

[Mr. Chairman]

I understand the arrangement is that after the motion for consideration is moved, further discussion will be adjourned to the next session.

Shri Raghavachari: If the matter is adjourned to the next session, certainly I can give an amendment. My point is this. The principle to which this House was committed was on the basis of the Bill as it was introduced in this House, excluding the operation of the Bill to the mitakshara families. That was the principle. Subsequently the whole thing has been changed and the mitakshara joint family also has been brought under the provisions of this Bill, not by the Rajya Sabha, but by the Joint Committee. The question is, whether the Joint Committee can go into matters of principle to which the House was not committed. If that Committee goes beyond the powers, the House can still raise the objection. I will certainly move an appropriate motion, but I wanted to mention the point.

Shri Bogawat (Ahmednagar South): I support Mr. Raghavachari's point.

Pandit Thakur Das Bhargava (Gurgaon): You are only postponing the consideration stage to the next session. All these amendments will come before you at that time; only the hon. Minister has finished his speech. That is all.

Mr. Chairman: I also think that all the objections etc. may be raised at the time when it is taken up again.

Shri Pataskar: After having made the motion and also my speech, I would like to be noted that this should be taken up on the earliest occasion next time. Otherwise, it will keep on pending before the House.

Mr. Chairman: That will depend upon the Business Advisory Committee.

Shri K. K. Basu (Diamond Harbour): We want the speech of the hon. Minister to be circulated.

Mr. Chairman: That will be done. But the point whether the Joint Committee went beyond the principle which was accepted by the House at the time of agreeing to the Bill being referred to the Joint Committee etc. will be considered at the time when it is taken up. Further consideration of the Bill, therefore, stands over.

WORKING JOURNALISTS (CONDITIONS OF SERVICE) AND MISCELLANEOUS PROVISIONS BILL

Mr. Chairman: The House will now take up the Working Journalists (Conditions of Service) and Miscellaneous Provisions Bill, 1955, as passed by Rajya Sabha. Before I call the Minister of Information and Broadcasting to move the motion for consideration of the Bill, I wish to inform the House that recommendation of the President under clause (3) of Article 117 of the Constitution for consideration of this Bill by Lok Sabha has been duly received.

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

"That the Bill to regulate certain conditions of service of working journalists and other persons employed in newspapers establishments, as passed by Rajya Sabha, be taken into consideration."

This is one of the most important recommendations of the Press Commission. In point of fact, I consider this to be the most important recommendation, if we take human values into consideration. There are a number of things affecting the structure of the industry like the profit and loss and many other things which can be taken into consideration. But the welfare of the persons who run the industry, who work in it, and their future and their prosperity should have the first place. I think, therefore, that this Bill should be given the most serious consideration

and the greatest amount of sympathy and support from the Members of this House. The reason for bringing forward a Bill which contains a large number of items concerning the service conditions of journalists is that this is a peculiar profession. It is not like any other profession. Here the nature of the work and hours of work are so different from other professions that it has been necessary and the Press Commission, therefore, has made a strong recommendation that in order to ensure that satisfactory conditions of service prevail in this profession, Government should bring forward legislation laying down certain general and important principles which should govern the service conditions of working journalists. For this reason, we have given a high place to this legislation amongst the various recommendations of the Press Commission.

The Bill was introduced during the last session in the Rajya Sabha and I regret that due to pressure of work, it was not possible to have it taken up during that session itself. That has resulted in delaying this measure by many months and the delay is all the more regrettable as the uncertainty that has prevailed during this interim period has not added to better conditions for working journalists. From that point of view also, it is necessary that Parliament passes some measure without the least delay laying down the general principles governing the service conditions of working journalists. This Bill, after it was introduced and even before introduction, was discussed by us with the representatives of the various interests concerned, the proprietors on the one side and the representatives of the working journalists on the other side. Before the Bill was introduced, we had discussions with them as to the proposals that we wanted to bring before Parliament and in the light of that discussion, certain changes took place. After the introduction of the Bill also, we invited their considered opinion on the Bill and we had the benefit of their

advice and suggestions. In the light of that, a number of changes did take place during the discussion in the Rajya Sabha and a number of improvements have also been made in the Bill. This, I am detailing to the House, in order to show that the measure is not the result of trying to precipitate anything or bringing forward something hurriedly, which is to be rushed through, but it is something which has been thought over and fully discussed with the various interests concerned. It is obvious that in a number of details there will be differences of opinion, because of the principles involved, whether it is a question of leave, hours of work or other matters. There will be different opinions and we have to strike what we consider to be a mean, the greatest common measure of agreement; it is bound to lead to, I would not say dissatisfaction, but a measure of disagreement, amongst those who do not agree with this. But we did consider all the suggestions that came before us. There were a variety of these recommendations which came and after duly considering all of them, the Government have brought forward the Bill. Whatever changes have taken place in the Rajya Sabha have also been made after discussion with the interests concerned.

4 P.M.

I would like to say briefly here the main matters dealt with in this Bill. This Bill deals with the following items of the service conditions of working journalists. Retrenchment. In retrenchment, there is also a special retrenchment clause which has been put in in order to protect those who might have been retrenched from the time of the publication of the Press Commission's report to the passing of the Industrial Disputes Act—making it applicable to the working journalists—and those who might have been discharged or retrenched in order to get round whatever future recommendations were coming from Parliament. The special retrenchment clause has been

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put in to protect those people who might have been discharged. There is the question of gratuity, hours of work, leave; there is the wage board for determining the wages for working journalists; finally, there is a penalty clause for not observing the regulations regarding hours of work.

Shri Feroze Gandhi (Pratapgarh Distt.—West cum Rae Bareilly Distt.—East): Would you clarify this point so that no more time is taken later that this determination of wage will be the graded wage and not only the minimum wage?

Dr. Keskar: I propose to say that. It means grades of salaries rather than scales of wages. . . .

Shri Feroze Gandhi: Scales of salaries is not gradation of wages. That is different.

Dr. Keskar: About the retrenchment clause, I do not wish to say much in the preliminary discussions. The gratuity clause has led to certain discussions in the other House and also with the representatives of the industry. There has been a certain opposition to that part of the proposal which lays down retrospective gratuity for all working journalists who have put in more than a certain number of years of service. As far as we are concerned, after due consideration of the conditions which prevail in other industries and other professions, we came to the conclusion that retrospective gratuity should be given to working journalists and gratuity should be given to them as in all other professions. We have tried to take into consideration the fact that for the first time a gratuity provision is being laid down by law. In order that there may not be a certain burden on the papers which are not fully equipped for that, and which have not taken this into consideration before, we have made a clause here. In this clause, it is stated that establishments which are smaller and which, therefore, have not got financial resources, will have

to pay a much more reduced rate of gratuity than the other bigger establishments. This is in order to see that the smaller papers do not suffer under a new burden which they did not bargain for and for which they have no resources.

The important change that was made during the discussion in the Rajya Sabha was regarding wages. The original proposal was for a minimum wage board in the discussions, we explained to the representatives of the journalists as also to the Members of the other House the difficulties that the Government felt in fixing particular sums as statutory minimum wage and the implications that it will have in further laying down of minimum wage for other industries which are bound to come and which will be coming. We felt there were many difficulties. Therefore, we had proposed a standard procedure for fixing the minimum wage, and a procedure for a minimum wage board which could be followed in the case of other industries, which might come for such fixation.

Shri K. C. Sodhia (Sagar): May I know whether wages will be fixed also for correspondents?

Dr. Keskar: If the hon. Member will allow me to finish, I will certainly clarify that point.

Mr. Chairman: That would be better.

Dr. Keskar: We had the benefit of discussing this question again with the representatives of the working journalists and we came to a happy agreement. In the light of that agreement, we have changed this particular clause and instead of having a minimum wage board, there will be a wage board which will fix the rates of wages for journalists. We feel that this is, in the long run, a far better and more secure provision for them than fixation of a statutory minimum wage. I am not going into the whole question now,

because, that itself might take a long time. There are a number of principles involved there. I have just mentioned here the important points in which a change took place while the question was being discussed in the Rajya Sabha.

Taking from the beginning the provisions first, it re-affirms the application of the Industrial Disputes Act for settlement of all disputes. This has been included in this Bill so that there may be no need to take up the Industrial Disputes Act, as, after the passing of this Bill, that Act will be repealed. It has been included here. As far as notice period for retrenchment is concerned, in the Bill, according to the recommendations of the Press Commission, an enhanced provision for notice period has been given. Gratuity as a means of social security in addition to any compensation for retrenchment has been suggested here. Maximum hours of work for a period of 4 weeks has been suggested here. Earned leave and leave on medical certificate, practically on the same model as it is for government servants has been suggested. Then, there is fixation of wages by a wage board. That, of course, will take its own time. These are the main provisions.

In some ways, the Bill itself is not a major Bill. It is a small Bill. Most of the provisions that have been made here could be found in a number of Industrial Disputes or Industrial Acts. They have been taken from other comparative Industrial Labour Acts and put in here. But, it is important from the point of view that we are trying to apply it to an industry which up to this time was not able to get all these benefits, a piece of legislation, which, for the better working of our Press, for the better security of our journalists and therefore for a better, I would say, freedom of the press in this country, is highly essential. It gives greater economic protection to the journa-

lists who are working in this profession. The profession of journalists, though it employs a smaller number of people, is probably amongst the most vocal and vociferous of professions. One journalist can make as much noise as 100 politicians though they would not acknowledge it. I think the importance of this Bill from that point of view is great. Moreover, the principles that are being laid down here today are those which will serve as a model for other liberal industries and other liberal professions. From that point of view, it is a new departure, a kind of a new charter. I think it will be something which will react to the benefit of other intellectual and similar types of workers. From that point of view also, I think this Bill is a highly important one.

After the Bill was scheduled to come up here, I got a number of suggestions and amendments bringing to my notice economic or financial hardships that might come to certain papers because of certain provisions of the Bill. I have not had the time to go into them very thoroughly. I might say this here. I am prepared to look into all these questions very carefully and see, if there is any case of financial hardship, as to what we can do to make proper adjustments. At the same time, I feel that it will be highly improper and unjust to try to hold up this Bill now for making such minor adjustments because, holding up this Bill now means holding it up for 2 or 3 months and depriving the various categories of journalists of the many benefits conferred by this Act. Whatever suggestions might come, we shall look into them carefully and see if any adjustments are necessary, and if they are found necessary, I am prepared to make them. I have got a number of them, and I shall certainly look into them.

It is quite possible that in certain specific cases it might lead to financial hardship. But here we are only

[Dr. Keskar]

laying down a general proposition. If we find that there is any hardship, we shall see whether any adjustment can be made. But I would suggest that for that reason it will not be right to hold up the Bill and not to pass it, as that would mean greater hardship and greater injustice to a large number of people, and will not be an act of social justice. I would therefore request that those who have some differences with the Bill, differences of detail, cases of financial hardship etc. should not try to hold it up now. They can bring them to my notice, and we can go into them very thoroughly and see how they can be remedied; and if there is any remedy necessary, or any adjustment or any amendment necessary, later, we shall certainly do so.

Shri Raghavachari (Penukonda): May I enquire whether the hon. Minister wants that the objections should be mentioned on the floor of the House or whether he will consider them even if they come to his notice otherwise?

Dr. Keskar: I am prepared to consider them even otherwise.

While I am pleading for this, I might say first of all that I am making a very short speech in order to spare time, and leave time for other hon. Members, though there are certain points on which I could have spoken at greater length.

I understand that there is a desire to adjourn at about 5-30 P.M. If that is so, then I would not take too much time. My only appeal is that from the point of view of justice and protection to a high and honourable profession, the proposition has been pending before Parliament for a pretty long time, it might be better if the House agrees and co-operates in passing the Bill quickly here.

Shri Algu Rai Shastri (Azamgarh Distt. East cum Ballia Distt.—West): It should be passed today.

Dr. Keskar: I am saying this because there are a very large number of amendments pending, and I am only appealing to my hon. friends who have put in amendments here. I am prepared to consider whatever rectification is necessary, according to facts that might be brought to our notice. I do not want to say anything further at this stage. I would only appeal to my hon. friends who have put in a large number of amendments to take this appeal into consideration.

Mr. Chairman: Motion moved:

“That the Bill to regulate certain conditions of service of working journalists and other persons employed in newspaper establishments, as passed by Rajya Sabha, be taken into consideration.”

I would like to know the sense of the House as regards the division of the time allotted to this Bill as between the general discussion, the clause-by-clause consideration, and the third reading.

Some Hon. Members: Five minutes each.

Mr. Chairman: That is all right. I want to know how much time we should devote for the consideration motion and how much for the second and third readings.

Shri S. L. Saksena (Gorakhpur Distt.—North): One hour for the consideration motion, and one hour for the rest.

Dr. Keskar: May I make a submission. There are about 20 clauses in the Bill, and even the mechanical process of passing the clauses takes a little time.

Pandit Thakur Das Bhargava (Gurgaon): All of them will be put together.

Shri Algu Rai Shastri: All the clauses should be passed together.

Shri T. B. Vittal Rao (Khammam): All the amendments should be taken together.

Shri V. G. Deshpande (Guna): Half an hour for the clauses.

Shri M. S. Gurupadaswamy (Mysore): One hour for the clauses.

Pandit Thakur Das Bhargava: We should devote as little time to amendments as possible.

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas): It should be left to every speaker to speak either on the consideration motion or on all his amendments. Everything should be taken together, and finished by 5-30 P.M.

Pandit Thakur Das Bhargava: The least possible time should be given for amendments in accordance with the appeal of the hon. Minister.

Shri Raghavachari: I would respectfully submit that you may be pleased to allot half an hour for general discussion and about an hour for the clause-by-clause consideration and then close the discussion.

Shri B. S. Murthy (Eluru): Now that the hon. Minister has said that he will consider all suggestions and he is prepared to bring in amendments if necessary, I think all the amendments may be withdrawn, and we may have one hour for general discussion.

Mr. Chairman: That depends upon the Members who have tabled amendments.

Shri Sadhan Gupta (Calcutta South-East): I think the maximum number of amendments stand in my name, and I am quite prepared not to move them.

Shri D. C. Sharma (Hoshiarpur): There are many amendments in my name also. I do not move them.

Shri S. L. Saksena: We shall have one hour for general discussion, half an hour for the clauses and half an hour for the third reading.

Mr. Chairman: Since Shri Sadhan Gupta is not moving his amendments, practically we get all the time for the consideration motion. And I propose that we shall continue general discussion up to 5-30 P.M.

Shri Feroze Gandhi: Up to 5-20 P.M. The House should be adjourned at 5-20.

Shri S. L. Saksena: Up to 5 P.M. we shall have general discussion, and we shall have half an hour thereafter for both the second and third readings.

Dr. Suresh Chandra (Aurangabad): So, what is the final decision?

Mr. Chairman: We shall have one hour for general discussion, and half an hour for the second and third readings, and by 5-30 P.M. we pass this Bill.

Shri Feroze Gandhi: It is 4-20 P.M. already.

Shri Algu Rai Shastri: It is only 4-17 P.M.

Shri M. S. Gurupadaswamy: Although the Press Commission submitted their splendid report to Government long back, the hon. Minister has taken a pretty long time in bringing forward this measure. The delay is regrettable; the postponement is inexcusable. Though it is regrettable and inexcusable, yet after hearing the hon. Minister and after seeing that he has got a full heart in this measure, I feel that this little indifference can be overlooked. While supporting this measure, I would go to a limit up to which any hon. Member of the Opposition would go, and also any hon. Member of the ruling party could normally go, and even beyond, because I feel it is a good measure.

Shri Algu Rai Shastri: Very good measure.

Shri M. S. Gurupadaswamy: I do not say 'very good', because there is scope for improvement. I do not want that the House should take long over the amendments, for the journalist world is very anxious that this Bill, should be passed in this session.

An hon. Member: It is quite perfect.

Shri M. S. Gurupadaswamy: This Bill deals with the working conditions of journalists. I do not want to take the House through the whole gamut of the history of the conditions of the working journalists in this country, because they were discussed here only the other day. It is enough if we remember that the journalists are treated like deserted queens of royal families.

I say so because journalists are regarded as very dignified people belonging to a very decent profession and they occupy a very important estate in the State. In spite of this high place their conditions are deplorable and the treatment meted out to them by the employers is the worst. They find themselves in a sort of blind alley. In spite of their work, their attainments, they cannot be sure they have got any future. In this context, this Bill gives little hope and little contentment to the journalist class.

The Bill deals with the constitution of a Wage Board, hours of work, period of notice and so on. I support the principles governing these things, but while doing so, I want to make one remark about gratuity. There has been a distinction made in the Bill between one type of gratuity and another. Newspaper establishments which have less than six working journalists are treated separately, and the gratuity payable to those journalists who work in these establishments is less than the gratuity payable to others. I cannot understand this discrimination. The work is the same. If we are to give respect to the provisions of the Constitution, we should implement the principle 'equal pay for equal work'. That is a principle which we adore and respect and which we want to implement, and the Government, committed as they are to a socialistic pattern of society, will, I believe, also support me. When the work is the same, when the res-

possibilities are the same, when the conditions are the same, I do not know why this distinction should be made. I want the hon. Minister to take note of this and I wish that he should not make any distinction between two classes of journalists in this matter.

Shri K. C. Sodhia: The distinction is made simply to protect the smaller newspapers. If the same burden is to be put upon the smaller newspapers, then they will curse us.

Shri M. S. Gurupadaswamy: I know the condition of the smaller newspapers.

Shri Feroze Gandhi: You know the condition of the bigger ones.

Mr. Chairman: I may just intervene. Hon. Members themselves have settled that the time-limit for speeches should be five minutes. But if in this way one Member takes up more than ten minutes, what can be done with the long list that I have got?

Another point is this. I think the time at the disposal of each Member is not at all sufficient to deal with the general conditions of journalists, as is generally done in the general consideration stage or at the third reading stage. It would be better if Members can point out any defect or suggest any modification instead of covering everything.

Shri M. S. Gurupadaswamy: I will make some suggestions.

Mr. Chairman: He has taken so much time and now he wants to make suggestions. In this way, how can the promise be kept? In any case, we have to finish the Bill by 6 O'clock today. We cannot go beyond that. Keeping that in view, Members who get a chance to speak may speak as short as possible. That is my appeal.

Shri M. S. Gurupadaswamy: I shall finish in a minute.

I was talking about the distinction made between the small and big news-

paper establishments. I know the condition of the small newspaper world. If relief is to be given to the small newspapers, that would be given in respect of wages and the Wage Board can take that matter into consideration. But no distinction should be made in respect of gratuity. That is my point.

Then no provision is made for payment for overtime work. Here hours of work have been fixed, leave and holidays have been fixed. But if there is any overtime work, then penalty is provided for the employer. According to the Factories Act or the Plantation Act, along with penalty for overtime work, payment for overtime work is also provided. I think it is very reasonable to demand that the same provision should be made in this Bill for overtime work.

Lastly, I commend this measure and I hope that the Minister will bring immediately another measure which will improve some of the provisions of this Bill.

Shri Sadhan Gupta: This Bill has not come one day too soon. The Service conditions of journalists are scandalous and many facts can be cited, into which I do not want to go. I would quote only one very typical instance of how working journalists are treated. There is a leading Bengali daily in Calcutta, called the *Anand Bazar Patrika*. In that daily, one gentleman worked for 18 years. Suddenly, on the 28th November 1954, he was given a letter to the effect that his services were no longer required. No reasons were assigned for it.

Now, the Editor and other staff intervened and then the proprietors assured them that they would reconsider the decision. But it finally appeared that that was only a device to prevent him from appearing and giving evidence before the Press Commission as to how he had been retrenched. The day the Press Commission left Calcutta, the proprietors said that their order was final.

Now the reason came out later on. It was that he had written an article in a journal satirising the activities of Press lords—the doings of Press lords in the newspaper industry. Though the story did not refer to that paper, that was the reason for his being driven out after 18 years of loyal and faithful service.

That is why this Bill is of so much importance. If this Bill goes to cure a fraction of injustices of this kind, it would have done a great service. I do not agree that this Bill is perfect. There are many matters in which I disagree with the provisions of the Bill in the sense that I want to improve them. For example, in the matter of notice, the Federation of Working Journalists have always desired a uniform notice period of six months because the journalists' avocation is not very plentiful and they cannot get jobs in three months. I would also recommend that uniform period.

Then I am amazed to find that sick leave should be uniformly on half wage. Why should not some period or sick leave be given on full wages? Why should not there be casual leave provided for in the Act? Why should it be left to the rules?

Regarding the question of gratuity, there is a very important matter of principle involved. Now, here in the Bill it is stated that if a journalist is punished merely by way of disciplinary action, his whole gratuity will be forfeited. That is an extraordinary proposition. You know that Industrial Tribunals are always governed by the principle that gratuity can be forfeited only if the person is guilty of gross misconduct and his services have been terminated on that account. I do not agree even with that principle. Why should gratuity earned through service of years be forfeited by reason of gross misconduct in one instance? But, even that principle has not been recognised in this Bill. The Bill merely prescribes disciplinary action as a sufficient justification for forfeiting the gratuity.

[Shri Sadhan Gupta]

There is the question of retirement benefits. I expect a retirement benefit; my whole family expects retirement benefit. If a proprietor or owner takes it into his head to take disciplinary action, then this provision would encourage him to take frivolous disciplinary action.

I do not also agree with my hon. friend, Shri Gurupadaswamy that equal gratuity should be fixed for big and small newspapers for this reason. If equal gratuity is to be fixed, then it would be on the standard of the small newspapers. That is to say, those journalists working in the big newspapers would be deprived of the benefit of the prosperity in those newspapers. Therefore, inequality is inevitable. The journalists in prosperous newspapers should be allowed to avail themselves of that prosperity.

Regarding the wage boards, I would recommend that a time limit should be prescribed by which the wage boards should be formed because from our experience of the Minimum Wages Act, we find that Government is very lethargic in these respects.

Shri Algu Rai Shastri: Not in this respect; they will act promptly.

Shri Sadhan Gupta: Seven years have passed and yet in several industries the minimum wages have not been fixed.

Incidentally, I also think that one wage board may not be enough for the settlement of all wages. Therefore, several wage boards, one for each State or one in respect of some region should be fixed. It should be fixed in consultation with the organisations which represent a substantial portion of the working journalists and their representatives should be taken into the organisation. Unfortunately, there is no compulsion in the Bill on the Government to do so and we know from our experience that often Government does not look to the representative character of the association but to some favourite unions

which they want to favour. We have the instance of the Port Commissioners where a union which patently did not represent any substantial portion of the workers was given the representative character. I want this kind of thing to be avoided.

Another very important thing is that the Bill has recognised the industry *cum* region basis in its provisions. This has been a very moot point between the workers that their wages should not be restricted on the ground that wages in other industries in the region or in the newspaper industry are of a certain kind. I do not see any reason why workers who work in a prosperous concern and prosperous establishment should not get wages according to the prosperity of the concern. All the arguments advanced in the Fair Wages Committee Report and taken up by the tribunals regarding the industry *cum* region basis of fixation of wages are utterly fallacious. They say that if a concern pays more wages than others will flock into it. This is an absurdity because that kind of thing cannot happen; unless the concern takes in the other workers they cannot flock to it.

Shri T. N. Singh (Banaras Distt-East): Now, it is 10 minutes, Sir.

Shri Sadhan Gupta: In the interest of the working journalists, I should refer to the application of the Industrial Employment (Standing Orders) Act by clause 14 I should say that strikes and slow-downs should not be illegalised. I cannot deal at length with that.

Lastly, regarding the recovery of dues, I submit that the application to the Government when made should be judicially treated and it should be a judicial process which the journalists should be able to enforce for his benefit. I have not had much time to deal with these things and so I commend my suggestions for his acceptance. If he thinks he can accept my amendments, I will formally move

them; otherwise. I will not, in the interests of the speedy passage of this Bill.

श्री भक्त दर्शन (जिला गढ़वाल पूर्व ब जिला मुरादाबाद उत्तर-पश्चिम) : सब से पहले तो मैं अपने माननीय मंत्री महोदय को इस विधेयक को इस सदन में लाने के लिये हार्दिक बधाई और धन्यवाद देता हूँ। मेरा अपना अनुमान है कि राज्य सभा में भी पहले मूल रूप में इसे प्रस्तुत किया गया था, उस के बाद इस में काफी अच्छे सुधार और संशोधन हुए हैं, लेकिन मैं उन व्यक्तियों में से हूँ जो इस बात को मानते हैं कि अभी भी इस में संशोधन की काफी गुंजायश है, यद्यपि मैं यह समझता हूँ कि चाहे माननीय मंत्री जी की अपील के कारण और चूंकि समय की कमी है इस कारण इस सदन के सदस्य इस को इसी रूप में स्वीकार कर लें, लेकिन कुछ बातें ऐसी हैं जिन को और मैं माननीय मंत्री महोदय का ध्यान अवश्य दिलाना चाहता हूँ।

सब से पहली बात यह है कि इस विधेयक में १४ जुलाई सन् १९५४ को तारीख रखी गई है कि उस के बाद जिन लोगों को बर्खास्त किया गया है वह भी इस से सुविधा उठा सकेंगे। मैं समझता हूँ कि इस तारीख को इसलिये रखा जा रहा है कि उस दिन प्रेस आयोग के सदस्यों ने अपनी रिपोर्ट पर हस्ताक्षर किये थे। लेकिन मैं माननीय मंत्री महोदय के ध्यान में यह बात लाना चाहता हूँ कि जिस दिन से हमारे महामहिम राष्ट्रपति जी ने अपने १६ मई, सन् १९५२ के अभिभाषण में यह घोषणा की थी कि प्रेस-आयोग की स्थापना की जायेगी, उस के बाद से ऐसे बहुत से मामले हैं जिन में पत्रकारों के साथ बहुत अन्याय किया गया है। उदाहरण के लिये हमारे उत्तर प्रदेश का जो एक प्रसिद्ध दैनिक पत्र "लीडर" है उस के समाचार-सम्पादक को जो लगभग ३३ वर्ष तक काम करते रहे थे, केवल एक महीने का नोटिस दे कर जुलाई

१९५२ में निकाल दिया गया। इस के अलावा उसी पत्र के एक उपसम्पादक को भी जोकि लगभग २२ वर्ष से काम कर रहे थे केवल एक महीने का नोटिस दे कर निकाला गया। उन की कन्या की शादी होने वाली थी, लेकिन इस काम के लिये भी उन को छुट्टी नहीं दी गई, जिस के परिणामस्वरूप जल्दी ही उन का देहान्त हो गया। मैं माननीय मंत्री महोदय से अपील करना चाहता हूँ कि अगर इस से बहुत से पत्रकारों को लाभ देना है तो इस तिथि में संशोधन करने पर विचार किया जाये।

दूसरी बात जो मैं खास तौर से माननीय मंत्री महोदय के ध्यान में लाना चाहता हूँ वह यह है कि मुझे शंका है कि यह जो वेड-बोर्ड बनने वाला है वह शायद अंगरेजी के पत्रों और हिन्दी तथा दूसरी भारतीय भाषाओं के पत्रकारों के बीच में बतन आदि के सम्बन्ध में कुछ अन्तर भी रखेगा। मैं प्रेस आयोग के सदस्यों का बहुत आभारी हूँ कि उन्होंने स्पष्ट शब्दों में यह कहा है कि इस प्रकार का कोई अन्तर नहीं रखा जाना चाहिये। इस बात को आप भी जानते हैं और हम भी जानते हैं कि आजकल हमारे हिन्दी के पत्रकारों की जो हालत है वह बहुत दयनीय है। इस सदन के सभी बर्ग मेरी इस बात से सहमत होंगे कि भारत के स्वाधीनता-संग्राम में हमारे हिन्दी के पत्रों ने और भारतीय भाषाओं के पत्रों ने, चाहे अंगरेजी के सौदाई लोग मुझ से सहमत न भी हों, फिर भी मैं कहूंगा कि हमारे पत्रों ने पूरा समर्थन तथा सहयोग दिया है। हमारे उत्तर प्रदेश के एक प्रसिद्ध दैनिक "प्रताप" का नाम ही इस बात का साक्ष्य है कि किस प्रकार से नौकरशाही के दिल को दहलाने वाले लेख उस के अन्दर निकला करते थे तथा किस प्रकार से उस ने गरीब किसान व मजदूरों का पक्ष समर्थन किया और स्वाधीनता के संग्राम में हिस्सा लिया।

[श्री भक्त दर्शन]

मैं आप के सामने एक उदाहरण और रखना चाहता हूँ। जिस तिब्बत के किसी भाग में कोई अंगरेजी का पत्र नहीं जाता और जहाँ का कोई भी आदमी अंगरेजी नहीं जानता, वहाँ अलमोड़े के पत्र "शक्ति" ने और गढ़वाल के पत्र "कर्मभूमि" ने स्वाधीनता का बिगुल बजाया और स्वाधीनता के सन्देश को वहाँ पहुंचाया। मुझे इस से अधिक कहने की आवश्यकता नहीं है। मैं इस बारे में अपने मंत्री महोदय से आश्वासन चाहता हूँ कि वेज बोर्ड को इस बात का स्पष्ट आदेश दिया जायेगा कि हिन्दी के पत्रों तथा अन्य भारतीय भाषाओं और अंगरेजी के पत्रों में जो भी वेजेज रखी जायें, पारिश्रमिक रखें जाएं उन में कोई बुनियादी अन्तर नहीं होना चाहिये।

तीसरी बात मैं यह कहना चाहता हूँ कि यह तो सन्तोष की बात है कि माननीय मंत्री महोदय ने राज्य सभा में मिनिमम वेजेज बोर्ड को केवल वेजेज बोर्ड बनाने का सिद्धान्त स्वीकार किया। इस का मतलब यह है कि केवल न्यूनतम वेतन को निर्धारित करने के लिये ही उस की स्थापना नहीं की जायेगी, बल्कि जो जिस योग्य होगा उसी प्रकार उस को पारिश्रमिक दिया जायेगा, लेकिन इस को स्पष्ट करने की आवश्यकता है। मैं उन व्यक्तियों में से हूँ जो यह समझते हैं कि पत्रकार-कला केवल श्रमिकों या मजदूरों का-सा कार्य नहीं है। इस को अंगरेजी में "लिबरल प्रोफेशन" भी कह सकते हैं। इस लिये इस प्रोफेशन में जैसे कि शिक्षा विभाग में जो अध्यापक हैं उन के पे-स्केल्स होते हैं उसी प्रकार के पे-स्केल्स पत्रकारों के लिये भी होने चाहियें। इसलिये वेज बोर्ड को स्पष्ट आदेश मिलने चाहियें कि वह न्यूनतम वेज को ही निर्धारित न कर के उन के वेतन के क्रम भी निर्धारित करे, उन के पे-स्केल्स भी स्पष्ट करे।

डा० कलकर : वह तो इसमें है।

श्री भक्त दर्शन : उस से यह बात स्पष्ट नहीं मालूम होती कि इस को किया ही जायेगा। इसलिये मैं माननीय मंत्री जी से प्रार्थना करता हूँ कि वह आश्वासन दें कि वेज बोर्ड को स्पष्ट हिदायतें इस बारे में दी जायेंगी और वह इस को करने का प्रयत्न करेगा। मैं समझता हूँ कि यदि ऐसा होगा तभी न्याय हो सकता है।

क्योंकि समय कम है इसलिये मैं और अधिक समय लेना नहीं चाहता। मैं माननीय मंत्री जी को इस विधेयक को इस सदन में लाने पर फिर से बधाई देता हूँ और आशा करता हूँ कि इसके पास हो जाने के बाद इसके संचालन में समय समय पर जो त्रुटियाँ और जो कमियाँ उन के ध्यान में आयेंगी उन को वह जो इन्जीक्यूटिव अधिकार उन के पास हैं उन के द्वारा दूर करने की कोशिश करेंगे और वर्किंग जर्नलिस्ट्स की जीवन-स्तर को ऊँचा उठाने का प्रयत्न करेंगे।

इन शब्दों के साथ मैं इस विधेयक का हार्दिक समर्थन करता हूँ।

Shri Feroze Gandhi: I will be very brief. I will only add my words of support to the Bill and all congratulations to the hon. Minister for having brought this Bill before the House and I hope that the House will expedite the passing of the Bill by 5-30 P.M. I support the Bill.

Shri T. N. Singh: I rise to intervene in this debate at this stage because I feel that something in regard to this measure should be said in order to avoid unnecessary criticism. I was rather surprised that while presenting bouquets to our hon. Minister of Information and Broadcasting, some of the hon. Members complained of delay.

An hon. Member: Naturally.

Shri T. N. Singh: I know what a stupendous task this was from the work that we had to do in the Commission and I can say that because

of the new field covered and certain new kinds of problems which naturally arise, when you deal with labour aspects of a profession. This is a Bill which goes very far towards showing the way as to how we can deal with this aspect of the labour problem. There are so many laws here as well as outside the country dealing with labour problems, but to deal with professional problems is a very difficult question to solve. I really feel that in view of the complexity and a vocal section with which we have to deal, this Bill has been brought none too late. Everybody can say—and probably some of us may say so—that we could have expedited this thing by a month or so in this or that direction, but generally speaking, I must express my satisfaction at the manner in which the Government have dealt with the recommendations of the Press Commission and the consideration shown. The proprietors of the newspaper press are a very powerful section of this country and it is not an easy matter to deal with something revolutionary which the Press Commission has recommended in the form of legislation, and this is what has been done during the last 3 or 4 Bills that have come before the House, some of which we have passed. So I would not blame the hon. Minister for being dilatory or coming with the measure late. I know and understand the complexity of the problem and I must give him the credit for doing his best to do the things early.

As regards the Bill itself, I myself may have certain improvements to suggest and there are other colleagues of ours in this House who would like certain other modifications to be made, probably to suit the employer or the employee. There may be views on this and I am prepared to give all credit to those who want to think independently of this problem, but I want to say that this measure, which is the first of its kind to deal with a very honourable profession in this country, should err, if at all it has to err, on the side of liberality for the

profession instead of trying to narrow down the privileges that are intended to be conferred on the people employed in journalism. I have worked as a journalist, in fact I began my life in the year 1925 as a journalist and I have worked from 6 P.M. to 6 P.M. which was the daily routine of work.

Shri R. Velayudhan (Quilon *cum* Mavelikkara — Reserved — Sch. Castes): That is why the hon. Member is now here in this House.

Shri T. N. Singh: The salary that was paid to me was a mere Rs. 60 and I did feel in those days very bitter and I did feel the necessity for somebody there to protect our interests. At least for those who work at the table, who are educated and who are tiring themselves out, it was not mere physical work that they had to do. I feel that, if any modification has to be made in this measure, it should be made with a view to giving more and more privileges to the people belonging to this noble profession. I have heard that there are cases where gratuity may have to be paid amounting to large sums. But remember that in those days journalism was almost a mission for many of us. We were fighting for our freedom and I ask this: Is it suggested that for those years for which we worked, right from 1920 till 1945 or so, we should not get the gratuity of 15 days' leave? If that is the suggestion, there can be no more reactionary mentality than this. I very strongly urge that there should be no modification, and if there has to be a modifications, it must be in the process of liberalising it still further. I do not want to raise any controversy because the House, I find, is so kind to expedite the passage of this Bill. But as I have said, I do not want to suppress the feelings within me that for the work that we have put in during those years, for the sacrifices that we journalists have made during the period of the freedom struggle, we should be rewarded not by 15 days' leave but by two months or three months even. That is what I feel about the matter.

[Shri T. N. Singh]

As regards the Wage Board, I am very glad that in the Upper House the modification was made. We are not concerned merely with fixing a minimum wage—that is not the main thing—but we also want that proper wages or fair wages should be fixed. As a matter of fact, in our own Commission we discussed this question in great detail and it was our intention—I am disclosing no secret—to see that our fellow journalists got a fair wage, and not only a minimum wage. For that reason I very much welcome the change made here. I am sorry I have probably exceed the time limit fixed by you, but if you so permit, I would say that working hours, overtime and all those things should follow and they will follow. The tide which has flown in a particular direction cannot be reversed at this stage and any effort of howsoever big a proprietor might be will only wash him off and will not in any way retard the progressive line that this House is taking when it is passing this Bill. I would only say this. If a worker gets some overtime—a worker doing some physical labour—you cannot stop the other man getting it. I do not think there is anything in the Bill to prevent Government from saying that overtime has to be paid.

Dr. Keskar: There is nothing.

Shri T. N. Singh: I am sure that when this process starts all these things will automatically follow. My advice to my fellow journalists will be this. Let us not be impatient. For 30 years under great hardships with great patience we have struggled for a certain standard. Let us go on working steadily without any bitterness against anybody. I am sure that the proprietors of the newspapers will see their way. Newspaper industry should not be run as it is done today. In future, I anticipate it not to be merely profit-making concern. It has to have a mission. Therefore, let the proprietors not view these things with a rupees, annas and pies attitude of the average businessman who wants to make some commissions on anything that he can.

Shri Kamath (Hoshangabad): Press Commission too?

Shri T. N. Singh: I thought probably the hon. Member also wanted to get a commission on the Press Commission. That is not possible. With these few words, I will commend this measure to the House and strongly appeal that this Bill should be passed as it is just at present. Let no Member be deluded by the hope that if any modification is going to be made it will ever be made in the reactionary direction.

Shri Joachim Alva (Kanara): The long, bitter and strenuous struggle waged by working journalists which started silently almost a century ago has at last ended. The working journalist has at last come into his own with some more amenities around the corner. Many more amenities, which are denied to him now, he will surely obtain in course of time.

There is a moral and a legal side to this Bill. The legal side has provided many provisions which are very favourable to him. Gone is the day when the proprietor could harass the journalist and extract work from him for 36 hours—I would not say 24 hours but 36 hours—without any provisions for the family or for any kind of emergent help though the profits were plenty and the returns large for the proprietor. We know that the influence of the proprietors is still very strong and they can reach from the zero point even up to Rashtrapati Bhavan. However this is transient and passing.

The hon. Minister aided by his able and legal minded Secretary deserves to be congratulated for having brought this Bill out of a package of Bills which have to come from the report of the Press Commission. There is still one more Bill which he has to bring. There is no provision at all for smaller and weaker papers: to pull them out of their morass and bring them into their own—there is just no provision of any type for them. The British and American advisers are responsible for this and the Indian

advertiser is completely indifferent to the growth of Indian journalism. There is also now the new advertiser from the USSR, Central European countries and China which, we hope, will counter-balance the force of the British and American advertisers. In this great tussle, the smaller newspaper goes to the dogs. Their interests had to be protected and had to be planned by the Ministry in the Five Year Plan by the provision of long term help or any other amenities so that they could stand the strain of the forces of competition. This has to be done so that they can enter the field and then the Indian language press will come into its own, when they will turn out into best-circulated papers of the world.

I was stressing the moral and legal sides of this Bill. The journalist has got now many pegs to hang his claims but he shall not also hang the management on it. Once he gets his dues, he must also feel his moral obligation. The moral obligations are many. The House would forgive me if I mention an instance. A businessman who originally came from Pakistan told me the other day—a refugee—that he came to India with Rs. 3 and he had been able to establish a flourishing business now. When he went to a British factory at Sheffield, the British Trade Union people told him an of a striking incident. A particular worker went to wash his face at 5:45 when the factory was to be closed at 6 P.M. They sacked that man and circulated to all the other Unions that he shall not get a job. If those 15 minutes were multiplied by a thousand workers would mean the loss of so many working hours. The moral obligation of the Union was strong. It is inherent there and is lacking here. The British individual character is something which can be emulated. We will have to emulate the attitude of the British Trade Unions and discharge our moral obligations.

Gone are the days of the great journalists who are fifty-year old now and beyond, who worked all the 24 hours and put their hands into every

kind of work. Today we want young, able and hard-working journalists who are patriots and who will make the management love their ways. Let not our boys run away from their work. Perhaps they do not understand fully their responsibilities. Journalism cannot move automatically; newspapers cannot be produced by machines alone. The moral fibre is the triumphant factor.

I would quote one instance. I had a colleague of mine who one day walked upto me and said—he was a very able Orissa boy and I do not mind mentioning his name—he was Shri Profulla Mahanti, now writing articles in all the leading papers: "I am going away; I have finished my work for the day and for the whole of next week. My only son is dead and I am going away to my home in Calcutta." I can never forget that. There was another typical instance. A worker asked the newspaper proprietor leave for his marriage; he was told to go out. The proprietor—I do not want to mention his name—was a journalist-worker of 24 hours and he died in harness, and he was one of the great pillars of our journalism.

There are proprietorial perfections and imperfections. These are things which we shall have to remember if we are to get our papers strong and going. As I said, if we are today taking a step forward, let us not take two steps backward. We shall thereby strengthen our country and our journalism. Again I say, the Government must help the poorer, and smaller language papers—established Indian language papers—so that they make their own contribution towards our welfare State.

Shri Bhagwat Jha Azad: I welcome this Bill because it is a recognition of human value in such an industry where workers working from morning to midnight are subjected to poverty, tyranny and injustice—an industry in which useless pathetic institutions in the name of national agencies claim from Government a big junk, and whose big guns sometime raid

[Shri Bhagwat Jha Azad]

the Central Hall and try to stop this Bill from being passed in this House. I welcome this Bill on more than one ground.

Though this Bill is not perfect, yet I feel this will go a great way to help the working journalists who are subjected to so many hardships. As introduced in the Rajya Sabha this Bill did not give us any satisfaction. But, as it has emerged now it has been much improved, thanks to the Members in Rajya Sabha and to the elasticity of the Hon. Minister.

An Hon. Member: Generosity.

5 P.M.

Shri Bhagwat Jha Azad: The Wage Board as has been set up now, I find is not confined to minimum wage but it will also go into the question of fair wages with a view to fix the scales of wages and other allowances for the working journalists.

We want that clause 13 of this Bill should immediately be acted upon by the Government by publishing in the Official Gazette the wages for the interim period that are to be paid and which have been prescribed by the Press Commission. It is very strange that some of my friends—of course they knew my views and therefore they did not dare to come to me—were whispering in the Central Hall or somewhere as to why this retrospective effect should be given to the provision regarding gratuity. I wanted to shoot a question on their face, but they did not come before me, as to why retrospective effect should not be given to a provision applicable to those who are working from morning till midnight in such an industry and in such offices where I have seen that they have not even got the minimum advantage of a good chair and table? Why should it not be given to them who have a suffocated life and who work day and night for giving good material which is called the fourth estate in the country? Why should they not be given the advantage of

retrospective effect? Then I was asked, why this provision of provident fund and this gratuity? My answer is the same to that.

But I feel that though the hon. Minister—he is perfectly justified in being proud of it—has provided a retrenchment clause in the Bill which will cover the period since the announcement of the Report of the Press Commission, there are still many hard cases. I know at least about one, a friend of mine, who is a journalist in Patna in a similar press. His only guilt was that he appeared before the Press Commission and gave evidence in clear words against what things are being done in the establishment. He has been retrenched on that account and he cannot be covered under this retrenchment clause because the period that has been stipulated in very short. I, therefore, request the hon. Minister to extend this period. If it is not possible, he should say that such cases which are still pending in different States and which have not been decided by the Industrial Tribunals should be referred by the respective State Governments to adjudication.

I feel that there is still much to be done. This Bill is not perfect, but as we all know no man nothing in this world in perfect. Still I hope the hon. Minister will not take shelter under this but will take advantage of this that a man always gains by experience and he is a man who adapts according to circumstances. As I have complimented the hon. Minister of elasticity I am sure he will take into consideration our views. We have ourselves foregone the privilege of moving our amendments in this House only in the hope that certain things which we wanted to raise through amendments will be taken into consideration by the Minister. Even if our amendments have not been formally moved in this House they have been informally sent to him as our amendments and we have also informed him outside the House.

With these words I welcome this Bill.

Dr. Suresh Chandra: I do not know whether I should congratulate the hon. Minister for his elasticity, but I certainly feel that the hon. Minister deserves our congratulations for bringing such a measure in such a short time. As has been stated before by the Minister himself, this is probably the most important recommendation of the Press Commission and as such it is absolutely necessary to bring a legislation to improve the conditions of the working journalists which is a human problem.

Now, it is not the time here to go into the provisions of the Bill in a detailed manner as has been agreed to by the unanimous voice of this House, but I feel it is necessary to point out that a little more comprehensive measure is expected to be brought forward by the Minister which will also include the shortfalls which still remain in this Bill.

It is a welcome sign that a provision has been made for the constitution of a Wage Board, but I feel that the Government should accept the recommendation of the Press Commission on this issue and have a basic Minimum Wage Board. Though it is a fact that this basic Minimum Wage Board does not exist in all other industries, I feel this is a special industry whose importance has been emphasised by my previous speakers and I need not go into that in view of the short time at my disposal. I feel that it is necessary to have some kind of a Minimum Wage Board so that the minimum salary which has been prescribed by the Press Commission may be given effect to. After going into this industry very very carefully they have prescribed Rs. 125 as the minimum wage. I feel it is quite justified and hope the Government would come forward in accepting this recommendation.

I have another point to make. I hope that this Wage Board might become a sort of 'Jumping board' for the promotion of the conditions of working journalists for their security of tenure, emoluments and other things so that in future this Bill may become a charter for the journalists of this country.

The third suggestion I have to make here is that there should be no discrimination against Hindi or language newspapers in any way. Unfortunately, in this country there has been a kind of discrimination in respect of fixing of wages for the language newspapers. I feel that there is hardly any future for English in this country after some years. It may be unfortunate, perhaps, but it is so because of the provision in our Constitution and, therefore, the future lies in the language newspapers of the country. Therefore, the Government must do everything in its power to encourage the language newspapers and should show no discrimination.

I feel that this Bill is a very welcome measure and I hope the Government will take note of all the points which I have tried to place before this House. I heartily support this measure.

श्री रघुनाथ सिंह (जिला बनारस मध्य):
सभापति महोदय मेरा प्रस्ताव है कि इस पर अब बहस समाप्त की जाए और इस पर वोट ले लिया जाये।

Sir, I move for closure. (*Interruption*).

Mr. Chairman: Order, order. The whole point is, there are two hours allotted for this and it depends on the House whether they want to close it earlier.

Some Hon. Members: Yes, Sir.

Some Hon. Members: No, Sir.

Mr. Chairman: There is difference of opinion.

Dr. Keskar: There were two hours fixed if the House sat till six o'clock. I was informed by the previous Chairman that there is a desire to adjourn at 5-30 p.m. and that is the reason why there is a move for closure; probably, we might have been given less time.

Shri Raghunath Singh: Sir, I move for closure because we have to finish early. (*Interruption*).

Shri Sinhasan Singh (Gorakhpur Distt.-South) rose—

Shri N. Rachlah (Mysore-Reserved-Sch. Castes) rose—(*Interruption*).

Mr. Chairman: I think Shri Jaipal Singh was a member of the Commission and he wants to say a few words. I will give him 5 minutes. He shall be the last speaker.

Shri T. N. Singh: He may speak on the third reading. Once a closure motion has been moved it will have to be put to the vote of the House according to the rules.

Mr. Chairman: Not necessarily; there is some discretion left to the Chair. So, I will give some time to Shri Jaipal Singh—5 minutes—and after that I shall put the closure motion.

Shri Jaipal Singh (Ranchi West Reserved-Sch. Tribes): I am very grateful to you for enabling me amidst this babel of noises to say a few words on this Bill.

Shri B. S. Murthy: On a point of order. This usage of the words "babel of noises" is intended to mean that there is no rule or rhyme here. The Members were asking for closure. Would you be good enough to say whether this phrase "babel of noises", when we asked you to put the motion for closure, is in order?

Shri Jaipal Singh: I find it very difficult to vindicate my position when there are some Members who perhaps are not well acquainted with the language in which I am speaking.

Mr. Chairman: Hon. Member has got just three minutes more.

Shri Jaipal Singh: I take this opportunity of recalling the name of the Chairman of the Press Commission—Justice Rajadhyaksha. We who had the privilege of working with him could not have had a better man as far as the working conditions of working journalists were concerned. Here was an Indian national who had more experience than any other man of the judiciary in this country alive then, more experience than any one of us or, for the matter of that, anybody else, and nobody else could have been thought of by the Government of the day. He was, in one form or the other, head of many tribunals dealing with labour conditions. My colleague who has spoken here a few minutes earlier talked of the mission. The mission is a historical fact. We are not concerned with missions now: we are concerned with the present problems and I think the present problem is not one of employers only but of the employees also. It is an open fact that I was not satisfied. In fact, I am one of the dissentients, one of the signatories to the Minute of Dissent in the Press Commission's report. I am not satisfied that even what is being offered today is good enough, when we are expecting wonderful work from our working journalists. The biggest sinners in this country are the language press. We talk of nationalism and the like. But it is the foreign language press that does pay well. It is not the language press. The foreign language press is today better than any language press.

Some Hon. Members: No, no.

Shri Jaipal Singh: The facts are there. These reports are there. Let any of my colleagues tell me what it is. I do not like that word "vernacular" press. It is opprobrious. The language press of the country does not pay better than the English press (*Interruption*) Hon. Members tell me that there should be no discrimination. Well, what I have to say is this. Let this be recorded. I am also a working journalist.

An Hon. Member: Part-time.

Shri Jaipal Singh: May be part-time; maybe one day in the year, but I am a working journalist. All that I say is this. Let it not be merely a mission. Let it be something more than that. Let them be worthy of the hire. It is very important. It is very easy to talk of what they should get, what their working conditions should be etc. I have no sympathy whatever with the employers.

Shri Joachim Alva: The English section is financially the most powerful section of Indian journalism.

Shri Jaipal Singh: Let there be no mistake about it. I have no sympathy with the employers.

Mr. Chairman: The hon. Member is not keeping in mind that he has been given only five minutes. He is exceeding that limit. I thought that he was eager to speak, but he is paying economies and something like that. Time is short. He will please finish soon.

Shri Jaipal Singh: I appeal to the working journalists to realise that theirs is creative work, and creative work, by virtue of its being creative, is not subject to the ordinary conditions, but, at the same time, they shall be worthy of the hire.

Some Hon. Members: They are.

Shri Algu Rai Shastri: They are better than that.

Mr. Chairman: The question is:

"That the question be now put".
The motion was adopted.

Mr. Chairman: The question is:

"That the Bill to regulate certain conditions of service of working journalists and other persons employed in newspaper establishments, as passed by Rajya Sabha, be taken into consideration".

The motion was adopted.

श्री भक्त वरुण : क्या मंत्री महोदय
उत्तर नहीं देंगे ?

Mr. Chairman: I do not think it is necessary. The next stage is clause-by-clause consideration. I hope all the Members who have tabled amendments have withdrawn their amendments.

Shri Sadhan Gupta: We are not going to move them.

Shri B. S. Murthy: They have not at all been moved.

Mr. Chairman: The question is:

"That clauses 1 to 21, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clause 1 to 21, the Enacting Formula and the Title were added to the Bill.

Dr. Keskar: I beg to move:

"That the Bill be passed."

In moving that the Bill be passed, may I say one or two words? I do not want to say anything by way of a valedictory speech but I want just to mention a few points that hon. Members have raised here.

Mr. Chairman: The hon. Minister may reply after one Member has spoken. Shri D. C. Sharma will now speak.

Motion moved:

"That the Bill be passed."

Shri D. C. Sharma: I welcome this Bill. It is not the time to lecture to journalists, to lecture to the proprietors or lecture to anybody, but it is the time to rejoice, and I think the most happy man today is our Minister of Information and Broadcasting, Dr. Keskar. He has been feeling very happy and has been smiling all the time, and I hope his smile has not been due to my friend Shri Khanduabhai Desai, but they are both very happy today. Journalism is a most

[Shri D. C. Sharma]

precarious profession, but today we are giving the journalists a modicum of the sense of security. It is the most hazardous profession and we are trying to insure it slightly against the risks which it involves. It is the most difficult' profession and we are trying to give it some modicum of a living wage. It is the most liberal profession but its liberalism is rooted in poverty and we are trying to offset that poverty. It is the most honourable profession and we are giving that honourable profession some incentive for doing the work efficiently, nobly and well. Of course, I would only say to my hon. friend, the Minister, who has got this thing done in such a short time that the clause about the disciplinary action should be modified and explained, and, if possible, withdrawn. I would also say that so far as retrenchment is concerned, the provisions should be made as hard as possible for the proprietors. With these words, I support the Bill.

श्रीमती शिवराजवती नेहरू (जिला लखनऊ मध्य) सभापति महोदय, यद्यपि हम स्त्रियों को बोलने का बका नहीं दिया गया है, फिर भी मैं केवल इतना ही कहना चाहती हूँ कि हम स्त्रियाँ भी इस विधेयक का समर्थन करती हैं।

Mr. Chairman: Order, order. I am once again asking the House to fix up its mind. Of course, the time-limit fixed is two hours and according to that schedule, we can sit till 6. But I understand that due to some reasons hon. Members want the House to adjourn at 5-30.

Several Hon. Members: Yes.

Mr. Chairman: So that sense is there.

Shri S. L. Saksena: I want to say only one thing. Today, by this Bill we are admitting the working journalists into the class of labourers. My journalists friends are very happy and I am also very glad. But, I warn the journalists that they should not

be overhappy. The Industrial Disputes Act, the Industrial Employment (Standing Orders) Act and the Employees' Provident Funds Act, 1952 are there still and they have their own defects. As far as adjudication of disputes is concerned, there is a provision in the Bill that the Government need not refer for adjudication.....

The Minister of Labour Shri Khandubhai Desai: That lacuna has been removed in the amending Bill.

Shri S. L. Saksena: If that lacuna has been removed in the amending Bill, I am glad.

Mr. Chairman: The hon. Minister will now reply.

Dr. Keskar: I am very happy to know that there is such a practical unanimity in the House in support of this Bill. This shows that hon. Members are all progressive minded. They would like to help the journalists and give them their due. They would like to give the journalists the best of working conditions.

श्री अलगू राय शास्त्री : प्रापको कुछ हिन्दी में भी बोलना चाहिये था।

Dr. Keskar: I will speak in Hindi next time. I do not pretend that the Bill is a perfect one. I quite agree that the Bill can be improved in many details. But, as I said, it is striking a mean between various opinions. Moreover, I have pointed out to Members that any change in the Bill at this stage, even though it may be a small one, would mean postponing the Bill for many months to come.

However imperfect the Bill might appear to hon. Members, I hope that they will give it unstinted support keeping in view the general principles involved and not the particular details which they disapprove. I would only like to say that it is not a dilatory measure. We have taken everything into consideration. I am prepared even now to consider anything

which is pointed out as a defect or which, in the light of experience, we feel is a defect; we will certainly see that measures are taken to adjust things accordingly later. We have to expedite the matter as quickly as possible. But unfortunately, hon. Members will want to expedite things in such a way that the democratic and parliamentary procedure is not followed. If you want that procedure to be followed, then some delay is inevitable. You cannot get away from it. I think as a longtime measure, it is better that we take every possible opinion into consideration and then take a decision which is far better, far more mature and therefore far more lasting. There are a number of points raised by hon. Members here; I cannot refer to all of them. I am noting very carefully all the suggestions made here. Two or three Members raised the point of disciplinary action. I may remind them that the provision regarding disciplinary action is taken from the Industrial Disputes Act. Disciplinary action is taken for proved and gross misconduct. There is no contradiction between what is suggested in the Industrial Disputes Act and what is suggested by the hon. Members. Action taken under this Bill will be according to the procedure laid down in the Industrial Disputes Act. Therefore, hon. Members need not have any apprehensions that this is something new which is not existing in any other industrial legislation. The questions of overtime, leave and other things can be taken up under rules. I have also said in the other House that details regarding leave and overtime which are not put on the statute will be dealt with by framing suitable rules. Many Members have raised the question of the language press and the English press.

[Mr. DEPUTY-SPEAKER in the Chair]

There is no doubt that the future belongs to the language press. We have to see that the language press is nurtured and goes on the right

lines. It should be built on a sure foundation. All that is there. Whatever is necessary will be certainly done by us. There need be no apprehension that we want to show any discrimination in favour of the English press.

I have noted carefully the other points raised by hon. Members, including the pertinent remarks of my friend Shri Jaipal Singh. We will bear them in mind, and as I said, after the Bill comes into force, in the light of experience, we will certainly do whatever is necessary. In certain matters like gratuity etc., it might be hard for a number of papers. I am prepared to examine everything with an objective mind. I said that the journalists must receive their just and due share. On the other hand, I hope that the journalists also will show, as Mr. Jaipal Singh has said, that the journalistic profession is an honourable profession. They can rise to noble heights and even without the Press Council coming into being, they will show that journalistic standards will be observed in the country. I have every hope that the journalists, as a collective body, will see that since hereafter better standards of working conditions are assured for them, better journalistic standards will be maintained, showing to other countries also that in India without much regulations, the journalists are showing the way for higher standards. That is something which I hope they will try to achieve. I also hope that the passing of this Bill will bring about better relations between the employers and the employees. I do not at all share the apprehension of some friends here that this Bill will bring about hardship or bitterness between the proprietors and the working journalists. On the contrary, now that the journalists will get security and better protection, I am sure that there would be happier relationship between the proprietors and the working journalists.

Shri Bhagwat Jha Azad: As far as question of retrenchment not covered by clause 3 is concerned....

Mr. Deputy-Speaker: Order, order. I have not placed the motion before the House. Are there no amendments?

Dr. Keskar: I have replied to the third reading debate.

Mr. Deputy-Speaker: Very well. This is a neat Bill.

The question is:

"That the Bill be passed"

The motion was adopted.

5-30 P.M.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 14th December, 1955. |