

[Dr. K. L. Rao]

sible to pass this amendment. I should only add that the hon. Members who had participated in the third reading stage have raised so many problems and made so many suggestions that I feel tempted to say that the irrigation which is only 25 per cent in the country today should be increased as rapidly as possible to a much higher percentage. I am sure all the hon. Members will give the necessary assistance.

MR. DEPUTY SPEAKER: The question is:

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

The motion was adopted.

15.43 hrs.

PRESS AND REGISTRATION OF BOOKS (AMENDMENT) BILL

THE MINISTER OF INFORMATION AND BROADCASTING (SHRI K. K. SHAH): I move:

"That the Bill further to amend the Press and Registration of Books Act, 1967, as passed by Rajya Sabha be taken into consideration."

This Act was amended in 1965 and it came into operation on 1st November, 1965. Applications had to be filed before December 1965. Unluckily on account of the Pakistani war, the application could not be filed and the formalities cannot be gone through by the Jammu and Kashmir Government. The amending Bill extends the time till December 1968 for filling the application.

15.44 hrs.

[SHRI THIRUMALA RAO in the Chair]

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Press and Registration of Books Act, 1967, as passed by Rajya Sabha, be taken into consideration."

Shri Kothari.

SHRI S. S. KOTHARI (Mandsaur): I am grateful to you for permitting me to speak on this Bill. I would request the hon. Minister to ensure that the retrospective effect which he wants to give to the Bill would be legally valid. The Bill states that "... and shall be deemed always to have been substituted." In view of these words, I would suggest that he should kindly examine this aspect of the matter.

Sir, how long are we going to pass Act after Act extending individual Indian laws to Jammu and Kashmir? It is a grave indictment of this Government's policy that over a period of 20 years, it has failed to integrate Jammu and Kashmir into India. The other day, when the hon. Speaker was speaking, he made a point; I would not like to repeat what he said, but a legitimate question arises as to how long are you going to depend upon the support of international powers with regard to Kashmir. Already dark clouds are visible on the international horizon. I would submit that steps should have been taken by this Government to integrate Jammu and Kashmir into India. Actually, had they exercised their imagination it should have been possible to encourage the Kashmiris to come and settle down in India and also to enable other Indians to go and settle down in Kashmir. The complexion of the population would have changed and probably the Kashmir problem would not have been there now... (*Interruption*)

I would suggest that the Constitution should be amended to provide that this artificial distinction between Jammu and Kashmir and the rest of India is removed completely; once and for all Kashmir must be completely absorbed by India as an integral part, and the international powers should not be allowed to play with this problem as they appear to be doing.

It is on account of the ineptitude of this Government that this Bill has been brought before Parliament today. In 1965 Parliament had passed an Act

providing that within two months from 1st November, 1965 when that Act came into force, the various presses in Jammu and Kashmir and the printers and publishers were to file fresh declarations with the Registrar of Newspapers, but nothing was done. The provisions of an Act of Parliament, of this sovereign Parliament, have remained a dead-letter in law for a period of two years and today the Minister wakes up and comes here and says, "You have to pass this Bill." Actually, during this period, the irresponsible section of the press—I do not say the whole press—in Jammu and Kashmir, particularly Kashmir, has poured out scurrilous propaganda against India, and it has hurled invectives and abuse with the consequence that the process of integration has received a setback on this account.

What control can the Central Government exercise if the newspapers are not even registered with the Registrar of Newspapers? I would put forward a constructive suggestion to the hon. Minister, and that is, there are many good, intellectuals in India and also in Jammu and Kashmir who may lie to bring out newspapers but who do not possess the necessary resources for doing so. Why does not the Central Government come forward and establish both in India and particularly in Jammu and Kashmir, presses which would provide printing service to those who want to bring out newspapers by printing them at a reasonable, nominal cost I do not see why such an important matter has not come to the notice of the Government or has not struck them. Now that this suggestion is being put forward, Government should seriously examine whether they can allocate a sum of Rs. 50 lakhs or even a crore of rupees and establish a number of presses—four to five—where daily and weekly newspapers could be printed on reasonable charges so that the people could bring out newspapers at a moderate, recurring cost. This will strengthen the democratic processes in this country and it would also sustain the

freedom of speech and thought in a better manner in this country.

I would next like to say something about the Registrar of Newspapers. He determines the newsprint quota for various newspapers in this country, but it that appears he does not possess sufficient staff to check correctly the circulation of several small newspapers. The consequence is that sometimes the distribution of newsprint is injudicious and a part of the newsprint finds its way into the black market. They should be checked. If the necessary staff cannot be given to him, why not hand over the distribution of newsprint to the Ministry of Commerce to get rid of this problem once for all?

Here again it is an indictment on this Government that after 20 years we are not able to produce in this country the amount of newsprint that we required for our newspapers and a substantial amount of foreign exchange has still to be expended in importing it. It is necessary that the manufacture of newsprint should be encouraged and Government which is always so keen and eager to extend the public sector may also look into this aspect self-sufficient in newsprint.

MR. CHAIRMAN: He should confine himself strictly to the clauses of the Bill. The Business Advisory Committee recommended only 1 hour for this Bill and I have score of names here.

SHRI S. M. BANERJEE (Kanpur): I am a member of the Business Advisory Committee. They fixed the time for this Bill as 1 hour because of limited time available for other Bills. But they never restricted the scope of the discussion.

SHRI S. S. KOTHARI: While giving advertisements, the State Governments discriminate against those papers which are critical of the Government. It is unfortunate that the Central Government refers to the State Governments for their opinion about giving advertisements to small and language

[Shri S. S. Kothari]

newspapers. The consequence is, those papers which exercise their right to express free and frank opinions on issues and to be critical of the Government where necessary, are unfairly discriminated against. Therefore, the Central Government should not make an reference to the State Governments unless it is absolutely necessary. The quality of the paper and the circulation should be the determinants.

MR. CHAIRMAN: He should refer only to matters which are relevant to the Bill. Advertisements and newsprint are not relevant.

SHRI S. S. KOTHARI: They are connected with press and registration of books and with regard to the extension of the law to Jammu and Kashmir. The Information and Broadcasting Ministry has been giving discriminatory treatment in favour of Jammu and Kashmir. Actually a sum of Rs. 1.70 crores has been allocated for providing TV for Srinagar, Bombay, Calcutta and various other cities in India do not possess TV.

MR. CHAIRMAN: I have to call you to order. You should conclude now.

SHRI S. S. KOTHARI: I am concluding. There should be no special treatment for Jammu and Kashmir, no discrimination in favour thereof and the special status of Jammu and Kashmir must go. There must be integration and not appeasement of Kashmir.

SHRI INDER J. MALHOTRA (Jammu): Mr. Chairman, Sir, at the very outset I would welcome this amendment which the hon. Minister has brought before the House because this would bring the press and publication in Jammu and Kashmir on a par with the rest of the publications in other parts of the country. There is not much which one could say about this particular amendment of the Act.

I would like to mention only one or two points. This was also amended about two years back. I would like to

know what actually happened in that period. I would like the Minister to clarify whether the delay was on the part of the State Government or the Central Government.

My hon. friend, Shri Kothari has raised a number of points regarding Jammu and Kashmir. I am really pained to see that a responsible person like him says that press in Jammu and Kashmir State is irresponsible.

SHRI S. S. KOTHARI: I said only "a part of the press".

SHRI INDER J. MALHOTRA: I would like to tell him that the press and publications in Jammu and Kashmir are run by patriotic people. They have never done anything irresponsible although there had been so many moments of great tensions in the State of Jammu and Kashmir. The press in Jammu and Kashmir State is as good or as bad as the press is in other parts of the country. There is no difference at all.

Time and again, whenever this kind of amending Bills come before the House, hon. Members, especially hon. Members belonging to the Jan Sangh Party, always raise the question of complete integration of the State with the rest of the country once for all. We have also pressed the Government to do this and the Government has made its policy very clear that as far as the State's relationship with the rest of the country is concerned there is no legal hitch or any difficulty or difference compared to the position obtaining from any other State being part of the country. I do not see why every day we should raise this question of Jammu and Kashmir State being an integral part of India. I basically agree with him that this House has to take a decision some day what legal steps we should take by which the Government need not come before the House over and over again with these small amendments. I agree with him in principle, but in the garb of this thing he has mentioned so many things about Jammu and Kashmir.

He said that the complexion of the population should have been changed. I cannot understand the thesis or theory of Jan Sangh when he says that the complexion of the population should have been changed. You want to change the faces of the people who live in Jammu and Kashmir State? First you change your own face, first you change the complexion of the population of your own State in which you live, first you change the complexion and attitude of the population of Uttar Pradesh, first you change the complexion and attitude of the people who create communal troubles in various parts of the country and then talk about Jammu and Kashmir. Why do you blame the people of Jammu and Kashmir and say that their complexion has to be changed?

Sir, with great pain I had to mention all these things because Shri Kothari raised all these points. Finally, I would request the hon. Minister that after this amendment is passed he should see that all these things are completed in time. He need not come before the House again for another extension of time.

SHRI LOBO PRABHU (Udipur): Mr. Chairman, Sir, I am speaking at very short notice from the party to which I happen to belong, but I happen to be a subject of this Act and, therefore, what I speak I speak from the heart what I have suffered.

Mr. CHAIRMAN: May I enquire from the hon. Member whether he has gone through the Bill?

SHRI LOBO PRABHU: I have gone through the Bill. Do not think I have been in the habit of neglecting my duty.

16 hrs.

SHRI SRINIBAS MISRA (Cut-tack): When he speak from the heart, does he not neglect his duty?

SHRI LOBO PRABHU: That depends. Some people only speak from the head.

SHRI SRINIBAS MISRA: That you also do.

SHRI LOBO PRABHU: We have a most charming and benign minister, a minister who is not only charming with the press but is also very charming with his colleagues. Yesterday he sacrificed the press to the Minister of Labour. When the question arose as to how the presses could exist in the country with a constant escalation of the charges on the staff, the Minister of Information and Broadcasting... (Interruption)

MR. CHAIRMAN: You must confine yourself to the merits of the Bill.

SHRI LOBO PRABHU: I am coming to the merits of the Bill.

MR. CHAIRMAN: You are straying into matters that are not quite germane to it.

SHRI LOBO PRABHU: They are quite relevant and I can show that to you if you give me time.

MR. CHAIRMAN: Please confine your remarks to the provisions of the Bill.

SHRI LOBO PRABHU: With all due respect to you, may I enquire whether my two predecessors confined themselves in any respect or even made a reference to the Bill?

MR. CHAIRMAN: I was calling them to order.

SHRI LOBO PRABHU: Just give me a little time; have patience. I am going to make a reference to the Bill.

The Minister took no action to defend the readers of this country, who have been paying such high prices for newspapers. I asked a question, to which I hope a reply will be received in due course, about the increase in the cost of daily newspapers since these wage disputes.

DR. RANNEN SEN (Barasat): Even before that.

SHRI LOBO PRABHU: As far as I know myself, within the last one year the price of newspapers has gone up from 50 to 75 per cent. This is a responsibility which he had yesterday and which he has not discharged, namely that information is available as cheaply as possible and that while 10 million or more readers are penalised, why only a thousand or two thousand or ten thousand workers are satisfied.

DR. RANEN SEN: A few dozen newspapers are responsible.

SHRI LOBO PRABHU: No, I am not concerned with the newspaper owners. You can do anything with them, but do not increase the cost of paper. You are to consider not 10,000 workers but 10 million readers who will have to pay the price of the concessions demanded by the workers on strike.

I am glad, the Minister of Finance has arrived because he is concerned with the next point that I wish to make. When the question of postage on newspapers was raised, it was as much the duty of the Minister of Information and Broadcasting as of us who are in the press world to have pointed out that a committee of Government appointed on small newspapers had recommended that the postage on newspapers weighing less than 50 grammes should be one paise. What has this Government done? Before the ink is dry on that report, it has raised the thing to 5 paise.

Coming to the Bill, which no one has done so far, I have got an amendment to it and I will dispose of it since it will save some time to the Chair.

SHRI D. C. SHARMA (Gurdaspur): What has happened to his paper? I do not get it now.

SHRI LOBO PRABHU: I have got to point out that the Press Act was passed in 1867. It is 101 years old

and it is as the British—at that time the British by no means were as liberal as they were much later—had passed. You have not applied your mind to bring that Act up-to-date. I refer to section 5 which imposes so many responsibilities on people who keep presses.

SHRI C. K. BHATTACHARYYA (Raiganj): The hon. Member has not studied his brief.

SHRI LOBO PRABHU: That Act prescribes, for instance, two forms, nearly identical, about what the circulation is—one at the beginning of the year and a similar form when you want your newsprint.

It is not necessary to have two forms. I would request the hon. Minister to please consider this and amend it, bring it up-to-date, and eliminate certain returns which have become redundant or, in any case, excessive.

In respect of this particular amendment, previously, between the enactment and the enforcement, a period of two months was allowed. This was the pattern in the original Bill and in the Bill as passed by the Rajya Sabha. If we pass the Bill today, the exact date on which the Act will come into force will be 30th September, as I have proposed in my amendment. I do not know for what reason a period of five months has been allowed unless it is to give breathing time to the people of Jammu and Kashmir to make objections and evasions. The period now fixed is the end of December. That might be explained. I do not say that I object to it but an exception has been made to the previous pattern of enactment and its enforcement.

SHRI D. C. SHARMA: Mr. Chairman, Sir, I welcome this Bill. It has already been passed by the Rajya Sabha and it does not require much commentary on my part or on the part of anybody else. It is only a conces-

sion made to the people of Jammu and Kashmir because of the aggression by Pakistan that they suffered from in 1965. The provisions of this Bill could not be carried out at that time and so we have come forward with this amendment.

Sir, I think, this Bill is going to do a lot of good to the State of Jammu and Kashmir. As you know, in Jammu and Kashmir, they have three languages. There is Dogri, there is Kashmiri language and there is also Urdu. This Bill will give filip and stimulus to the production of books in Dogri language, in Urdu language which is our great cultural heritage and also in Kashmiri language which is the language of the people of Jammu and Kashmir. At the same time, I think, this Bill is not going to repress, in any way, the freedom of speech and expression which is guaranteed by the Fundamental Rights enshrined in our Constitution. I do not think anybody can point his finger to this that the freedom of speech has been curbed in Jammu and Kashmir State. If anybody wants proof of that, I think Sheikh Abdullah is the living proof of that. When Sheikh Abdullah went to some State in the country and made some speeches, I am told, the Chief Minister of that State—he was not a Congress Chief Minister—came to Delhi and said that he wanted to prosecute him because he had been making some speeches which were inflaming communal passions. But we did not take that thing seriously. Here is Sheikh Abdullah, in Jammu and Kashmir, saying all kinds of things, trotting out all kinds of theories about Jammu and Kashmir and making all kinds of preposterous and far-fetched suggestions about Jammu and Kashmir State. Has anybody done anything like Sheikh Abdullah? No. Therefore, I think, in Jammu and Kashmir, the freedom of speech and the freedom of self-expression is being carried to a limit

which, I should say, is not very healthy. Therefore, nobody can say that there is no freedom of speech and freedom of expression there.

I would say that Jammu and Kashmir is an integral part of India. It is one thing to do something legally and legislatively. It is another thing to do something emotionally and rationally. Rationally and emotionally, Jammu and Kashmir is a part of myself and a part of my hon. friend, Shri Ramamurti and my other friends. Legally and legislatively, we may resort to certain measures and those measures will come by instalments. Legislation is not something like a sword which can chop off a man's head at one blow. Legislation has got to do its work slowly and gradually and perceptibly. Therefore, legislation has to come to the rescue of those persons who believe that Jammu & Kashmir is integrally, emotionally, rationally, and in all ways, a part of this country.

Now it has been said that the complexion of the population of Jammu & Kashmir should change. I think, the complexion of the population of every State of India should change, so that we do not believe in linguistic States. Is there any State which can say that it is not multi-lingual? What have we done after the States Reorganization Act? We have created more problems than we have solved and every day that passes creates more problems for us. Take my own State, Punjab; they want certain chunks of territories of Haryana. What I mean to say is this. The complexion remains as it is and the people of Jammu & Kashmir feel that we are one with them, that their connection with us is insoluble, their identity with India is imperishable and their integration is beyond any question and unassailable.

With these words, I support the Bill.

SHRI M. MEGHACHANDRA (Inner Manipur): We are discussing the Bill, The Press and Registration of Books (Amendment) Bill, 1968. This Bill seeks to amend a particular section of Press and Registration of Books Act, 1867. There was an amendment in the year 1965 and in that amendment it was said that this Act, Press and Registration of Books Act, was extended to Jammu & Kashmir, and within a period of two months from the commencement of that amending Act, all the keepers of printing presses and printers and publishers of books, journals, etc., were required to make and subscribe a fresh declaration. As a result, we found that in the whole of India one Press and Registration of Books Act was in force. But then I do not understand how within a period of two months the Act could not be implemented in Jammu & Kashmir and as a result there was no fresh declaration of presses and no registration of books by the keepers of printing presses and publishers of the State of Jammu & Kashmir. The two months had elapsed. Now after a period of nearly three years, this Amendment Bill is being brought before this House. In this Amendment Bill of 1968 it is stated that instead of two months so given from the commencement of that particular amending Act, 1965, it should be till the end of December, 1968. Within this date, the keepers of presses and the publishers should do all those thing.

There is no objection to the Bill as such, but when Parliament passes laws, it is very necessary that they are implemented. The Central Government might have consulted the State of Jammu and Kashmir at the time when the particular amending Bill of 1965 was passed and implemented, but that was not done. I do not know why.

In this connection, it is very necessary to see the conditions of the press and of the people of the State of

Jammu and Kashmir. It is very necessary that we should encourage them. Government should see that the implementation of the provisions of the Press and Registration of Books Act is viewed in the light of our fundamental rights, and nothing should be done which will adversely affect the people of the State of Jammu and Kashmir in relation to their freedom of speech, freedom of expression and so on. Government should help create conditions so that with the implementation of the provisions of the Press and Registration of Books Act, the people of the State may get those opportunities.

There is necessity to refer to some other matters like the responsibilities and work of the Registrar of Newspapers. His responsibilities are wide and his powers extensive. In this connection, one has to refer to the Report of the Press Commission where they have taken a critical view of the working of this particular agency. They are not satisfied with it. The Registrar should take the responsibility of looking into all matters of declaration, registration of books, proper filing and maintenance of statistics etc. He should function in such a way that there should be no difficulty experienced by the people concerned in regard to these matters.

Another matter is in relation to the issue of permit of newsprint quota. Here comes the question of encouraging the small newspapers. Let me quote an instance. In Manipur, we have 5 dailies, small ones, with a circulation of 2,000, 3000 like that. But how many of them get newsprint quota? Only two. The Registrar's office does not maintain correct circulation figures and other statistics. There is no proper verification also. As a result, the paper with less circulation gets more newsprint quota whereas that having the highest circulation get half the requisite quota. These anomalies are going on and these must be looked into.

Then it has been said that this particular Act was passed 100 years ago during the British days. To bring this legislation in consonance with the constitutional freedoms guaranteed to the citizens, I hope the hon. Minister will see that we have to have a Bill which takes care of those things. This Act should be implemented in such a way that the people of Jammu and Kashmir particularly should not suffer and their freedoms should not be infringed.

SHRI C. K. BHATTACHARYYA (Raiganj): The hon. Minister has certainly to be commended for the steps he has been taking to facilitate the work of the presses and the newspapers of Kashmir, but I should tell him that the Bill should have been brought to this House on 1st January, 1967. He is only two years late. The Press and Registration (Amendment) Act of 1965 made it a condition that within two months of the commencement of the Act, i.e., by 31st December, 1966 all the papers should have their editors and printers declared, all the Presses should be registered. In fact that was not completed. To what extent it remains incomplete I do not know. We are now in 1968 and now the hon. Minister has come forward with this Bill so that what has been left undone in these two years may be completed by this Bill. In fact, the Presses and the newspapers in Kashmir are now hanging in the air. They are working without any law or against the law laid down by Parliament, because the 1965 Act made it a condition that the declaration must be made by 31st December, 1966, but that was not done. That is why the Government should have been watchful and careful enough to bring this Bill immediately after 31st December, 1966 when they found that the declarations had not been completed by that time. In fact, it is a serious lapse which we are required now to rectify by giving retrospective effect to this Act.

One hon. Member in the Opposition was saying that this Act has not been amended. Actually this Act has been amended about 10 times, and the last amendment was in 1965.

One of the most vital and effective amendments of this Act was to lay down perhaps for the first time in the history of Parliament the definition that Jammu and Kashmir is included in India. In the old Act there was a definition that India means the territory of India excluding the State of Jammu and Kashmir. The 1965 Act deleted the words "excluding the State of Jammu and Kashmir", thus making the Act applicable to the whole of India. Only yesterday there was so much discussion over it.

SHRI SRINIBAS MISRA: That was not allowed to be acted upon.

SHRI C. K. BHATTACHARYYA: So, I commend that the move that hon. Minister has made even at this late stage be accepted by the House and the Presses and Newspapers of Kashmir put on a stable and legal basis and allowed to grow from improvement to improvement, so that they come up to the level of the Press in other States.

SHRI K. LAKKAPPA (Tumkur): The amendment appears to be simple in nature and the hon. Minister has explained that due to some administrative difficulties this amendment had been brought forward. The hon. Minister has got certain responsibilities and he has to discharge them towards the people of India and guard the freedom of the Press and publications in the country. When the strike by the employees of newspaper industry was under discussion, the hon. Minister ran away from the House. I do

[Shri K. Lakkappa]

dot know how he fell into the hands of the Press barons.

MR. CHAIRMAN: Will you please confine yourself to the Bill? You should not discuss things which are extraneous to the Bill... (*Interruptions*). You cannot claim any special privilege to do so.

SHRI K. LAKKAPPA: I shall confine myself to the amendment. There are some people in the country who run the papers as monopolies and they are beneficiaries at the hands of the Government. This monopoly has to be broken and that is the matter over which the entire country is agitated. Ofcourse, I should like to mention one particular instance but it is with respect to Mysore. It is relevant. We submitted a charge-sheet against the Mysore Ministry headed by Mr. Nijalingappa, now the Congress President. One of the charges was...

MR. CHAIRMAN: Will you please resum your seat? This Bill relates to the registration of newspapers. There is not much time now. We have taken more time than was allotted; we have to conclude the discussion by 4.45 and take up the other important Bill.

SHRI K. LAKKAPPA: I am taking the time allotted to my party.

MR. CHAIRMAN: There is no time for extraneous matters. I request you to co-operate with me and do not force me to the extent of asserting myself in small matters. I request you to be relevant and I am in fact trying to accommodate and give some latitude. But it should not be wholly irrelevant to the subject matter under discussion.

SHRI K. LAKKAPPA: Without referring to the incident, I might say this. A charge-sheet was filed, and an allegation was made against one newspaper and its owner—*Propancha*—wherein the allocation of newsprint

has been discriminatory when other papers have got a greater circulation in the State. That charge-sheet was submitted to the President of India. You can refer back to that charge. I am referring to it because, in respect of the allocation of newsprint injustice has been done throughout. And now the monopoly has been created in this country by the big bosses who are voting for this press, publications and the Government. Even the freedom of the press has been curtailed by the attitude of the Government which has created a sort of monopoly in this country. So, I would like to submit that this Government has got some responsibility to see that the monopoly in the allocation of newsprint is broken.

My second point is that the circulation of newspapers has to be decided by the Registrar who has been appointed according to this Act. The question is whether the Government has got any agency to know how far the circulation of papers in respect of the allocation of newsprint has been assessed correctly and rightly. This leads to the tendency of the monopoly which has grown in this country. In this connection I would like to quote one example. There are small newspapers, weeklies, fortnightlies. These small newspapers have been handicapped because this Government has not come to the rescue of these small newspapers. Therefore, the allocation of newsprint to small newspapers must be made most scrupulously by this Government, and the Government should not show any discriminatory attitude towards the small newspapers.

The Registrar is holding more powers under this Act. The entire power is in his hands. He has to assess the circulation and also collect all the information and data according to this Act. The question is whether this kind of superpowers could be entrusted to those officers who are bureaucratic in nature and who have

not been doing any justice so far as these things are concerned.

I would like to say one thing with respect of Jammu and Kashmir. I would like to make out a very important point for the attention of Mr. K. K. Shah. The Government wants to extend the laws to Jammu and Kashmir which is an integral part of India. But then, when you say "All India Radio" with respect to the rest of India, in Jammu and Kashmir, they say "Radio Kashmir". (Interruption).

SHRI INDER J. MALHOTRA: Sir, there is Radio Kashmir and Radio Jammu. There are two stations. Both are under All-India Radio.

SHRI K. LAKKAPPA: I have no second opinion to say that Jammu and Kashmir should be developed and that all the problems pertaining to Jammu and Kashmir should be solved immediately and amicably. It should not be referred to other countries and tribunals for their decisions. But I would like to ask how far you are justified, when you want to extend the laws of India to Jammu and Kashmir, and when you are holding the portfolio of All India Radio, in allowing broadcasts in the name of "Radio Kashmir" or "Radio Jammu". That is very relevant and I would request the Minister to reply to it.

In conclusion, there are instances reported about blackmarketing in newsprint.

MR. CHAIRMAN: Will you please resume your seat? There is no time.

SHRI SHIV CHANDRA JHA (Madhubani): The Minister should look into all these things.

यह जो विधेयक प्रेस एंड रजिस्ट्रेशन ब्राफ बुक्स के सम्बन्ध में हमारे सामने है इससे साफ हो जाता है कि वह मंत्रालय कितना निकम्मा है और अपने पिछले कानून तक को यह लागू नहीं कर सका है। 1965 में जो प्रेस एंड

रजिस्ट्रेशन ब्राफ बुक्स (एमेंडमेंट) एक्ट पास हुआ था उस में यह कहा गया था कि उस को काश्मीर स्टेट में लागू किया जायेगा। लेकिन उसको यह मंत्रालय लागू नहीं कर रहा है। चूंकि उसको यह लागू नहीं कर सका है और जिसको लागू न करने का कारण मंत्री महोदय एडमिनिस्ट्रेटिव डिफिकल्टी और वांट ब्राफ एनफ टाइम बताते हैं, उसके सम्बन्ध में जो हकीकत है उसको मैं आपके समने रखना चाहता हूं। मैं समझता हूं कि एडमिनिस्ट्रेटिव इनएफिशेंसी और मुस्तीदी की कमी की वजह से, अपनी कम्प्लेरी को छिपाने के लिए और अपनी सफाई देने के लिए आप इस दूसरे विधेयक को यहाँ लाए हैं। मेरा अब भी विश्वास यह है कि इसको भी वहाँ लागू करने में आप नाकाम रहेंगे और फिर तीसरा विधेयक आपको हमारे सामने लाना पड़ेगा ताकि प्रेस एंड रजिस्ट्रेशन ब्राफ बुक्स एक्ट काश्मीर में लागू हो सके।

मैं एक नजीर के रूप में आपसे कहना चाहता हूं कि कापीराइट का जो कानून है और जो सारे देश में लागू है और जम्मू काश्मीर में भी लागू है उस में यह व्यवस्था है कि कोई भी प्रकाशक हिन्दुस्तान में कोई भी किताब अगर प्रकाशित करता है तो उसका दो प्रतिया भारत सरकार को मिलनी चाहिये कापीराइट के कानून के मातहत। लेकिन मैं मंत्री महोदय से पूछना चाहता हूं कि हिन्दुस्तान में जितने भी प्रकाशन होते हैं क्या उनकी दो दो प्रतिया समय पर उनको मिल जाती हैं। नेशनल लाइब्रेरी में मैंने जा कर देखा है कि अच्छी अच्छी किताबें हिन्दुस्तान में जो निकलती हैं और जो वहाँ भेजी जानी चाहिये नहीं भेजी जाती हैं। यह जो कापीराइट का कानून है उसको भी ये लागू नहीं कर पा रहे हैं। इसी के आधार पर मैं यह कह सकता हूं कि इस कानून को भी वह इफेक्टिवली लागू नहीं कर पायेंगे।

[श्री शिव चन्द्र झा]

एक बुनियादी बात की तरफ मैं आपका ध्यान खींचना चाहता हूँ। प्रेस के मुताबिक जो नक्शा इनके दिमाग में है वह बिल्कुल भी साफ नहीं है, वह बिल्कुल स्पष्ट नहीं है। आप देखें कि अभी प्रेस में हड़ताल चल रही है कर्मचारियों की। क्यों यह चल रही है। कर्मचारी जानते हैं कि जितनी मेहनत वे करते हैं उस मेहनत के मुताबिक उनको रिम्युनेशन नहीं मिलता है, मजूरी नहीं मिलती है, प्रेस के जो मालिक हैं वे वेज बोर्ड का जो निर्णय है उसको अमल में नहीं ला रहे हैं। इस वास्ते उन्होंने हड़ताल कर रखी है।

MR. CHAIRMAN: He should confine himself to the clauses of the Bill.

श्री शिव चन्द्र झा : आज जो प्रेस हिन्दुस्तान का है वह भी ए. बड़ी इंडस्ट्री है, उद्योग है। जिस तरह से मुनाफाखोरी की भावना दूसरे उद्योगों में चलती है उसी तरह से प्रेस उद्योग में भी चलती है। जिस तरह से और उद्योगों में केन्द्रीयकरण का सिलसिला चल रहा है उसी तरह से यहाँ भी चल रहा है। जिस तरह से कुछ एक लोगों के हाथ में ये उद्योग हैं उसी तरह से प्रेस भी कुछ एक लोगों के हाथ में केन्द्रित होता जा रहा है। इससे फ्रीडम आफ दी प्रेस को धक्का लग रहा है। यह जो प्रेस रजिस्ट्रार आफ इंडिया की 1967 की रिपोर्ट है इसके पृष्ठ 12 पर

MR. CHAIRMAN: I cannot allow him to go beyond the clauses of the Bill. I have been insisting that every hon. member should confine himself to the clauses of the Bill.

श्री शिव चन्द्र झा : भारतीय प्रेस के सम्बन्ध में भारत सरकार का नक्शा और दृष्टिकोण दूषित और गलत है।

MR. CHAIRMAN: There is no question of Raksha or anything. Please conclude your speech.

श्री शिव चन्द्र झा : प्रेस में केन्द्रीयकरण हो रहा है और उस की आजादी को धक्का लग रहा है। यह कहना बिल्कुल गलत होगा कि हिन्दुस्तान का प्रेस एक आजाद प्रेस है क्योंकि वह मानोप्लिस्टिक लोगों के हाथ में है।

MR. CHAIRMAN: I call you to order. I will have to stop the recording of your speech. You may speak on the clauses of the Bill.

SHRI INDER J. MALHOTRA: Sir, he comes from Bihar. To reach Jammu and Kashmir he will take some time.

SHRI SHIVA CHANDA: You must have an all-India perspective. You must understand what is what.

जिस तरह हम सारी अर्थ-व्यवस्था को प्लान कर रहे हैं, उसी तरह हमें भारतीय प्रेस को भी प्लान करना होगा। मैं साफ़ शब्दों में कहना चाहता हूँ कि उस का मतलब है नेशनलाइज करना। चूँकि हमारे देश में जनतंत्र है और यहाँ पर नुक्ताचीनी की गुंजायश होनी चाहिए, इस लिए यहाँ पर पार्टी प्रेस होना चाहिए, ताकि मुल्क में फ्रीडम आफ़ दि प्रेस हो। यहाँ पर प्लान्ड प्रेस और पार्टी प्रेस होना चाहिए। मैं ने इस बारे में एक विधेयक दिया है और एक किताब भी लिखी है, "ए कानसेप्ट आफ़ प्लान्ड फ्री प्रेस"। चूँकि भारत सरकार का नक्शा भारतीय प्रेस के सम्बन्ध में दूषित है, इस लिए वह इस कानून को जम्मू-काश्मीर में लागू करने में कामयाब नहीं होगी और उस को तीसरा विधेयक लाना पड़ेगा। वह अब भी जम्मू-काश्मीर को अलग समझती है। वह एक अलग विषय है, इस लिए मैं इस समय उस में नहीं जाना चाहता हूँ। भारत सरकार के दिमाग में यह बात नहीं आ सकी है कि जम्मू-काश्मीर

MR. CHAIRMAN: Order, order. I have allowed him more time. I cannot allow him any more time. Please resume your seat. I am calling the next Member to speak.

श्री सिद्ध चन्द्र झा : आप बुनियादी बात को समझ नहीं रहे हैं ।

इस विधेयक को समझ नहीं रहे हैं और दूसरों को कहते हैं कि यह रेलिवेंट नहीं है, वह रेलिवेंट नहीं है ।

SHRI E. K. NAYANAR (Palghat): Mr. Chairman, Sir, this Act was passed in December 1966 and during the last two years this was not implemented with the result that the question of press and papers in Jammu and Kashmir is hanging in the air. Again the Minister has come forward with this amending Bill seeking four months more time. I think the Minister is making the decisions by this Parliament a mockery. The decisions of this Parliament are not taken very seriously. That is why during the last two years the decision taken by this Parliament in this regard was not implemented. The press and papers are working in Jammu and Kashmir. Good papers are published from Jammu and Kashmir. Why was the decision taken by Parliament not implemented?

SHRI E. K. NAYANAR: With the approval of the Central Government, nine Urdu papers were put on the black list as communal papers. Patriot, Link and Andhra Jyoti are being run by progressives. That paper also is put on the black list. This means debarring giving of advertisements to these papers. So I fear whether the Jammu and Kashmir press and papers will get complete freedom. I request that he should clarify this position. In the name of fighting communalism, it should not be said that they are fighting against the minority right and the freedom of the press and other legitimate rights of the people should not be curtailed.

I appeal to the Minister that he must curtail the facilities of newsprint and other things given to the big chain monopolists and give more facilities to small papers. Our journalists are demanding more wages and more pay. You are not taking keen interest in their legitimate rights and are supporting the monopolists.

Other issues about registration and newsprint have been raised by other speakers. I know big papers get newsprint and registration very easily. As a printer and publisher of a paper I know it is very difficult for small papers to get newsprint and registration whereas big monopoly papers get them very easily. If this Bill is passed and power is given to the Central Government I have my own fears. Shri Brahmananda Reddy while introducing a Bill in the Andhra Legislature said that it was being introduced with the approval of the Union Government. With the Union Government's approval he introduced a black Bill in Andhra.

So, I appeal that the right of the Jammu and Kashmir people should not be curtailed. All the legitimate fundamental rights conferred by the Constitution and guaranteed by Parliament must be given to the Jammu and Kashmir people while we are introducing these provisions.

MR. CHAIRMAN: The hon. Minister.

MR. CHAIRMAN: Is that relevant to this?

SHRI E. K. NAYANAR: Yes, it is about the freedom of the press.

श्री सिद्ध चन्द्र झा : समापति महोदय, आप तो ऐसे बात कर रहे हैं, जैसे आप खुद

श्री अब्दुल गनी बार : (गुडगाँव)
चैयरमैन : सहब, मैं ने भी रिक्वेस्ट की थी ।

: (کوڑگوں) زار (مدالغلی زار)

چهرمین صاحب - میں نے ہی
ریکویسٹ کی تھی -]

MR. CHAIRMAN: I will give you time to move your amendment.

श्री सच्चल गनी बार : मैं अपना एमंड-
मेंट मत करूंगा, लेकिन आप मुझे जाल
तः हों बोलने देंगे।

[شری عبدالغنی دار : میں اپنی

امینڈمنٹ تو سو گرونتا - لہکن آپ

مجھے جہنل تو نہیں بولنے دیں گے -]

MR. CHAIRMAN: You can make your speech then.

श्री सच्चल गनी बार : अगर उस वक्त
मुझे सब कुछ कहने का मौका दीजिए।

[شری عبدالغنی دار : آپ اس

وقت مجھے سب کچھ کہنے کا موقع

دیجئے -]

MR. CHAIRMAN: I promise you. Why do you worry?

SHRI K. K. SHAH: Sir, a number of friends have made the point that the Government of India were not prompt enough to bring forward this Bill; so I would like to give the history of the Bill.

The Bill was passed by Rajya Sabha in 1965 on the 1st February and it was passed by Lok Sabha on the 14th September, 1965. It received the assent of the President on the 24th September, 1965 and a notification was issued that the Act will come into operation on the 1st November, 1965.

SHRI SHIVA CHANDRA JHA: Even before that India became independent.

SHRI K. K. SHAH: You are not trying to follow. If without studying you go on passing remarks, it is neither creditable to you nor to us.

If you read section 5A, you will be pleased to find that those who

have registered under the Jammu and Kashmir Act had to re-register and file their applications between the 1st November, 1965 and the 31st December, 1965. Before that day the State Government under sections 5, 8 and 20 had to specify, the District Magistrate or the President Magistrate as the competent authority before whom the registration had to take place. Then they had to issue a notification in the official gazette. The Central notification appointing 1st November as the date of commencement also had to appear in the Jammu and Kashmir Government Gazette. The keepers of printing presses had to be nominated before him and lists had to be filed. Meanwhile on account of the Pakistan war, the Jammu and Kashmir Government could not carry out the provisions of that Act.

SHRI SHIVA CHANDRA JHA: That is your lame excuse.

SHRI K. K. SHAH: I think, my hon. friend ought to concede that on account of Pakistani aggression, even people had to had to move from one place to another. Where was the time? Even if they were asked to file declaration—the printing presses are spread all over the State of Jammu and Kashmir—it was not possible for people to file declaration.

SHRI SRINIBAS MISRA: During this period, the Jammu and Kashmir Press Registration Act was in force?

SHRI K. K. SHAH: Yes. Then, my hon. friend, Shri Nayanar asked: Did the Government of India give permission or consent to the Andhra Government for the Press Bill? He has to remember that this was discussed in the Chief Ministers' Conference and all the Chief Ministers, belonging to all parties, approved of the Punjab Act. This is on the same lines as the Punjab Act.

SHRI E. K. NAYANAR: You cannot say that.

SHRI K. K. SHAH: Our Act is on the same lines as the Punjab Act. Please compare them and you will be satisfied. Therefore, it is wrong to say that not enough precaution was taken.

A number of other points were also raised. My hon. friend, Shri Kothari said that the Minister has woken up rather late in carrying out propaganda. I am very glad that my hon. friend, Shri Indar J. Malhotra, replied to that. If you compare what propaganda is going on in the rest of India with what propaganda is going on in Jammu and Kashmir, I do not think you will be justified in passing this remark. (*Interruption*) I know much more than what you know. I have compared them. There is the Jammu and Kashmir Press Registration Act. You cannot say that there is no regulation in Jammu and Kashmir. As soon as this Act comes into force, then this will prevail.

A lot of things were said about the small newspapers. I hope my hon. friends had studied what had happened during the last one year and a half. They should have consulted the small newspapers before making an allegation that the small newspapers are not looked after. On the contrary, the policy of distribution of newsprint has been so good that the smaller newspapers have not lifted their quota last year. Where is the question of blackmarketing? If there was black-market, the small newspapers would have lifted their quota and would have sold it in the black-market. The fact is that the small newspapers have not lifted their quota. That shows that there is no black-market and the distribution of newsprint has been quite fair to the small newspapers.

SHRI E. K. NAYANAR: That is not real thing as we find from our own experience.

SHRI K. K. SHAH: You are entitled to have your opinion. (*Interruption*). You had your say. Will you

kindly allow me to reply? Then, the hon. Member, Shri Lakkappa, said that I ran away from the House the other day when the debate on the strike was taking place. You ask the employees whether, in their own interest some negotiations were being on and whether enough has been done by Government in those negotiations, both by my Ministry and the Labour Ministry. But here is a gentleman who gets up and says like that.

Sir, it is in the interest of the press throughout the country and in the interest of the press and the publication of books in Jammu and Kashmir that this Act was passed in 1965. But, unluckily, because the period given for its implementation was two months and the Government of India's powers were exhausted, an amending Bill had to be brought forward and, I hope, the House will pass the Bill.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Press and Registration of Books Act, 1967, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Clause 2— (Amendment of section 5A.)

MR. CHAIRMAN: Now we take up clause-by-clause consideration.

In the case of Clause 2, there are two amendments, one by Mr. Lobo Prabhu and the other by Mr. Abdul Ghani Dar. Both the amendments are identical. Is Mr. Lobo Prabhu moving his amendment?

16.56 hrs.

[**MR. DEPUTY-SPEAKER** in the Chair].

SHRI LOBO PRABHU: Yes. I move:

Page 1, line 10,—

for "31st day of December, 1968"
Substitute—

"30th day of September, 1966."

(1)

[Shri Lobo Prabhu]

I would request the hon. Minister to explain why more than a period of two months has been allowed between the enactment and the enforcement of the Bill. This Bill has already been delayed so much and the previous pattern was only two months.

MR. DEPUTY-SPEAKER: Mr. Abdul Ghani Dar. Your amendment is the same. I will give you some time to make your submission.

श्री अब्दुल गनी दार (गुडगांव) : डिप्टी स्पीकर साहब, जब जनरल डिबेट में मैं खड़ा होना चाहता था तो हुक्म दिया गया कि चूंकि अमेंडमेंट तुम्हारे नाम से है इसलिए उसी वक्त अपनी बात कहना। मैंने के० के० शाह भाई की तकरीर को बड़े ध्यान से सुना। उन्होंने रोज़न यह दिया कि सन् 1965 में चूंकि एक लड़ाई हो गई थी पाकिस्तान और हिन्दुस्तान के बीच इसलिए इस पर इतने साल यानी आज 1968 अगस्त है, इस समय तक इस पर कोई अमल दरामद नहीं हो सका, हम इसको पूरे तौर पर लागू नहीं कर सके। मैं समझता हूँ कि यह बिलकुल लंगड़ा एक्सक्यूज है। असल बात यह है कि अभी तक भी हमारी सरकार का दिमाग साफ नहीं है जम्मू और काश्मीर के बारे में। के० के० शाह साहब राज्य सभा में थे, उन को याद होगा, जब यह सवाल राज्य-सभा में आया एक्सक्लूडिंग जम्मू एंड काश्मीर तो मैंने प्रोटस्ट किया कि जब जम्मू और काश्मीर हमारा है तो इस को आप क्यों कहते हैं कि बाकी हिन्दुस्तान में लागू होगा, जम्मू और काश्मीर में लागू नहीं होगा? अब तक भी मैं कहता हूँ, आप का दिमाग साफ नहीं है। अगर साफ होता तो हज़ारों नवजवान बहादुर अपने आफिसर और सिपाही शहीद करवा कर हम हाजीपीर के दर्रे को और कारगिल की पहाड़ियों को छोड़ कर न आते। वह हमारा है। हम ने अपनी जमीन को वापस लिया है किसी ग़ासिब से तो कोई समझ की बात नहीं थी कि

हम ने क्यों उन बहादुर सिपाहियों की कुर्बानियों को जाया किया। बहरहाल, मैं शुक्रगुजार हूँ उन का कि उन के बिल से यह समझा जाता है कि यह पोख्ता बात है कि जम्मू और काश्मीर और बाकी हिन्दुस्तान एक है। . . . (व्यवधान) . . . मैं काश्मीरी हूँ। मेरे दादा आये थे वहाँ से। पंजाब में मैं पैदा हुआ। पंजाब में फसादात हुए तो घबका लगा और हरयाने में आया। मुझे फख्र है कि जम्मू और काश्मीर में जो मेजारिटी है वह माइनारिटी में है और जो माइनारिटी है वह मेजारिटी में है, मगर वहाँ की जो सरकार है उस में हिन्दू और मुसलमान बराबरी के वर्जोर हैं। और डिप्टी वर्जोरों में तो शांति हिन्दू भाई एक ज्यादा है। यह बड़ी खुशी की बात है। काश, कि काश्मीर की इस नेक मिसाल को बाकी स्टेटों में भी जहाँ इन का राज था उन में भी कहीं लागू किया होता। चाहे शेख अब्दुल्ला हों, चाहे बख्शी गुलाम मुहम्मद हों, चाहे सादिक साहब हों, यह तीनों ही एक साथ थे राजा के साथ लड़ने में। इकट्ठे ही लड़े और टन बाई टन शायद इन्होंने सोचा कि बारी बारी चीफ मिनिस्टर बनना चाहिये और बारी बारी बन गए। उन्होंने इस बात को कायम रखा कि हिन्दू का वर्जो बराबर है चाहे वह 18 प्रतिशत हैं या 20 प्रतिशत हैं . . . (व्यवधान) . . .

SHRI INDER J. MALHOTRA: It is very unfortunate to hear such remarks. How does this arise out of this Bill?

17 hrs.

MR. DEPUTY-SPEAKER: Speak on the amendment. This is not a general debate.

श्री अब्दुल गनी दार : आपके आने से पहले जनरल डिबेट हुई, उस में कुछ बातों का जिक्र आया, जब मैंने भी बोसना चाहा, तो मुझे कहा गया कि आप अमेंडमेंट कर बोल सीजियेगा। इस लिये आप मेरी बात सुनिये— . . .

MR. DEPUTY-SPEAKER: He has reported to me everything. Therefore, I called him; otherwise, I would not have.

If you want to say anything on the particular amendment, then I will allow you. Otherwise, I will call upon the Minister to reply now.

श्री अम्बुलगनी दार : मैं कहना चाहता हूँ कि मेरे बुजुर्ग शर्मा साहब ने काश्मीर का बहुत सा जिक्र किया, चूँकि वह जिक्र हुआ है, इसलिए मेरी अर्ज यह है कि जम्मू काश्मीर को यह फ़क़ हासिल है कि वहाँ कालिंज में भी सेक्यूलरिज्म पूरे तौर पर अपनाया गया है, वहाँ 65 परसेन्ट माइनरिटी के तुलबा हैं और 35 परसेन्ट मजारिटी के तुलबा हैं। शायद जो चीज़ आप लागू करने जा रहे हैं,

श्री अम्बुलगनी दार : मैं आपके हुकम को मानते हुये यही अर्ज करना चाहता हूँ कि इस वक्त इन्होंने 31 दिसम्बर की मियाद रखी है, मैंने अपनी अमेण्डमेंट में कहा है कि 30 सितम्बर काफ़ी है। मेरा दिमाग़ चूँकि साफ़ है इस लिये मैं तो 30 सितम्बर में भी पहले चाहता हूँ, लेकिन चूँकि ये मौका देना चाहते थे, इस लिये मैंने कहा है कि 30 सितम्बर कर दिया जाय। अगर आप यह गमछने हैं कि इस से जम्मू और काश्मीर का भगना होने वाला है और आपके न नियम हैं, डिमिप्लिन है, वह लागू होनेवाला है तो मैं यह कहना चाहता हूँ—के०के० शाह भाई—कि पहले मैं आपके वक्त की बात नहीं थी, 1965 से 1968 हो गया, अब 1968 से 1969 क्यों करने जा रहे हो, इस को 30 सितम्बर, 1968 कर लीजिये।

MR. DEPUTY-SPEAKER: Let him come to his amendment. I will not extent the scope of the debate now.

श्री अम्बुलगनी दार : आपके प्रेडिसेसर ने बयान किया था कि मैं बोल सकता हूँ।

MR. DEPUTY-SPEAKER: He will have to confine himself to the scope of his amendment, and that too in a minute.

मैं यकीन करता हूँ, डिप्टी स्पीकर साहब, जो बिल ये लाये हैं यह जम्मू काश्मीर की आज़ादी को सलब करने के लिये नहीं ला रहे हैं, काश्मीर के प्रेस की आज़ादी को सलब करने के लिये नहीं ला रहे हैं, या काश्मीर की आज़ाद राय को सलब करने के लिये नहीं ला रहे हैं, क्योंकि काश्मीर सिम्बल है नैशनलिज्म का, काश्मीर सिम्बल है सेकुलरिज्म का। क्या आप का कोई ऐसा प्रान्त है जिसने ऐसी मिसाल पेश की है। अगर हमारे दूसरे प्रान्त भी इस मिसाल की पैरवी करें तो हमारा देश कहां से कहां जा सकता है।

श्री अम्बुलगनी दार : मुझे यकीन है कि आपसे पहले चेयरमैन साहब ने जो जुबान मुझे दी थी, उस को आप पूरा करेंगे, क्योंकि वे आपके ही चेयरमैन हैं, जिनको आप बैठा कर गये थे। उन्होंने जो जुबान दी थी आपको उसे यकीनन मानना चाहिये।

MR. DEPUTY-SPEAKER: No argument on this point. When I took the Chair, the Chairman told me that he had said that he could not accommodate you at the earlier stage, but that does not mean that you will be permitted to cover the whole ground covered at the time of the general consideration stage. You have made a few remarks which I patiently heard. If you are going to dilate on them, it will not be possible for me to permit it. I cannot allow him to go any further in that way. I am very strict about it.

[شری مہدالغلی دار (گورگور)]

قہمتی سہیکر صاحب جب جلول
قہمت مہن مہن کہوا ہونا چاہتا
تھا تو حکم دیا گیا کہ چونکہ
اسلمتہمت تمہارے نام سے ہے اس

[شری عبدالغنی قاری]

لئے اس وقت اپنی بات کہنا - میں نے کے - کے - شہا بہائی کی تقریر کو بڑے دھیان سے سنا - انہوں نے ریفرنس یہ دیا کہ سنہ ۱۹۶۵ میں چونکہ ایک لڑائی ہو گئی تھی پاکستان اور ہندوستان کے بھجے میں اس لئے اس پر اتنے سال یعنی آج ۱۹۶۸ کا اگست ہے اس سمیہ تک اس پر کوئی عمل درآمد نہیں ہو سکا - ہم اس کو پورے طور پر لگو نہیں کر سکے - میں سمجھتا ہوں کہ یہ بالکل لانگوا ایکسپوز ہے - اصل بات یہ ہے کہ ابھی تک بھی ہماری سرکار کا دماغ صاف نہیں ہے جموں اور کشمیر کے بارے میں - کے - کے - شہا صاحب رجیمہ جہا میں تھے - ان کو یہ یاد نہیں ہوگا - جب یہ سوال راجدہ جہا میں آیا ایکسپوزنگ جوں اینڈ کشمیر تو میں نے پورٹھسٹ کہا - جب جموں اور کشمیر ہمارا ہے تو اس کو آپ کیوں کہتے ہیں کہ باقی ہندوستان میں لگو ہوگا جموں اور کشمیر میں لگو نہیں ہوگا - اب تک بھی میں کہتا ہوں کہ آپ کا دماغ صاف نہیں ہے - اگر صاف ہوتا تو ہزاروں نوجوان بہادر اپنے افسر اور سپاہی شہید کروا کر ہم حاجی پو کے درے اور کارگل کی پہاڑیوں کو چھوڑ کر نہ آتے - وہ ہمارا ہے - ہم نے اپنی زمین کو واپس لیا ہے کسی غاصب سے - تو کوئی سمجھ کی بات

نہیں تھی - ہم نے کہیں ان بہادر قربانوں کو ضائع کیا - بہر حال میں شکر گزار ہوں ان کا کہ ان کے دل سے یہ سمجھا جاتا ہے کہ یہ پختہ بات ہے کہ جموں اور کشمیر اور باقی ہندوستان ایک ہے (ویوڈھان) میں کشمیری ہوں - میرے دادا آئے تھے وہاں سے - پنجاب، میں میں پیدا ہوا - پنجاب میں فسادات ہوئے تو دسکا لگا اور ہریانے میں آیا - مجھے فخر ہے کہ جموں اور کشمیر میں جو مہجارتی ہے وہ مانڈارتی میں ہے اور جو مانڈارتی ہے وہ مہجارتی میں ہے مگر وہاں کی جو سرکار ہے اس میں ہندو مسلمان برابر کے وزیر ہیں - اور قہتی وزیروں میں تو شاید ہندو بیہائی ایک زیادہ ہے - یہ بڑی خوشی کی بات ہے - کشمیر کی اس نیک مثال کو باقی استیتوں میں بھی کہیں لگو کیا جانا - چاہے شہخ عبدالنہ ہوں چاہے بخشئی غلام محمد ہوں چاہے صادق صاحب ہوں یہ تھلے ہی ایک ساتھ تھے - راجا کے ساتھ لڑنے میں - اگلے ہی لڑے اور ٹرن ہائی ٹرن شاید انہوں نے یہ سوچا کہ باری باری چیف منسٹر بلنا چاہئے اور باری باری بن گئے - انہوں نے اس بات کو قائم رکھا کہ ہندو کا درجہ برابر ہے چاہے وہ ۱۸ پرتھت ہوں یا ۲۰ پرتھت . . . (ویوڈھان) . . .

SHRI INDER J. MALHOTRA: It is very unfortunate to hear such remarks. How does this arise out of this Bill?

17 hrs.

MR. DEPUTY-SPEAKER: Speak on the amendment. This is not a general debate.

شری عبدالغلی قار : آپ کے آنے سے پہلے جنرل ڈپٹی سبکدوشی - اس میں کچھ باتوں کا ذکر آیا - جب میں نے بولنا چاہا تو مجھے کہا گیا کہ آپ امینڈمنٹ پر بول لیجئے گا - اس لئے آپ میری بات سنئے -

MR. DEPUTY-SPEAKER: He has reported to me everything. Therefore, I called him; otherwise, I would not have.

شری عبدالغلی قار : میں کہنا چاہتا ہوں کہ میرے بزرگ شرمنا صاحب نے کشمیر کا بہت سا ذکر کیا - چونکہ وہ ذکر ہوا ہے اس لئے میری یہ عرض ہے کہ جو کشمیر کو یہ فخر حاصل ہے کہ وہاں کالج ہیں بھی سیکولوزم پرورے طور پر اپنایا گیا ہے - وہاں ۶۵ پریسٹنٹ مائٹورٹی کے طلباء ہیں اور ۳۵ پریسٹنٹ مینورٹی کے طلباء ہیں - اب جو چیز آپ لگو کرنے جا رہے ہیں - لیکن یہاں کہوں ایسا نہیں جوں اور کشمیر کی طرح یہاں بھی کرنا

چاہئے - سب کو حصہ ملنا چاہئے -

MR. DEPUTY-SPEAKER: Let him come to his amendment. I will not extend the scope of the debate now.

شری عبدالغلی قار : آپ کے پریڈیسیڈنٹ نے وعدہ کیا تھا کہ میں بول سکتا ہوں -

MR. DEPUTY-SPEAKER: He will have to confine himself to the scope of his amendment, and that too in a minute.

شری عبدالغلی قار : مجھے یقین ہے کہ ایسے پہلے چھرمین صاحب نے جو زبان مجھے دی تھی اس کو آپ پورا کریں گے - کیونکہ وہ آپ کے ہی چھرمین ہیں - جن کو آپ بتھا کر گئے تھے - انہوں نے جو زبان دی تھی آپ کو اسے یقیناً ماننا چاہئے -

MR. DEPUTY-SPEAKER: No argument on this point. When I took the Chair, the Chairman told me that he had said that he could not accommodate you at the earlier stage, but that does not mean that the hon. you will be permitted to cover the whole ground covered at the time of the general consideration stage. You have made a few remarks which I patiently heard. If you are going to dilate on them, it will not be possible for me to permit it. I cannot allow him to go any further in that way. I am very strict about it.

If you want to say anything on the particular amendment, then I will allow you. Ootherwise, I will call upon the Minister to reply now.

شہری عبدالغنی ڈار : میں آپ کے حکم کو ماننے ہونے یہی عرض کرنا چاہتا ہوں کہ اس وقت انہوں نے ۳۱ دسمبر کی مہعاد رکھی ہے - میں نے اپنی امیددہدات میں کہا ہے کہ ۳۰ ستمبر کاٹی ہے مہرا دماغ چونکہ صاف ہے اس لئے میں تو ۳۰ ستمبر سے ہی پہلے چاہتا ہوں - لیکن چونکہ یہ مروتہ دینا چاہتے ہیں اس لئے میں نے کہا ہے کہ ۳۰ ستمبر کو دی جائے - اگر آپ یہ سمجھتے ہیں کہ اس سے جموں کشمیر کا بہلا ہونے والا ہے اور آپ نے جو نیم ہیں - تسوہلن میں وہ لاگو ہونے والے ہیں تو میں یہ کہنا چاہتا ہوں - کے - کے شہا بہائی - کہ پہلے یہ آپ کے بس کی بات نہیں تھی - ۱۹۶۵ سے ۱۹۶۸ ہو گیا - اب ۱۹۶۸ سے ۱۹۶۹ کیوں کرتے بنا رہے ہو - اس کو ۳۰ ستمبر ۱۹۶۸ کو لیجئے -

میں یقین کرتا ہوں - تہتی سہیگر صاحب - جو بل یہ لئے ہیں وہ جموں کشمیر کی آزادی کو سلب کرنے کے لئے نہیں لارہے ہیں - کشمیر کے پریس کی آزادی کو سلب کرنے کے لئے نہیں لارہے ہیں یا کشمیر کی آزادی کو سلب کرنے کے لئے نہیں لارہے ہیں - کیونکہ کشمیر سہیل ہے نیشلازم کا - کشمیر سہیل ہے سہواووم کا - کہا آپ کا کوئی ایسا ہدات ہے

جس نے ایسی مثال پیش کی ہے - اگر ہمارے دوسرے ہدات بھی اس مثال کی پیروی کریں تو ہمارا دیش کہاں سے کہاں جا سکتا ہے -

SHRI D. C. SHARMA: He has paid a well-deserved tribute to the secularism of the Jammu and Kashmir State.

MR. DEPUTY-SPEAKER: Please resume your seat.

श्री के० के० शाह : आप ही शिकायत करेंगे कि दो महीने में पूरा नहीं कर पाये । मैं ज्यादा टाइम इसी लिये ले रहा हूँ कि दोबारा आपको शिकायत करने का मौका न मिले ।

MR. DEPUTY-SPEAKER: I shall now put amendment No. 1 to the vote of the House.

Amendment No. 1 was put and negatived.

MR. DEPUTY-SPEAKER: The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

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

श्री अरुलगतः द्वारः डिप्टी पीकर साहय, मेरी ग्रमण्डमेन्ट कियर चल गई ?

[शہری عبدالغنی ڈار - تہتی سہیگر صاحب : مہری امیددہدات کدھر چلی گئی ؟]

MR. DEPUTY-SPEAKER: His amendment was the same as the earlier one which was moved. So it could not be moved, and was barred.

SHRI K. K. SHAH: I beg to move:

"That the Bill be passed".

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed".

The motion was adopted.

17.05 hrs.

**BANKING LAWS (AMENDMENT)
BILL**

THE DEPUTY PRIME MINISTER
AND MINISTER OF FINANCE
(SHRI MORARJI DESAI) rose.

SHRI N. SREEKANTAN NAIR
(Quilon): On a point of order.

MR. DEPUTY-SPEAKER: I have got some slips. I suggest that he may move the motion for consideration, and then I will consider the points of order.

SHRI MORARJI DESAI: I beg to move:

That the Bill further to amend the Banking Regulation Act, 1949, so as to provide for the extension of social control over banks and for matters connected therewith or incidental thereto, and also further to amend the Reserve Bank of India Act, 1934, and the State Bank of India Act, 1955, as reported by the Select Committee, be taken into consideration.

As the House is aware, the Banking Laws (Amendment) Bill, 1967 was introduced in the House on 23rd December, 1967 and was subsequently referred to a Select Committee on 26th March, 1968. The report of the Select Committee was presented to the House on the 6th May, 1968. The Committee heard evidence from the concerned parties and has recommended a number of changes in the Bill. These have been explained in detail in the Report of the Select Committee. I propose, however, to take this oppor-

tunity of elucidating the scope of the relatively more important provisions of the Bill which have a bearing on our scheme of social control over banks.

As I have explained in the Statement of Objects and Reasons, the main object of the Bill is to amend the Banking Regulation Act, 1949 to incorporate certain new provisions with a view to extending effective social control over banks. Clause 3 of the Bill contains important new measures relating to the reconstitution of the Boards of directors and appointment of professional persons as full-time Chairman of banking companies. Detailed provisions in this regard are already well-known to Hon'ble Members but perhaps it would be worthwhile if I explain their significance in the context of the social control scheme.

It has often been alleged that there is a close link between commercial banks and big industrial houses and that, in the matter of disbursement of loans, they are able to exercise undue influence over the management of banks in their day-to-day credit decisions and that several priority sectors such as small-scale industry and agriculture are neglected. It has, therefore, been felt that steps should be taken to snap, or at least to make ineffective, such links and that the exclusive orientation of the banks towards industry and business should be changed. This cannot be achieved within the frame-work of the Banking Regulation Act as it stands today. The existing law does not go further than putting some restrictions on the employment of certain persons in the managerial capacity. For example, no banking company can be managed by a managing agent or by any person who is a director of any other company or who is engaged in any business or vocation. It is true that appointments of chief executive officers are required to be approved by the Reserve Bank but the Chairman of the Boards of directors who preside