

BIHAR

For Whom The Bill Tolls

ONE OF the misconceptions spawned by the Bihar Press Bill is that it will emasculate Bihar's journalists. The truth is that Bihar's journalists have already been emasculated by Chief Minister Jagannath Mishra. Using the twin methods of patronage and advertisement support, Mishra's Government has directly subsidised an explosion of small papers across the state—the very papers now being held up as examples of “yellow journalism”—and, worse still, taken no steps under existing defamation and obscenity laws to penalise erring papers.

The bill is therefore going to confer the tender mercies of Bihar's constabulary on a pitifully small group of reporters in Patna. These journalists have relentlessly, through the outside or “national” press, been amplifying country-wide the infernal din set up by the skeletons in Mishra's cupboards. If anything, the Bihar press has time and again turned a tolerant and unseeing eye on the diseases that blight Bihar—atrocities against Harijans, a rocketing crime graph, the entrenchment of criminal gangs in all parts of the state, and the public tendency to justify and support barbarities like the Bhagalpur blindings. In this, Bihar's press has fitted in with the first law of journalism, enunciated by former *New York Times* staffer Tom Wicker: “The press always accurately reflects the community it is operating within.”

When asked by INDIA TODAY to cite specific examples of scurrilous, obscene or blackmailing journalism, Jagadanand Jha, the state's flat-footed director of public relations, offered only some weak examples from tiny papers tucked away in Bihar's remotest corners. It was clear therefore that the Bihar Government was being very clever about its real reasons for the bill—it would be used not against Bihar's mofussil press but against larger papers that had a nationwide circulation. These newspapers and magazines have been Mishra's most implacable foes, consistently peeling off layer after layer of corruption, maladministration and venality from his adipose government.

Booming Industry: Outside of the small group of Patna journalists, and a couple of courageous editors like Dhanbad's Bankhandi Mishra (see box) the press in Bihar has, over the years, become a booming *kutir udyog* (cottage industry). Mishra has played no mean role in bringing about a situation where every “respectable” inhabitant in every Bihar town flaunts his journalistic status, claiming to be a stringer for some



Small-town journalists protesting in Patna: already emasculated?

“major” paper or the other, and where “small papers” sprout overnight like toadstools after a tropical rainstorm.

In Muzaffarpur town, for instance, there are, according to the district authorities' wavering estimates, between 60 and 100 papers. There are as many as 16 papers purportedly published from Muzaffarpur's own Fleet Street—Sahu Road. Radha Mo-

says that he survives purely on government advertising. “We are supporting the Press Bill,” he says smugly. *Pratah Kamal* was launched only a few months back, but already Thakur is carrying large advertisements from the Directorate of Advertising and Visual Publicity (DAVP) in Delhi and the North-Eastern Railway. Any day now, he expects to be put on the “approved list” for Bihar Government advertisements.

Impotence: Umesh Chandra Alakh, 49, runs a tiny printing press and a weekly paper called *Bihar Mail* out of the compound of the Santoshi Maa temple in the centre of Muzaffarpur. Formerly a teacher in Vaishali, Alakh says his paper prints “what we get”. He has not actively opposed the Press Bill in his paper. “How can a small paper like mine do so?” he asks. “We are scared of the repercussions. How can small papers resist this dictatorship if the big papers in Patna accept government advertisements but protest by not printing Jagannath Mishra's statements?”

Alakh is only too right. Except for the *Indian Nation* and *Aryavarta*, whose owner Subheshwar Singh has been gunning for Mishra, all the other four major dailies in Patna have been following contradictory policies in their struggle against the bill, although they ostensibly lead the Journalists' Action Committee (JAC). On September 8, two days before the Bihar bandh, called by 11 opposition parties to protest the Press Bill, the four dailies—*Searchlight*, *Pradeep*, *Aaj* and *Janshakti*—carried huge solus advertisements on the front page from the



Dinanath Jha: symbolic father-figure

han Thakur, for instance, owns a printing press on this street—as well as five papers: the daily *Pratah Kamal*, and four weeklies: *Bimal Vani*, *Hajipur Times*, *Mashwara-e-Awam*, and *Bagmati Dak*.

On most days, Thakur's office is deserted save for the press manager. No copies of any paper except *Pratah Kamal* are available. Thakur happens to be a teacher in the Harihar Narayan Girls' High School. Muzaffarpur's budding Rupert Murdoch

JAGADANAND JHA

Tough Talk

JAGADANAND Jha is proving to be an exemplary torch-bearer in Jagannath Mishra's hysterical vendetta against the press. Much of Mishra's recent media policy appears to have been shaped by Jha, who holds the dubious distinction of being only the second non-Indian Administrative Service (IAS) officer in Bihar's history to reach the post of director of public relations. Jha served very briefly in the same post in 1977 before Mishra's ministry fell under the Janata onslaught; he was promptly brought back when Mishra regained the chief ministership in 1980.

"Journalists are not competent arbitrators of the Press Bill," says Jha. "The agitation is now being taken over by hooligans. Assuming Mishra has made a mistake and the Bill is bad in law, why have the journalists returned only their accreditation cards and not all the other benefits they have got from the Government? Why have they not stopped writing entirely to show their anger?"

Jha is very busy these days, collecting as much "evidence" of "scurrilous, grossly indecent and blackmailing" journalism as he can for a White Paper the Government will publish soon to counter its critics' arguments. All of the examples are from the myriad rags that emerge from Bihar's towns. Why did Jha not take action against such papers earlier under existing laws? Why does the Government issue them advertisements? The director becomes apoplectic. "Advertisement disbursal was centralised in my hands only last year," he says, "and we have not yet evolved a proper method to penalise erring papers. In any case existing laws are useless. You journalists think you are above the law; you are all crooks. Admit it and face the punishment."

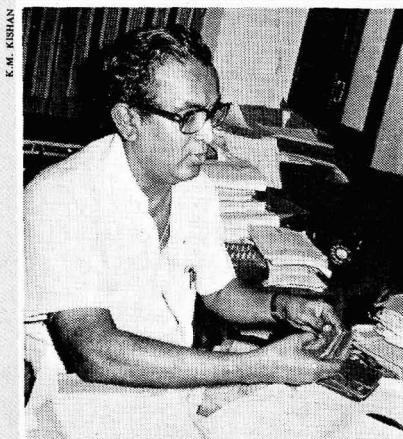
Crude Justification: Jha is adamant that the Press Bill will not be misused against "good" papers. He has interesting analogies to offer in support of this point. "There are laws banning illegal firearms and rape, and in rare cases they are misused," he says. "But does this mean we should abolish the Arms Act and the Criminal Procedure Code? Every man is born with a sexual organ that is an instrument of rape. Does it mean he goes out and rapes the first woman he sees on the road?"

Once upon a time, long before

the earthy, rough spoken Jha graced Bihar's Secretariat, he was a humble translator in the *Indian Nation*. Today his vitriol against that paper has no limits. "The paper's owner Subheshwar Singh is quarrelling with the chief minister," he says, "and that is why they are leading the anti-Bill agitation. Tomorrow if Singh patches up with Mishra the agitation will collapse."

Why has it taken Jha so long to begin collecting evidence in support of Mishra's allegations against the press? "I am working alone," he says mournfully, "and slowly. But there are thousands of people all over the country working against the Bihar Government."

Men of Jha's calibre are part of the devilish brains trust advising Mishra these days. He has no answer when he is asked why he does not criticise the dozens of in depth, well-documented



Jha: hatchet man

reports that have appeared in the national press, exposing a Bihar that under Mishra's rule has become living hell. Nevertheless, Jha expends all his energies on drafting huge advertisements supporting the Bill, on supervising the printing of thousands of posters and pamphlets broadcasting Mishra's venom against the press, and on as siduously listing so-called journalistic misdemeanours.

That the Government is supremely confident about the Bill becoming law is evident in Jha's rude, hectoring behaviour towards the press. "When the Bill becomes law," says he smugly, "I will vet all the papers, and pick out the guilty ones. Then the Law Department will prepare the case against the journalists, and the Home Department will prosecute them. We shall see how cocky the press is then."

Government's Department of Information and Public Relations (DIPR). The advertisement said the bandh was being organised by "anti-social elements", and exhorted the people to oppose it. To top it all, *Janshakti* is the organ of the Communist Party of India (CPI) which is one of the members of the 11-party front.

The Bihar Government has seized on these contradictions in the press by launching a propaganda blitz against it. "Once the bill becomes law," says Jagadanand Jha, "any Tom, Dick and Harry can challenge it in the Supreme Court. Let the courts decide whether the law is right or wrong."

Willing Abettor: What Jha omits mentioning is the fact that any Tom, Dick, and Harry in Bihar can start a paper overnight. The Registrar of Newspapers for India (RNI) in Delhi as a matter of course registers the hundreds of applications for new publications pouring in from Bihar. All the would-be publisher has to do is to buy a small press with hand-set types and a treadle printing machine, set up shop, and bring out a few shabby issues.

A chartered accountant's certificate vouching for the paper's circulation—which is more often than not vastly inflated—suffices to put it on the DAVP's advertisement list. If the paper appears continuously for six months, the Bihar Police carry out a cursory check of the owner's antecedents, and it is then placed on the list for advertisements from the state's DIPR. Except for the six leading dailies in Patna, therefore, all of Bihar's burgeoning mofussil press thrives on government advertisements.

In July last year, the issuance of all Bihar government advertisements was centralised; this meant that the papers would get advertisements only if the DIPR in Patna released them. Before then, advertisements were issued by the concerned departments either in Patna or at district headquarters to the local papers.

ONCE a paper gets on to the advertisement list, however, it is very rarely monitored for circulation and content. In many cases, the newspaper owners themselves admit that they print only a few copies to send to the DIPR and other advertisers, and sell their newsprint allocations in the black market.

Whether the small papers print defamatory or scurrilous matter or not, the Government is hard put to explain why it follows such an uncoordinated advertising policy. There are currently 263 publications on the DIPR's approved list; six of these are the big dailies in Patna, which means that the remaining 257 are all small papers scattered through the state.

As for the police verification

BANKHANDI MISHRA

A Profile In Courage

THE PAPER's masthead says it all. *Chunouti* means 'challenge', and editor-proprietor Bankhandi Mishra, 50, has established a reputation in the hellish town of Dhanbad that could provide a textbook case-study for any beleaguered Bihar journalist—and a grim warning of the harassment the Press Bill will bring in its wake.

On June 10 this year, Mishra was sleeping in his lungi and vest in the cramped, run-down quarters in Jharia's Lachminiya Mode area that house both his small press and his family—a wife and a daughter—when there was a commotion at his door. At 1.30 a.m. in the night, Mishra was arrested by constables Guru Prasad Yadav and Tarni Prasad Yadav of the Jharia police station and hauled off half-clothed to a dingy cell in handcuffs and chains.

Mishra was told that one of his employees, Surat Lal Jha, had complained in writing that the editor was not paying wages and threatening his workers. Later, Jha told Mishra that his signature had forcibly been taken on a blank sheet of paper. The police also told Mishra that they were following up an old case against him. Some years back, Mishra and some friends had founded a law college in Jharia; there was a falling-out among the founders, Mishra was falsely accused of misappropriation of funds, and arrested. He obtained bail in that case, but there was no reason at all at that point of time to arrest him again as the police did.

Consistent Exposures: The truth was that Bankhandi Mishra had bucked the Dhanbad system all too often. In an environment where criminal gangs exert terrifying influence over the coal-miners' wretched lives, where men are killed in open daylight and their killers are never found, and where corruption, squalor and despair have become commonplace, Mishra has consistently carried reports in his paper—a four-page evening broadsheet, the only one of its kind in Bihar—that unfailingly reveal the truth and invite the wrath of the powerful forces that control the Dhanbad-Jharia-Katras coalbelt.

Mishra believes that his arrest is directly linked to *Chunouti's* exposure of the Das murder case. On April 29 this year, S.S. Das, a young Calcutta-based

auditor who was inspecting the books of Bharat Coking Coal Limited (BCCL) Area 6, was brutally murdered; his body was thrown beside the track on the Dhanbad-Gaya line, and the local papers reported the death as an accident.

Mishra was away from Dhanbad when Das died. His interest was aroused when he read the news on his return two days later. The doughty editor set to work at once, and on May 3, much before any other paper, *Chunouti* front-paged a report saying that Das had actually been murdered.

Repercussions: The case hit the national headlines a few days later and eventually resulted in the arrest of A.H. Khan, an accountant in the Area 6 office of BCCL. Shortly thereafter, Mishra received a threat from a man who said he



Mishra: unbowed

was representing Akhlaq Ahmad, a Janata Party MLA from Rohtas and Khan's brother-in-law.

Mishra was kept in detention for two days after his arrest, and taken in chains to the court where he obtained bail. When he returned home he found that the police had systematically ransacked his home and office, broken the lock on a drawer, and removed a file containing all of the evidence Mishra had collected on the Das murder. The police also threw away or damaged the type-faces in Mishra's press and threatened his workers with dire repercussions if they continued in *Chunouti's* employ. To this day, Mishra has not been able to get enough compositors together to bring out the paper again.

Time and again, Mishra has given senior police officials of the district the names and details of crimes that have occurred in his vicinity. On many occasions, the men he named, he says, have come to his house to intimidate him. "How can you trust the police if they are so involved with the criminals?" he asks. Nevertheless, *Chunouti's* front page often carries advertisements inviting readers to send in any information to the paper that will expose some wrong-doing and promising to keep their identities confidential. Mishra's paper was initially a weekly, launched in 1973. During the Emergency, the intrepid editor was forced to down shutters, but revived it in 1977. On March 4 this year, Mishra converted the paper into an evening paper.

Ironical Position: There are ironies in Mishra's situation. He hails from a village near Saharsa town and is distantly related to Chief Minister Jagannath Mishra. Deeply committed to the Socialist doctrines of Ram Manohar Lohia, Mishra says he will never seek succour from the chief minister. "Bihar's tragedy is largely caste-based," he says, "and I couldn't even ask opposition leader Karpoori Thakur to bring up my arrest in the Assembly because the policemen who arrested me were from a backward caste. I belong to the Maithili Brahmin sect, and people would say I was biased against the Yadavs."

BCCL officials privately admit that *Chunouti* is read avidly for the wealth of information it offers. The arrest itself has been an important lesson for Mishra. "It has only strengthened me," he says, "but I know how desperate my opponents can get." He is pessimistic about how united a struggle the press can wage against the Bihar Press Bill. "Both the Government and the journalists are trapped in a blind alley," he says, "and knowing the kind of weak press existing in Bihar, the Government will smash our unity."

He is more hopeful about his own future. Spurred on by his determination to revive *Chunouti*, he says, a few friends of his have offered to pool their funds to enable the purchase of a modern press. "Before I started *Chunouti*," says Mishra, "I used to be a public relations officer with the Directorate-General of Mines Safety. That's how I get my stories—I know every official of any worth, and I get to see any file I want." Already, Mishra has patched together, with the help of a handful of young assistants, a makeshift press. On September 17, he says, his very Brahmin father will perform the Vishwakarma Puja and *Chunouti* will once again trundle off the press.

of publishers' credentials, government spokesmen cannot explain how one of Dhanbad's most notorious citizens, an alleged criminal called Jabbar Mian who has 36 cases pending against him, launched a paper called *Jharia Samachar* a few months back.

There is no denying the grim fact that the average Bihar journalist is operating in a milieu where crime, political racketeering and governmental pressure combine to prevent free and fair reporting. Economically, too, journalism ranks slightly above bonded labour in wages. Most papers claim to have stringers in every district of the state, but they are very often reimbursed only for their postage and paper expenses, and not paid for their reports. Even the *Indian Nation*, which claims a state-wide circulation of 60,000, has only a few "staff correspondents" who are paid an abysmal Rs 16 a day when they go out of town on assignment. Editor Deenanath Jha says that the paper's finances do not permit payment of more than Rs 15 per column of matter to mofussil correspondents.

Jha, who heads the JAC and has become the anti-Press Bill agitation's symbolic father-figure, says that his paper's correspondents are mostly lawyers or teachers in small towns. "They are respected citizens," he says, "and enjoy access to the district magistrate and the superintendent of police. And they are proud of working for us."

Justification: Lawyers and teachers and Bihar's teeming mofussil journalists can hardly be expected to travel to trouble spots, to investigate stories thoroughly, and to take stands that are critical of the Government. "National dailies like the *Times of India* play up every Harijan massacre in Bihar on their front pages," says Jha, "but we feature such news on page 5—for us it is provincial news. *Indian Nation* is a sober, clean and effective paper." When asked why his Bhagalpur correspondent did not report the blindings of the undertrials, Jha gives the excuse that the reporter did not belong to Bhagalpur but to Purnea in Katihar district.

Faced by such odds, therefore, the more percipient journalists in Patna realise that the movement against the Press Bill can survive and exert pressure on the Government, only if it expands outward to include the larger public. A marathon 22-hour meeting in Patna last week resulted in an unprecedented unity resolution by as many as 17 youth organisations. The joint youth front took a giant stride beyond the watermark of Jayaprakash Narayan's 1974 movement when representatives of every conceivable political loyalty—ranging from the CPI to the Bharatiya Janata Party—joined hands. At the meeting's end, it became apparent that the anti-Press Bill agitation had become a tremendous catalyst in Bihar's volatile

chemical equation. The students have decided to collect a million signatures on a petition against the bill, and to organise a huge gherao of the Raj Bhavan on October 12.

Snowballing Movement: The journalists in Patna were only too aware that their movement could be swamped by the opposition parties, who had eagerly jumped onto the anti-Press Bill bandwagon. Nevertheless, a core group of half-a-dozen journalists in Patna continued to organise support for an agitation that they estimate will continue for at least six months. The transformation from journalists into activists has taken its toll—the reporters have not filed a word of copy since mid-August, and their earnings have dropped sharply. Currently, apprehending arrest by the Mishra Government on some trumped-up charges, the journalists are busy collecting money for a fund which will sustain arrested colleagues' families during their incarceration.

Under the benign leadership of senior journalists like Deenanath Jha, therefore, the anti-Press Bill agitation is quickly snowballing into a state-wide, people-based movement that seems, at least now, to be poised to outstrip the 1974 agitation in its power. The press has become an ideal pivot for the mass unrest seething below Bihar's surface, since the press is, in the end, non-partisan and closer to the average man. There have been aberrations in the movement, as for instance in Dhanbad, where the Patrakar Sangharsh Samiti is presided over by Brahmdev Singh Sharma, editor of the town's leading daily *Awaaz*. District officials are quick to point out that *Awaaz*, immediately after the Press Bill was passed, carried an editorial supporting it.

The struggle is therefore confined to those Bihar journalists who sense the bill's larger potential. Mishra's Government is already out to prove that jackboots did not go out of fashion with World War II. On September 9, thousands of hooligans led by Congress(I) leaders took out a procession in Patna to agitate against the bandh. The same day, *Searchlight's* Correspondent Barun Banerjee was arrested at Ghatsila and paraded in handcuffs before Jamshedpur's Chief Judicial Magistrate M.L. Visa. Banerjee is convenor of the Ghatsila Action Committee against the Press Bill.

It was clear, as the fortnight drew to an end, that the bill had become a massive time bomb ticking under every journalist's chair throughout the nation. Worried at the tremendous backlash against the bill throughout the country, many of Jagannath Mishra's colleagues in Patna were privately dismayed at the possibility that the very press that Mishra once fawningly cultivated during the Janata regime could now spell the end of his political career.

—CHAITANYA KALBAG

TAMIL NADU

Subtle Suppression

THE NATION-WIDE protest against the draconian anti-press laws has had a delayed impact on Tamil Nadu. In a belated move last fortnight, journalists covering the state Assembly registered their indignation against the 11-month-old amendment to the Indian Penal Code (IPC) and the Code of Criminal Procedure (Tamil Nadu) Act 1981, which made "scurrilous or indecent" writing a cognisable offence punishable by imprison-



ment varying between two and five years. The legal measures to browbeat journalists started with the promulgation of an ordinance on September 21, 1981, which amended Section 292-A of the IPC, which declared offences under this section cognisable and non-bailable. Barring a few dissenting voices, the entire media community of Tamil Nadu kissed the rod dutifully.

The stern action is quite superfluous as the press corps in Tamil Nadu quite willingly follows the survival procedure set during the Emergency: they crawl when asked to bend. It has been noticed repeatedly that members of the Central Cabinet who cannot get in a line edgewise into the capital's dailies, have their most innocuous statements on the front pages of Tamil Nadu's newspapers. When the state police circulate hand-outs about a few unidentified "Naxalites" being shot dead in an encounter, neither the reporter nor the