the cumulative result of all this is, as Mr. Patel has said just now and has quite correctly pointed out, that as far as the big newspapers are concerned, which we are reading every day, you see that sometimes on one page of that newspaper, there is hardly 25% of the reading matter.

SHRI JYOTIRMOY BOSU (Diamond Harbour) : 10%

SHRI INDRAJIT GUPTA : 75% or even more is only advertisements. There is nothing else. The newspapers are hardly worth reading sometimes because of this. This is a factor which, I presume, has to be taken into account when determining the price of papers. What is their actual circulation figure? What are the actual expenses or is that they have incurred on newsprint, illegal that newsprint is being properly used being used as a source of further profit and and what is the proportion of advertisements revenue to their actual revenue earned from the selling prices of these papers. I don't know whether the Government, having taken this enabling power by themselves, is really serious about going into all these facts whenever the question of fixing the prices arises. If so, I am apprehensive also that under the present system there is going to be endless litigation on every order. On every order there will be endless litigation. The orders will be challenged in the High Court and in the Supreme Court. I do not know whether the old grounds on which the Price Page Schedule was struck down will not be resurrected again. Of course, you have now got powers by which that can be overcome. You can if you want to. But that Price Page Schedule Order which was at that time put forward with some similar idia in mind was, as you know, struck down on the ground that it violated the Fundamental Right of freedom of expression of the newspaper and in order to delay this matter and obstruct every time, under clause 3 an attempt is made to fix fair prices on the basis of consideration of so many factors including all other relevant circumstances. There will be endless litigation

involved and these orders will be challenged from time to time. So, the Government should be very careful to see what the legal aspect of this is going to be and how they can make it as foolproof as possible. Otherwise, we are going to run into great difficulties.

As the Minister herself has said in her introductory remarks, there was no justification whatsoever for the recent increase over and above the excise duty. But why was this opportunity taken? What is the reason for that? That she does not tell us. None of these newspapers pleaded that simply because of the excise duty, they have to increase by five or six or seven paise. That was not related to the excise duty. It was related to something else. What was that something else? Some of the newspapers put a little announcement in their columns saying that it was due to the rise in the cost of newsprint. Did she tell us something about that? Did they go into that? What did they find?

Increases generally are not justified. But that did not prevent these people, it did not prevent the same newspaper from increasing the price in one city of its edition there and not increasing the price of its edition in another city. The THE STATESMAN did it. THE TIMES OF INDIA did that. THE INDIAN EXPRESS did it. The same newspaper, the same company. There was no explanation given whatsoever and even to-day we do not know what exactly was their logic behind it or what the Government think about it.

Basically it is a question of monopoly ownership. You cannot get away from this and when she replies, I would like the Minister to tell us once again since the session is about to end in a day or two as to what has happened to that proposal to bring forward a Bill to diffuse the ownership of these monopoly newspapers. The idia was put forward. There was a big storm in the newspaper circles and we were told that the freedom of the Press is going to be extinguished and a big hullabaloo was created and some Minister came forward with some press statement and so on trying, I think, to allay the fears of these newspaper magnates and saying, 'No, No. It is not a Bill or anything. Just it is an idea that has been thrown out and we will be very careful to see that nobody's legitimate rights are encroached upon.' and so on and so forth.

[Shri Indrajit Gupta]

After that, however, we find that nothing more is being mentioned, about that Bill. When the hon. Minister replies to the debate, I would, therefore, like to know from her whether Government have got any firm decision or not to draft a Bill like that for the diffusion of the ownership of these big monopoly newspapers and whether they will assure the House that such a Bill will in fact be brought forward at least at the beginning of the next session. Without curing this disease which has handed over the bulk of the press of our country to a small group of monopoly-owners, they will never be able piece-meal to solve these questions, namely how to fix prices, what to do with newsprint, what the policy regarding advertisements should be and so on and so forth.

What Shri Anantrao Patil has said on the problems of big and small newspapers is correct. I support the amendments which stand in his name, because if Government are going to specify the factors which should be taken into consideration, then they should specify the factors which he has mentioned as well. Of course, the hon. Minister can say that all that is covered by the phrase 'all other relevant circumstances'. But in that case, nothing need be specified and Government can simply say 'taking all relevant circumstances into account'. But Government have not done so; instead, they have spelt out (a), (b), (c), (d) and so on. In that case, Shri Anantrao Patil has quite correctly, I think, put forward the suggestion that the following factors are also relevant, namely the question of circulation, the number of pages, the relation between space for matter and space for advertisements and whether the newspaper is a big one or a small one. All these factors are relevant, and these are the relevant factors which must be taken into account. I think that they should be spelt out here so that this omnibus clause does not become only a shelter for the newspaper-owners to hide behind and to bring in certain other things. Let the thing be specified as far as possible saying that these are the relevant factors which Government are going to take into account.

These are the suggestions that I want to make. Generally, the Bill is welcome. But it should be strengthened and it should be made more fool-proof and it should not become a sterile thing like the question of

fixing of prices of motor cars, because otherwise we shall be ending up like that in the end. Finally, while supporting the Bill generally, I would request the hon. Minister to consider Shri Anantrao Patil's amendments and see if she can accommodate them or something similar to them at least, and to tell us whether Government are really going to come forward with that Bill for diffusing the ownership of the monopoly newspapers without which this problem can never be solved.

SHRI AMRIT NAHATA (Barmer) : I also welcome the Bill. I feel that this measure has been long overdue.

One of the reasons why the prices were increased during this period of emergency was that the demand for newspapers became inelastic during this period, and everybody wanted to read as many newspapers as possible, and everybody wanted to read each and every newspaper, and, therefore, the demand was inelastic during this period.

AN HON. MEMBER : Not inelastic, but elastic.

SHRI AMRIT NAHATA : No, it became inelastic. The rise in prices could not affect the demand for newspapers during this period of emergency. That is why the newspaper-owners raised the prices. Otherwise, in ordinary times, the tendency of big newspapers is to lower the prices and not to raise the prices, because during the ordinary times, there is competition and the demand is elastic and people tend to shift from one newspaper to another which has a lower price compared to the other one. Therefore, I find that there is some element of contradiction between the declared policies of the Government in general and the particular measure that is being adopted today.

Ordinarily, the entire enlightened public opinion in the country has stood by the demand for price-page schedule, which means that these big chains, the monopoly papers thrust upon us big volumes of paper every morning running to 20 or 25 pages with supplements and yet the prices they charge are very low and the result is that these big newspapers swallow the small newspapers which cannot stand competition with them.



So, in the ordinary state of affairs, it would be legitimate if the newspapers are priced in proportion to the pages they have, and therefore a rise in prices of big business newspapers should be a welcome thing, and it should not be a thing about which we should be concerned. But since during this period of emergency, when everybody wanted to read newspapers, when national interests transcended all other political parties and class interests by and large, the Indian newspaper industry took a commendable restraint, took a very healthy position as regards the national crisis. Except one dirty rag known as *Current*, the treacherous paper which stabbed at the back of the nation effort and the editor of which was detained—and I learn he has been released and even during the period of his detention the editor was kept in a hospital where he could have his whisky,—by and large, the newspaper industry did act with commendable restraint. Almost the entire press had a unanimity and it stood by us, by the people, stood by the Government and it stood by the armed forces.

But I must take this opportunity to draw the attention of this House to a signal failure of our press correspondents, our war correspondents. While the foreign newspaper representatives, foreign photographers, foreign TV representatives, were at the front for taking rare photographs of the actual fighting, we did not see any such photographs in our newspapers. A photograph speaks a lot; columns of articles and letters do not convey anything. I must confess that our press photographers and our war correspondents failed us during this period of crisis. (*Interruption*). But by and large, we must say that the Indian press behaved in a very responsible manner and in a patriotic manner. The most reprehensible thing during this period was this rise in prices. I would request the Government not to worry itself about the prices in future. But the Government must collect all the increases in prices as a levy during this period. Whatever increase in price there has been it must be collected. Suppose a newspaper, instead of one paise, prices it at seven paise, the entire seven paise increase must be collected for the refugees and for the Defence Fund. That would be the correct solution. Or it can be used to compensate or to give a rebate to the smaller newspapers from which the levy may be reduced and these increased prices must be collected by the Government as a levy. How it can be done legally, I do not

know. But the Government must find out a way in future. We expected that the Government would introduce a comprehensive Bill to liberate our press from the monopoly clutches to free the press from the monopoly interests. Today, by and large, our press is not free. It is a slave. We do not have editors as such. We have proprietors, and we do not see editorials in the press. We see only proprietorial in the newspapers. Whatever the jute magnates or the industrial magnates demand, the editors have to write. They are slaves of the proprietors. I would like the Government to free these journalists, the editors, and free the press from this bondage of this big business monopoly. For that, we were told that a comprehensive Bill to diffuse ownership and management of the press would be brought before Parliament. Nothing has been heard of it in this session. We expect that in the next session, the Government will come forward with a comprehensive Bill to free the press and end the monopolists' grip over our press. Only then the freedom of the press shall be maintained in our country.

This is a very minor measure which should have been brought in earlier; after all, a price-rise should not be the concern of the Government. The major concern of the Government should be to liberate the press from monopoly ownership.

**SHRI MURASOLI MARAN** (Madras South): Mr. Speaker, Sir, at the outset, I want to say that this Bill is unrealistic and unwanted at this moment. Formerly, we were given the impression by the Treasury Bench that this levy was going to be a temporary one. Now, the war is over and we are going to have elections to the State legislatures also sooner than later. But at this stage, this Bill is brought forward. I am afraid that this levy on newspaper readerships is going to be a permanent item. That is the impression gained by us.

11.00 hrs.

It is stated in the Statement of Objects and Reasons that there was some kind of special situation in Calcutta, but the Government firmly dealt with that situation and now they have reduced the prices. The same technique can be adopted for all other newspapers all over India. But instead of that, the Government is wasting the time of the House by bringing forward a Bill of this kind.

[Shri Murasoli Maran]

The Bill is unrealistic in the sense that it has not considered the various aspects of fixation of price of newspapers. The newspapers cannot raise their price by the exact price of the excise levy alone. For example in Tamil Nadu we have to pay commission to the wholesale agent, and that agent has to give commission to the retail agent. I am told that in a city like Bangalore all the retailers have formed a powerful association and they insist that they should be given 40 per cent commission. So, this Bill does not take these factors into consideration.

This Bill freezes the prices of the newspapers as they prevailed before 22nd October, 1971. But if somebody starts a new newspaper, he can fix his own price because it does not come within the purview of this Bill. So, this is an escape route for the newspaper people.

Who is going to fix or control the price of newspaper? Is there going to be an impartial Tariff Commission? No. The Government is going to take over the job of fixing the prices. This is highly reprehensible in the sense that Government means so many things. Politics will play a predominant role, and I think they are going to incur notoriety which is unwanted. I suggest that the Press Council may be given the duty of fixing the prices. They will be impartial and they can go into all the factors. The Government, instead of taking up this onerous job on its shoulders, should transfer it to the Press Council as it is a competent body. In the absence of a Tariff Commission, it is a better device.

What are the factors that determine the price of a newspaper? Not only the excise duty, not only its cost. The advertisement revenue is the major source of a newspaper. You are controlling the price, but you are allowing the newspapers, the big monopoly newspapers, to raise their advertisement tariff. You are telling the Goenkas and other press barons that they should not raise their price but they can raise their advertisement tariff, the Government will not stand in their way. That is what the Government wants to tell them by this Bill. That is the impression we get. There is no restriction on those who are earning lots of profit by means of advertisements. The smaller and medium newspapers do not get enough advertisements. The Finance Commission, 1969 says:

"There is no doubt that the advertisement revenue forms an important source of income of the newspapers which in some cases may be as much as 50 to 75 per cent of the total income,"

They derive 75 per cent of their total income from advertisements. This Bill does not stop it. They can play havoc and increase their profit, but Government is closing its eyes to it.

The excise duty on newspapers itself is unrealistic and unwarranted. The purchase tax on newspapers is a tax on the newspaper-reading habit. You could have avoided it and done something else suggested by the Constitution itself. Article 269 envisages that a tax can be levied not only on the sale and purchase of newspapers but also on the advertisements published therein. Here is a tax resource given by the Constitution itself but Government have ignored it. They don't want to touch the advertisements published in big newspapers of monopolists like Mr. Goenka. On the other hand, they are taxing the newspaper reading habit. The Fifth Finance Commission thoroughly went into this question and devoted a chapter to this aspect whether to tax newspaper readers or the advertisements. They came to this firm conclusion:

"Part of the burden of the tax may indirectly fall on the Government of India or the State Governments, unfortunately. We consider that this is *prima facie* a reasonable resource from which additional revenues assignable to States could definitely be raised."

They considered whether to tax the purchase of newspapers, but they have come to the conclusion that it is not advisable because the newspaper reading public is very low in India as compared to other countries. In a democracy, newspaper is a powerful weapon. So, they have said firmly, don't tax the newspaper readers by imposing purchase tax. Instead there is a gold mine: You tax the advertisements. If you do that, the incidence of taxation will fall not on the reader but on the publishers who are giants. Otherwise, those who give the advertisements can afford to pay it. Instead Government has chosen to tax the readers. Sooner this excise duty is removed, the better it will be for democracy in this land.

Sometime ago, we heard much about diffusion of newspaper ownership, but conveniently it was leaked out to the public. Now we are not able to hear such fiery speeches from persons like Shri Raghunatha Reddy or Shrimati Nandini Satpathy. After the mid-term poll, they have come to some kind of understanding. We know that during the mid-term poll, one gentleman wrote that Mrs. Gandhi was a communist. Now he says that Russia is the greatest friend of India and there is nobody else except Mrs. Gandhi who can lead the country. These are boneless creatures. They will fall at your feet today, but tomorrow they will fling at your throat and strangle it. Don't be disappointed. Be awakened to the situation.

We find that everything that is there helps only the big monopoly newspapers. Newsprint allocation, for instance, is devised in such a way that it would help only the big chain newspapers. The smaller and medium newspapers are not at all considered. They are given a newsprint quota and they are asked to get it from the STC. In Madras, when we went to the STC, they said, "There is no stock". So, we have to buy it in blackmarket from the big newspapers. It is devised in that manner. Therefore, I suggest that STC should be asked by your ministry to have buffer stocks, so that always they may be in a position to supply newsprint to the smaller and medium newspapers. Now, newspapers which have a circulation of 15000 and below are exempted from this tax. But at the time Government was considering diffusion of ownership, which leaked out, they said, that newspapers with a circulation of 25000 and less would be considered as small newspapers. Now they have reduced it to 15,000. So, the people worse hit by this taxation is the medium type of newspapers.

I want to point out another lacuna in this Bill. This Bill asks the newspapers not to raise the prices. But there is another possibility. Prices have reached the saturation point. The big newspapers can reduce the prices so that by competition they can kill the small and medium type of newspapers. For example, in the case of a big newspaper in Madras the advertisement revenue is more than Rs. 2 crores. It can supply the newspaper free and yet get profits. This kind of newspapers will reduce their prices just to complete and kill the small and medium newspapers. This Bill has no provision to meet such contingencies.

So, I would request the hon. Minister to drop this Bill and drop the tax itself. You can raise resources in some other way. For example, you can tax the advertisement revenue. But perhaps the Constitution says that the Central Government should collect the tax on advertisements and give it to the States. That is why the Centre is chary of taxing advertisement revenue. You have to reconsider the whole problem and bring forward a broad-based Bill.

श्री शशि नूषण (दक्षिण दिल्ली) : अध्यक्ष महोदय, मैं श्रीमती नन्दिनी सत्पथी को धन्यवाद देता हूँ कि वह यह प्रस्ताव लाईं। मैं चाहता हूँ कि जब भी किसी चीज पर एक्साइज ड्यूटी लगे तब जिस तरह के हमारे देश के हालात हैं उनको देखते हुए बढ़ती कीमतों रोकने के लिये इस तरह का बिल जरूर आना चाहिये। हमारे दूररे मत्रियों को श्रीमती नन्दिनी सत्पथी से सबक लेना चाहिए। चाहे सीमेंट पर एक्साइज ड्यूटी लगे चाहे बीनीं पर लगे, किसी चीज पर भी लगायें, उसकी कीमत मार्केट में वेहिसाब बढ़ जाती है। हमारे देश में जो ब्लैक-मार्केटिजर्स हैं वह हमेशा इस चीज तथा टैक्स बढ़ाने का फायदा उठाते हैं और बड़े अखबारों के मालिक भी उन्ही लोगों में से हैं। इन लोगों ने इस एक्साइज ड्यूटी का भी फायदा उठाया है। यह उनकी आदत है। उन लोगों को कोई ज्यादा नुकसान नहीं हो रहा था, साथ ही देश की जनता डिफेन्स के लिये अखबार पढ़ने के लिये 2 पैसे देने को तैयार है। उसको इसमें कोई ऐतराज नहीं है। जब वह बड़ी से बड़ी कुर्बानी कर सकती है तब उसकी 2 पैसे अधिक देने में कोई दिक्कत नहीं है। लेकिन इस तरह की चीजों का फायदा उठाना जो मोनोपोलिस्ट हैं उनकी आदत है, चाहे वह जूट के मालिक हों चाहे दूसरे अखबार मालिक हों, इस युद्ध संकट में देश की सेवा के बजाय उन्होंने चीजों की कीमतें बढ़ाई हैं। सब लोगों ने साथ दिया है, देश की जनता ने साथ दिया है, लेकिन ब्लैक-मार्केटिजर्स ने अपना काम जारी रखा। चूंकि इस तरह की बढ़ती कीमत को कर्ब करने के लिये यह बिल लाया गया है इसलिये मैं सच्ची महोदय को धन्यवाद देता हूँ।

[श्री शक्ति भूषण]

और कहना चाहता हू कि जब भी किसी चीज पर एक्साइज ड्यूटी लगे तब इस प्रकार का बिल हमेशा लाया जाये ताकि कीमतें बढ़ें नहीं। कीमतों को बढ़ने से रोकने के लिये सरकार के पाम कोई न कोई हथियार जरूर होना चाहिये। इस दिशा में यह प्रस्ताव एक ऐतिहासिक कदम है।

जहां तक मोनोपोली प्रेस की आदत को बदलने का सवाल है, बहुत दिनों तक इस विषय की चर्चा चली। कई वर्षों से प्रेस बिल को लाने की बात चल रही है। फिर यह हुआ कि उस पर विचार हो गया है, संकलित हो गया है, लेकिन पता नहीं वह प्रेस बिल कहा खो गया। मैं नहीं समझता कि मंत्री महोदय किसी दबाव के कारण प्रेस बिल को नहीं ला रही हैं। हो सकता है कि कोई कानूनी देख रेख की विकल्प हो। मुझे विश्वास है कि जो दूसरे मंत्रालय है वह उनको सहयोग देंगे और प्रेस बिल यहां पर जल्दी आयेगा।

सरकार ने न्यूज एजेंसीज का कारपोरेशन बनाने का बहुत दिनों से वादा किया था क्योंकि न्यूज एजेंसियों में इस कदर करप्शन बढ़-इन्तजामी चल रही है जिसका ठिकाना नहीं है, चाहे वह पी टी आई की शाखों हो या दूसरी एजेंसी का अधुरापन हो। मैं चाहता हू कि मंत्री महोदय न्यूज एजेंसी का कारपोरेशन बनाने के लिये जल्दी से जल्दी प्रस्ताव लायें। बहा न्यूज एजेंसी में काम करने वाले जो पत्रकार हैं या दूसरे कर्मचारी हैं वह सरकार की तरफ देख रहे हैं। सरकार जहां इतने समाज-वादी, प्रगतिशील कदम उठा रही है और सही दिशा में उठा रही है, वहां वह अखबारों में मोनोपोली को कन्ट्रोल करने के लिये भी जल्दी से जल्दी प्रस्ताव लाये। हो सकता है कि इन्फ्लेक्सी के कारण इस तरह का जरूरी बिल अब तक न आ सका हो, लेकिन हम आशा करते हैं कि अब वह जल्दी ही लाया जायेगा।

एक सप्तेन हमारे श्री० इन्० के० के

साथी ने दिया कि ऐडवर्टाइजमेंट्स पर जरूर टैक्स लगाया जाना चाहिये। मोनोपोली प्रेस बहुत ज्यादा ऐडवर्टाइजमेंट्स निकाला करते हैं। मैं समझता हू कि ऐडवर्टाइजमेंट्स के बारे में जरूर कोई न कोई कदम उठाया जाना चाहिये। अगर छोटे अखबारों को इससे कोई विकल्प होती है तो सरकार उनको ऐडवर्टाइजमेंट्स दे कर उनको सहायता कर सकती है। मोनोपोली प्रेस में जो ऐडवर्टाइजमेंट्स आया करते हैं वह ज्यादातर बड़े-बड़े मिल-मालिकों से आते हैं, इंडस्ट्रियलिस्ट्स से आते हैं। इस लिये बहुत अच्छा सजेशन है कि जो ऐडवर्टाइजमेंट्स होते हैं उन पर ज्यादा से ज्यादा टैक्स लगाया जाये क्योंकि ऐसा न होने पर अखबार के मालिकों को तो फायदा होता है, एक जेब से दूसरी जेब में पैसा जाता है, लेकिन सरकार को नुकसान होता है।

मैं कहना चाहता हू कि प्रेस के अधिकारों को भी बढ़ाना चाहिये। जो लिखने वाले हैं, उनके अधिकार भी बढ़ने चाहियें, लेकिन अगर वह राष्ट्र के इम्तहान के समय अपने अधिकारों का दुस्प्रयोग करते हैं तो उसके लिये सरकार को सख्त कदम भी उठाने चाहियें। पिछले दिनों "करेंट" ने दो तीन आर्टिकल लिखे। मुजीबुर्रहमान से भी कहलाया कि वह पाकिस्तान के दो टुकड़े नहीं चाहते। कहा कि वह पुराने मुसलिम लीगी है। मैं इस समय उस सारी बात में नहीं जाना चाहता, लेकिन मैं समझता हू कि महाराष्ट्र सरकार ने "करेंट" के एडिटर की सेवा ही की है कि उन्हें थोड़े दिनों के लिए बन्द कर दिया और जनता के हाथों से बचा लिया, वना जिस ठग से इम्बई में डिमांस्ट्रेशन हो रहे थे, जिस ढंग से जनता में "करेंट" के खिलाफ रोष था, वह समाप्त न होता और भड़क जाता। लेकिन अन्य पत्रकारों से पूरी तरह से वैसा को सहयोग दिया है। बहुत से वार-करेस्पॉन्डेंट अपनी जान पर खेल कर बनना वैसा से बचे और बहुत अच्छा हक अदा किया। मैं चाहता हू कि अगर यह अखबार मोनोपोलिस्ट के साथ न रहें जो पत्र-

कार लोग देश की और अधिक सेवा कर सकते हैं।

मंत्री महोदय पत्रकारों की सहायता के लिये जल्दी ही बिल लायें। वह इस समय जो बिल लाई है, उस कदम के लिये मैं फिर उनकी सराहना करता हूँ।

**SHRI SHYAMNANDAN MISHRA** (Begusarai) : Mr. Speaker, Sir, I shall confine myself to the price aspect of the problem to which the Bill is devoted. It does seem to me that the assumptions behind the Bill do not seem to justify such a measure. There may be other reasons for a measure of this kind, but the justifications which the Government have advanced do not seem to be adequate enough.

The first assumption is that previous to the imposition of excise duty that is, before the 22nd day of October, 1971, the prices were all right. Secondly, the newspapers having circulation above 15,000 have been the villains of the piece and that other newspapers have not been offenders in this respect. Thirdly, if the price is limited to the excise duty, there can be no objection to it. If that is so, a comprehensive measure of this kind may not be considered to be justified. All newspapers having circulation of less than 15,000 are being brought under the purview of this Bill, that is, those who do not have to pay the excise duty and so on are also being brought under the purview of this measure. Therefore, I should say, this instrument can be used in a manner which may not be in consonance with the freedom of the press. It may well be that the price control is made an instrument for news or views control. That fear is aroused because Government takes upon itself the responsibility for fixation of price. The Government may not have the necessary experience or expertise in this matter and yet it takes upon itself the responsibility for the fixation of price.

With regard to other commodities, there are bodies which have got necessary expertise and they are asked by the Government to fix the prices. So, I would express my agreement with the view that only a body like the Press Council, which also will have to develop a particular section with necessary amount of expertise in this matter, should be entrusted with the task of fixing prices. (Interruptions) But the Government taking upon itself the

responsibility of fixing the prices seems to me a very onerous responsibility and the Government, in the process, may be lending itself to the charge that it is using this instrument in a coercive manner.

I would also like to suggest that if the Government thinks that in some other respects also, that is, in respect of the newspapers which have got very low circulation, they have a duty in this matter, I should think that this Bill will prove to be a measure which would come in the way of coming up of the newspapers with very low capital.

I do not know whether this kind of instrument can also be placed in the hands of the State Governments or whether the State Governments also may not come up with a measure—I do not know about the constitutional position—but if the State Governments also come forward with measures of this kind, then it will be a great force in their hands.

I would express myself in agreement with the view that in some of the newspapers they have been rather exceeding the limit so far as the prices fixed for them are concerned and in that respect I would like to suggest that the Government should come forward with some kind of a list of the newspapers which have been responsible for this. Even, with regard to the illustrations that have been given by the Government, it does seem to me that these newspapers corrected themselves after some time and they did not impose that kind of price upon their newspaper readers later on. So, the principle seems to be very much limited but the powers that are sought to be taken, seem to be very vast.

**SHRIMATI NANDINI SATPATHY** : I am grateful to the hon. Members for the support they have extended to the Bill in general. Certain suggestions have been given by some of the hon. Members and some apprehensions have been expressed by other members.

While supporting the Bill, the hon. Member, Mr. Patel, pleaded for the Price Page Schedule. He did not do it here only, he was doing it for some time and also the amendment that he has brought up is connected with the same thing. I would like to mention here that we have taken this thing into consideration and we are quite aware of the fact that unless the price is related to the

[Shrimati Nandini Satpathy]

page, it will be very difficult for us as well as for the readers as far as the newspapers are concerned. So, we have taken this factor into consideration. Whether we will bring it in some form or in a different form, is a matter to be considered still.

As far as the tax on advertisements is concerned which Mr. Murasoli Maran has suggested, I would like to mention here that we have also taken this factor into consideration and the Government is very seriously thinking about this.

Some of the hon. Members here expressed the view that the small and medium newspapers should be helped and helped in a proper manner. I fully agree with all those hon. Members and I hope the hon. Members are quite aware of the fact that it is the pronounced view of the Government to help the small and medium newspapers in all possible manner. But, I have no hesitation to admit here... (Interruption)... that in spite of certain efforts, we have seen that uptill now it was not possible for us to fully help the small and medium papers. I mean to say that we could have helped them as much as possible. But, still it is our constant effort and we are all the time on the move to see that the small and medium newspapers are helped and helped in a proper manner. As far as this aspect is concerned, I would like to say that regarding the newsprint and regarding the advertisements, we have taken proper care to see that the small and medium newspapers are helped.

SHRI R. S. PANDEY (Rajnandgaon) : May I know from the hon. Minister whether the Government is considering the appointment of a commission to determine advertisement income and the cost of production in order to fix prices?

SHRIMATI NANDINI SATPATHY : This suggestion has been made a number of times; it is something which should be taken into consideration in the future.

Some hon. Members have expressed their apprehensions about black marketing in newsprint as well as newspapers showing an inflated figure. With the limited machinery that we have got at our disposal we are trying our best to see that there will not be blackmarket-

ing in newsprint. We are trying to put all possible checks to see that there are no inflated figures given to the Government by the newspapers. We are trying to develop this machinery so that we can have a proper check on the newsprint, which is rather like gold to us, and about the inflated figures of circulation.

Hon. Member Shri Indrajit Gupta referred to diffusion of ownership and the Press Bill which was so much talked about. I can assure the House that it has not been shelved. During this session a number of questions have been raised by hon. Members to which we have given answer that an informal group of Ministers had been asked to look into the matter in detail and as soon as they have finished a proper study of the whole situation, Government would look into the matter and I hope that something will be possible within a short time.

SHRI INDRAJIT GUPTA : After they have gone into the matter, you will go into the matter? Will you bring a Bill in the next session or not?

SHRIMATI NANDINI SATPATHY : It is difficult for me to say whether it will be possible for us to bring it in the next session or not. I do not say that it will not be possible. At the same time, I want to repeat that a group of Ministers are informally going into the matter... (Interruptions) As soon as we have examined the whole thing, something will be decided. We have not shelved it and we have no intention of shelving it.

Some Members say that now that the war is over, there is no need to have this levy on the newspapers. I think this feeling is not correct. Hon. Members are aware that the present phase is over; still the country is passing through difficult times as far as the economic situation is concerned. It is for the Finance Ministry to take a decision on it.

Hon. Member Shri Murasoli Maran expressed his apprehensions and said that while deciding about these things, politics will come into play and newspapers may have to suffer. Some other Members also expressed the view that politics will play a dominant part while deciding about the price. I want to assure the House—I think the House is

aware—that with regard to advertisement and newsprint all these years Government have seen that no partisan political attitude was taken anywhere. No politics will come into play in this matter. This has got very limited implication ; this is an enabling Bill which will simply give power to the Government. If the newspapers on their own reduce the price, then I hope the Government will not have to do anything in this matter.

In my introductory remarks I appealed to newspapers and I take this opportunity again to say that they should see that price does not increase beyond the two paise levy. While mentioning about this I think I have also discussed this point about the price increase. The newspaper people have said that the increase has got something to do with the increased cost, particularly increase in the price of newsprint. Shri Indrajit Gupta said that we had not said anything on why they have raised their prices. I mentioned that the reason given by the newspapers was the increased cost, increase in the price of newsprint and because of that they have increased the price. I have made this appeal earlier, today also I say that if there is anything like that we can go into the whole thing ; it should be related to the real increase of anything ; it cannot just be arbitrary ; they cannot raise the price without having any relation to the situation.

**SHRI INDRAJIT GUPTA :** That means that you admit that the cost of newsprint might have gone up.

**SHRIMATI NANDINI SATPATHY :** It has gone up.

**SHRI INDRAJIT GUPTA :** It did not go up in Bombay, only in Calcutta ?

**SHRIMATI NANDINI SATPATHY :** There should be some uniformity, some relationship. The price of newsprint has gone up but they should not have done like this. There should be some uniformity. I do not want to impute any motive but I should say that they should not have done so at this moment when the country was facing a threat of aggression. . . . (*Interruptions*)

A point was raised by Shri Amrit Nahata and Shri Shashi Bhushan ; they have made certain suggestions which are really encouraging to us I hope those suggestions will help us in taking certain decisions and fur-

ther steps. With these words I commend the Bill to the House.

**MR. SPEAKER :** There are no amendments except amendment No. 1 to clause 3. There are no amendments to the consideration motion.

**SHRI ANANTRAO PATIL :** May I once again request her to accept my amendment and incorporate it in any form.

**SHRI INDRAJIT GUPTA :** We want a division on this amendment.

**MR. SPEAKER :** Today we have a lot of work to do. We have accepted that we would not take much time on this. I find that some hon. Members have sent their names for the third reading also. I hope that they would be very brief and confine themselves to one or two minutes only.

**SHRI JYOTIRMOY BOSU :** Kindly give me five to seven minutes, because I have some important points to make.

**MR. SPEAKER :** The next Bill, namely the Constitution (Twenty-seventh Amendment) Bill is just a formal one in nature, but I know that Members would still like to speak on it, and in fact, some Members do want to speak on it. So, I hope that those who want to speak on the third reading will be very brief.

The question is :

“That the Bill to provide for the control, in the interests of the general public, of the prices of newspapers with a view to ensuring that newspapers continue to function in the prevailing conditions, as effective mass communication media and for securing their availability at fair prices, be taken into consideration.”

*The motion was adopted*

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

“That clause 2 stand part of the Bill.”

*The motion was adopted*

*Clause 2 was added to the Bill.*

**Clause 3** (*Power to fix maximum prices of newspapers*)

MR. SPEAKER : There is an amendment to this clause standing in the name of Shri Anantrao Patil. Is he moving it ?

SHRI ANANTRAO PATIL : The hon. Minister in the course of her reply agreed in principle, but I would request her to give an assurance that all these points will be taken into consideration in fixing up the maximum price.

MR. SPEAKER : So, he is withdrawing it ?

SHRI JYOTIRMOY BOSU : No, there is no leave of the House to withdraw it. I am a known dissenter.

SHRIMATI NANDINI SATPATHY : I have already mentioned that we have taken these factors into consideration, though not exactly in that form, but the entire idea would be brought into the picture . . .

SHRI INDRAJIT GUPTA : When ?

SHRI JYOTIRMOY BOSU : Let the hon. Minister move her own amendment.

SHRIMATI NANDINI SATPATHY . At the time of fixing the prices, we shall definitely take these things into consideration. I had said this earlier, and again I assure the hon. Member that we shall take these things into consideration.

SHRI JYOTIRMOY BOSU : If she wants to do something, she can move an amendment here and now, and let it be put before the House.

MR. SPEAKER : It is too late now.

SHRI ANANTRAO PATIL : I am not pressing the amendment.

SHRI JYOTIRMOY BOSU : I dissent to his withdrawing the amendment from the House. I am dissenting, So, you may put it before the House.

MR. SPEAKER : But he has withdrawn that amendment.

SHRI ANANTRAO PATIL : I have not moved the amendment. So, how does the question of withdrawal arise ?

MR. SPEAKER : He has not moved it at all ?

SHRI JYOTIRMOY BOSU : But then he got up and spoke on the amendment. He made a speech on it. What is he saying now ?

MR. SPEAKER : He says that he did not move it. When I called clause 3 . . .

SHRI JYOTIRMOY BOSU : He got up and made a speech.

MR. SPEAKER : He says that he has not moved it. When he spoke in the first reading, he referred to it, but that was not the stage of moving the amendment. On clause 3, when the hon. Minister has given certain assurances, he has said that he has not moved the amendment. So, what am I to do now ? I have to accept what he says namely that he has not moved the amendment.

SHRI JYOTIRMOY BOSU : He had said just a little while ago that he was withdrawing it. That proves that he had moved it. So, you cannot treat the House in this way.

MR. SPEAKER : When he says that he has not moved it, what should I do ?

SHRI JYOTIRMOY BOSU : He has moved it. You may kindly check up from the record.

SHRI INDRAJIT GUPTA : He has said that he is not pressing it. That means that he has moved it and he is not pressing it to a vote. But we want to press it to a vote.

SHRI ANANTRAO PATIL : May I clear the position ? Before moving the amendment, I asked the hon. Minister to give an assurance, which she did, and, therefore, I did not move it.

SHRI JYOTIRMOY BOSU : I beg your pardon, Sir. It is on record that he has sought to withdraw it. What does he want to withdraw ? Surely, he wants to withdraw something which he has moved ?

MR. SPEAKER : He has said that he is not moving the amendment. He categorically says that. So, what am I to do ?



SHRI JYOTIRMOY BOSU : Kindly go through the record. He said 'I withdraw it'. That means he had moved it.

MR. SPEAKER : Kindly do not do like this.

SHRI JYOTIRMOY BOSU : Kindly put it before the House.

MR. SPEAKER : What shall I put ? There is nothing to be put.

SHRI JYOTIRMOY BOSU : Then what did he withdraw ?

MR. SPEAKER : The question is :

"That clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

SHRI JYOTIRMOY BOSU : This is out of order.

SHRI INDRAJIT GUPTA : This is undermining the whole value of the Bill.

MR. SPEAKER : He has undermined himself !

The question is :

"That clauses 4 to 9, Clause 1, the Enacting Formula and the Title stand part of the Bill."

*The motion was adopted.*

*Clauses 4 to 9, Clause 1, the Enacting Formula and the Title were added to the Bill.*

SHRIMATI NANDINI SATPATHY : I beg to move :

"That the Bill be passed."

MR. SPEAKER : Motion moved :

"That the Bill be passed."

SHRI JYOTIRMOY BOSU : May I say 'better little than nothing, better late than never'. This trouble and defiance started from the total monopolistic control of the Indian newspaper industry mainly by 7 groups which control 80 per cent of it. They are the

Birlas, Sahu-Jains, Goenkas, Mafatlals, Tatas, Statesman and others. There are 650 dailies and 10,000 weeklies out of which 7 groups, as I said, control 80 per cent of the circulation.

The price-page schedule was defied. No Bill has been brought forward to reintroduce it. Newspapers do not reach our millions. This is standing in the way of our national progress. It is a medium for education. But the readership is abnormally low. On 8-7-71, Shrimati Satpathy said that Government would be bringing forward measures and enactments for curbing monopolies and other things. May I ask what has happened to that assurance ?

I charge this Government with acting as the saviour of the monopoly press who in return are the saviours of Shrimati Gandhi and her party. That is why Shrimati Gandhi retains the portfolio herself so that she can control even newspaper monopolists easily through advertisements, quotas of newsprints, bank and LIC advances. Nothing has been done to control them ; on the other hand, 75 per cent of the advertisements has gone to 10 big ones. The remedy is to destroy the monopoly. What about the Newspaper Finance Corporation Bill which was introduced in this House ? It has been shelved. Is it a fact that the Prime Minister is sitting over the Bill ?

Now Government are confusing the people with diffusion of newspaper ownership. It has in fact led to concentration of ownership. On 8-7-71 Shrimati Satpathy said that the Bill had been referred to the department of Company Affairs. We want to know here and now what has happened to that.

Even today 60 per cent of the newsprint is imported. There has been no growth of the newsprint industry. There is widespread black-marketing prevailing. The *Anand Bazar Patrika* was caught redhanded ; but it was allowed to go. The *Basumati* edited by a Congressman, Shri Asok Sen, was also caught redhanded indulging in blackmarketing. But nothing has been done. Shri P. C. Verma got a quota but never brought out a paper. Nothing has been done about it.

I have sent the details of the black market prices to the Minister. But so far, no reply has come. A tonne of newsprint costs Rs. 1,400 at the controlled price, but it has been sold in the black market at Rs. 2,500 to

[Shri Jyotirmoy Bosu]

Rs. 3,000. One group got 24,200 metric tonnes of newsprint in one year, 1969-70, whereas 220 small dailies and 1,096 weeklies got only 22,323 metric tonnes of newsprint. Seven big groups of big monopolists grabbed 88,559 tonnes of newsprint.

Is it true that out of a total advertisement of Rs. 50 crores, only four per cent was given to small newspapers? In the public sector, advertisements to the extent of 85 per cent went to the big press, and only 15 per cent to the smaller ones. Ten large papers alone get 75 per cent of the advertisements. The private sector gives Rs. 30 crores of advertisement per year, and the Government finance one group, the paid-up capital of which is Rs. 1.2 crores, to the extent of Rs. 10.6 crores which was borrowed. The *Anand Bazar Patrika* gets Rs. 60 lakhs from the public sector financial institutions.

What has happened to the Press Commission? It was constituted 17 years ago, and Mr. Gujral promised last year that there would be a second Press Commission, but it is yet to be fulfilled.

I would like to have a reply on all these points.

SHRI D. K. PANDA (Bhanjanagar): Sir, the present problem is very simple. But the whole thing has been some what complicated by the Government. The Bill's objective as is stated, is quite clear. We could have put a ban on further increases beyond the excise duty. That would have been a simple thing. As for the maximum price that is going to be fixed and the manner in which it is going to be fixed, the criterion that has been fixed under this Bill—all these leave a lacuna. Under clause 3(2) (d), "all other relevant circumstances" have to be taken into consideration. We are quite clear about the car prices order, which was struck down by the Supreme Court and 16 per cent return that was argued about was upheld and 12 per cent return was stoutly rejected. One can very well imagine that the same shall arise and this very Bill cannot stand the scrutiny of the Supreme Court because the emergency is going to be lifted and after withdrawal of the emergency, Article 19 will no longer remain in suspension.

We are very well aware how the tycoons, all the monopolists, big press-owners, have been already conspiring to see that the 24th, 25th and 26th Constitution (Amendment) Bills are struck down. There was also a conspiracy to set up only a small newspaper editor or a small journalist to see that all these three big constitutional amendments are struck down.

So, I would like to draw the attention of the entire House and the attention of the hon. Minister to the very fact that already there is a.\*\*

MR. SPEAKER: Order, order. I am not going to allow this. This will be expunged.

SHRI D. K. PANDA: This is relevant to what has happened; the proceedings, etc. (*Interruptions*).\*\*

Therefore, I plead that let there be an appropriate tribunal for the fixation of prices under this Bill.

MR. SPEAKER: I am so sorry. This imputation will not be allowed on the record.

Now, the question is...

SHRI JYOTIRMOY BOSU: Sir, the Minister should reply. She is there.

SHRIMATI NANDINI SATPATHY: I think the points raised by Shri Jyotirmoy Bosu are all of a general nature. They have got nothing to do with the particular Bill. Also, I may say that I have replied to most of the points while I was moving for the consideration of the Bill.

As far as the Press Bill is concerned, I have already said that we are considering it, and the Bill relating to Newspaper Finance Corporation is ready.

It is not correct to say that the Prime Minister is sitting on the file. Certain other things are to be done; that is why it has been delayed. It is coming in the next session. Mr. Bosu should not read politics into everything.

About the Press Commission—I do not

\*\*Expunged as ordered by the Chair.

know whether I have referred to this matter in this House on an earlier occasion in the Rajya Sabha I replied that the Government was considering the setting up of a Second Press Commission at this moment.

MR. SPEAKER : The question is :

"That the Bill be passed."

*The motion was adopted.*

11.52 hrs.

MOTION RE: SUSPENSION OF PROVISIO  
TO RULE 66

MR. SPEAKER : Before we take up item No. 17, namely, the Constitution (Twenty-seventh) Amendment Bill, we know that it is very much inter-dependent on item 18.

We have to go through the procedure of suspending the proviso to Rule 66.

SHRI S. M. BANERJEE (Kanpur) : I do not know how far it is correct but there seems to be another Constitution Amendment Bill, 28th Amendment. There is only one day left.

MR. SPEAKER : That is why I am saying that the motion for suspension of the proviso to rule 66 has to be moved, because we are at the fag end of the session and I wonder if we would be able to sit beyond tomorrow. So we must be cautious about these formalities. Shri K. C. Pant will move that motion now.

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
K. C. PANT) : I beg to move :

"That this House do suspend the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for consideration and passing of the Constitution (Twenty-Seventh Amendment) Bill, 1971 in as much as it is dependent upon the North Eastern Areas (Reorganisation) Bill, 1971."

MR. SPEAKER : The question is :

"That this House do suspend the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for consideration and passing of the Constitution (Twenty-Seventh Amendment) Bill, 1971 in as much as it is dependent upon the North Eastern Areas (Reorganisation) Bill, 1971."

*The motion was adopted.*

11.54 hrs

CONSTITUTION (TWENTY-SEVENTH  
AMENDMENT) BILL

THE MINISTER OF STATE IN THE  
MINISTRY OF HOME AFFAIRS (SHRI  
K. C. PANT) : Sir, I beg to move :

"That the Bill further to amend the Constitution of India be taken into consideration."

Last week when the House considered the North Eastern Areas Reorganisation Bill, 1971 I had given the broad details of the composite scheme of reorganisation proposed for the northeastern areas. The present Bill seeks to give effect to certain aspects of the scheme. We have also simultaneously studied the recommendations made by the Administrative Reforms Commission on the administration of Union Territories with legislatures and felt that the present opportunity should be availed of to give effect to those recommendations also.

Clause 2 of the Bill seeks to amend article 239A so as to include Mizoram in that article in order to enable this House to pass a law providing for the creation of a legislative assembly and a council of ministers in that Union Territory. This is part of the scheme of reorganisation. When the Manipur Hill Areas District Councils Bill of 1971 came up before the House I had indicated that we shall make a provision for continuing the hill areas committee of the legislature. This was a part of the safeguard intended for the tribals in Manipur. Clause 5 of the Bill seeks to give effect to this intention. Ordinarily the hill areas could have been declared as