The history of Indian Journalism is the history of its struggle for freedom. The newspaper came to India as an alien product as one of the benefits of British rule. In the early years it was confined to, and subservient, the interests of the ruling race and its subject people had very little to do with it not for a very long time. The East India Company which was ruling the country was not favourably disposed to the press. But the press in India controlled by Englishmen drew its strength from the power of the press in England. The early years of the 19th century were the years of conflict in India Freedom of press was considered a danger when the company was waging war, it was when the treaties were signed and peace was established that there was relaxation.

3.1 THE ANCIENT TIME

In the ancient times, the importance of dissemination of news was recognized in India. To start with, information was transmitted verbally by messengers and later through exchange of private documents posting of notices in public places and the like. During the region of Ashoka spies and emissaries were employed for gathering and exchanging state information.
3.2 THE MUGHAL TIME

In Mughal India, handwritten newspaper, called ‘Akhbar’ was used for this purpose. During the rule of Aurangzeb (1618 A.D. to 1707 A.D.) his army not only received the news from the head quarters but also communicated the same to it and dissemination of news. News writers otherwise called ‘Vaquai Navis’ were appointed to supply the news covering important events and incidents. On the basis of these reports received from them, important decisions were taken and policies formulated at different information offices.

3.3 ORIGINS OF THE INDIAN PRESS: THE FIRST PHASE

The printed newspaper came into existence only through the contact with west. In India, the credit for introducing press goes to Portuguese who imported two printing presses in 1550. The English East India Company installed a press in 1674 in Bombay. In 1772 the first printing press came in to existence in Madras and in 1779 in Calcutta. But the true history of journalism stated in 1780, when James Augustus Hicky brought out his weekly journal the Bengal Gazette also called the Calcutta Journal Advertiser. Hicky was the first man to realize the values of news. It is surprising to note that with no telegraph, no telephone, no telex, and no Tele-printer and with no facility for mechanical composing. Hicky always produced his Gazette in time, writing most of the editorial columns himself in the absence of a news agency service. But he annoyed the government and the first step against him was to deny the services of postal department.
Then he was arrested and sentenced to a year’s imprisonment. Although Hicky spent time in prison, the Bengal Gazette continued to appear regularly. It is again surprising that even during his imprisonment he received news from his correspondent and strived his best to make his weekly popular. The paper had greater public popular. The paper had greater public support. But the government takes another action against Hicky in March 1782, as a result, the types for printing the paper were seized and that was the end of Hicky’s Gazette. It had barely lived two years. Hicky will ever shine as a beacon to Indian journalism. He has left his legacy to the posterity, the freedom of the press. He will always recognize as the father of the Indian Press.

India Gazette the second newspaper in India which published after Hicky Gazette in November, 1780. It was published by Benard Messink and Peter Reed, both were businessmen. They wanted to promote and protect their business interest with the help of the newspaper. Calcutta Gazette and Oriental Advertiser were published in India in February 1784. They were with cent percent governmental assistance. After some time it became the official gazette.

The Bengal Journal was published in February 1785. Jhomas Jones a businessman and its proprietor requested the Supreme Council to grant him postal concessions and in return he would publish all the government advertisement free of cost. In May, 1785, the Oriental Magazine or Calcutta Amusement was established as the first monthly publication. Richard Johnson, a printer to the Government, founded in
Madras, the first newspaper, Madras Courier, on 12th October, 1785.

In 1786, the Calcutta Chronicle appeared in January 1786. All these newspaper were published in English by Englishmen to be mostly circulated among English men working in or affiliated to the British East India Company.

The first English newspaper the Bombay Herald, a weekly appeared in 1789. There was no newspaper in Bombay until 1789 when the Bombay Herald was started. It merged into the Bombay Gazette in 1791 and became an official publication. Luke Ashburner, Alderman of the Bombay Municipality founded in 1790 the second newspaper, the Bombay Courier. The Courier was another paper to make its appearance in 1789 and it has the distinction of carrying advertisements in Gujarati to serve an Indian readers.

3.4 LORD WELLESLEY AND CENSORSHIP

In 1799, Governor General Wellesley felt the danger of the freedom of press at the time when the company was waging war and wrote to the Commander-in-chief, promising to lay down rules for the conduct of whole tribe of editors and advising him to suppress by force editors who caused trouble and send them off to Europe.

In May 1799 Press Regulations were issued who’s certain provisions were as follow: (i) a newspaper to carry the name of the printer, the editor and the proprietor who were to declare them to the Secretary to the government and to submit all materials published in the newspapers to his prior scrutiny. Breach of rules was to be punished with immediate
deportation. The Secretary was the censor. (ii) The newspaper man was required by a set of rules to exclude from newspapers information about the movement of ships or the embarkation of the troops, speculation about the relationship between the company and any of the Indian Powers, information likely to be of use to the enemy and comments likely to excite alarm or commotion within the Company’s territory. He was to exclude all comments on the state public credit or revenues or finances of the Company or the conduct of the government officers, as also private scandal or libel on individuals. He was not to permit the publication of extracts from European newspapers which were likely to constitute a breach of restriction. Not satisfied with these measures Wellesley imposed the strictest censorship on the newspapers.

The Governor General found that the editors were not always prompt in submitting their proof for examination and on May 22, 1801 a resolution was recorded ordered that the editors of the newspapers be directed on no account to publish the newspapers of which they are respectively the Editors until they shall have been received by the Chief Secretary to Government or in his absence by the Secretary in the Public Department.

Hastings took over from Minto in 1813 and issued instructions requiring all printing presses to submit proof-sheets of newspaper supplements, extra-publication, notices, handbills and other euphemeral publications to the Chief Secretary for scrutiny and revision. The Rule of 1799 and the Order of 1801 were to remain in force but their operation was by Hasting’s instructions. It became clear that it was a kind of relaxation of rules. Hastings abolished press censorship,
throwing on editors the responsibility for excluding matters likely to affect the authority or to be injurious to the public interests as per Regulations issued on August 19, 1818 the Regulations said: The editors of the newspapers were prohibited from publishing any matter aiming under the following heads: (i) animadversions on the measures and proceedings of the Honourable Court Directors or other public authority in England connected with the Government of India or disquisition or political transactions of the local administration of offensive remarks leveled against at the public conduct of the members of Council, of the Judges of the Supreme Court or of the Lord Bishop of Calcutta, (ii) discussion on having the tendency to create alarm or suspicion among the native population, of any intended interference with their religious opinion or observances, (iii) republication from English or other newspapers of passages coming under any way of the above heads to affect British Power or reputation in India, and (iv) private scandal and personal remarks on individuals tending to excite discussion in society.

The 1799 Regulations were perhaps not enough to deal with an according to the Government, irresponsible and arrogant press. Therefore, on 22 May 1800 the newspaper proprietors were asked to deposit a security amount to meet any deficiencies.

### 3.5 THE FIRST INDIAN OWNED NEWS PAPER

In 1816 Gangadhar Bhattacharya and Harchandra Roy, launched a paper from Calcutta and named it Bengal Gazette. He was the first Indian who starts the newspaper. Though it
existed for a very brief period of one year, it is justly remembered as the pioneer Indian Owned newspaper.

The real initiative for the creation of an Indian Language press came from the Missionary of Serampore in 1818 ‘Digdarshan’, the first Bengali language monthly was started. It devoted space to historical data, some notices, and items of political news.

3.6 THE PROTAGONIST: JAMES SILK BUCKINGHAM

In 1818 James Silk Buckingham started the ‘Calcutta Journal’. The first issue which appeared on the streets of Calcutta on Oct 2, 1818, indicated that it would be a chronicle of political, commercial and literary news and views. Buckingham, who started his career as a mariner, was a man of character and integrity. As an editor, he was not only courageous in exposing the misdeeds of the authorities and telling disagreeable truths but also played a key role in shaping public opinion in India. He firmly believed that a free press could bring out reforms in the society. He made his paper extremely popular.

Buckingham was a stout champion of the freedom of the press and he held views which could be revolutionary in the background of the prevailing nations about the press. Buckingham was the outspoken fearless and courageous person. He went on exposing the Government for its lapses and weaknesses. His crime was that the came too close to topics that touched the very roots of the administration.
He criticized a certain appointment and observed that rampant corruption prevailed in the administration. This observation made the Government and the appointee angry. There was a demand that Buckingham should be deported immediately. John Adam wanted to cancel Buckingham’s license. He was also supported by the council. Not only was his license cancelled but also he was asked to leave the country. He left the soil and shores of India with peace and without any malice towards any one.

3.7 ORDINANCE 1823 AND JOHN ADAM

The Governor General Johan Adam had no faith in a free press. He was opposed to the idea that newspapers should intrude into the affairs of the Government, by exposing its misdeeds, pointing out its deficiencies and weaknesses, making an assessment of its policies, discussing the matters relating to functioning of public men as well as the behaviour of private individuals, and participating as well as involving in the decision-making process of the Government through suggestions and recommendations. Therefore, he issued in 1823 an Ordinance, otherwise known as ‘Licensing’ of the Press.

The Ordinance required: (1) all matters printed in press or published thereafter except shipping, intelligence, advertisement of sales, current prices of commodities, rates of exchange or other intelligence solely of a commercial nature should be printed and published under license from the Governor-General-in-Council signed by the Chief Secretary of the government, (2) the application of license must have the names of the printer, publisher and the proprietor, their places
of residence, the location of the press and the title of the newspaper, magazines, register, pamphlet or other printed book or paper, (3) magistrates were given power to attach and to dispose of as the government might direct both unlicensed press as well as press which continued to function after notice of recall.

Ram Mohan Roy protested against the measure and submitted a memorial to the Supreme Court urging the rejection of the Ordinance.

3.8 LORD WILLIAM BENTICK AND SIR CHARLES METCALFE AND ACT OF 1835

During the period from 1827 to 1857, which witnessed the rule of two liberal Governors-General, Lord William Bentick and Sir Charles Metcalfe were there, the Indian press did not face any opposition from the government. They both were liberal towards the press. During the latter’s regime steps were taken to restore freedom of the press in India.

In 1816 Gangadhar Bhattacharya and Harchandra Roy launched a Paper from Calcutta and named it Bengal Gazette. The real initiative for the creation of an Indian language press came from the Missioary of Serampore in 1818. Digdarshan, the first magazine in Bengali was started. The missionary issued and English paper by the name of Friend of India. Samvad Kaumudi, a Bengali Weekly was stated by Bhowani Charan Bandopadnyaya in 1821 with which Ram Mohan Roy was closely associated. It was followed by Samachar Chandrika. Brahman Sevedhi was started by Ram Mohan Roy
which was followed by Jame Jahan Numa and Miratul Akhbar in Persian. All these papers irritated the Governor-General. As such the indomitable Buckingham was not afraid of threats even when the government filed a criminal libel suit against him. On February 12, 1823 an order was served on him canceling his license to reside in India from April 15, 1823. Moreover William Butterworth Bayley, in his minute of 10 October, 1822 stated the liberty of the press however essential to the nature of a free state is not in my judgment consistent with the character of our institution in this country or with the extraordinary nature of our dominance in India.

In 1835, a new Act was passed known as The Metcalfe’s Act, The Bengal Regulations of 1823 and The Bombay Regulations of 1825 and 1827 were repealed by this Act. All the territories of the East India Company were brought under the purview of this Act. Under this Act the printer and publisher of every newspaper were required to give a declaration about the precise location of the premises of its publication. It is said that Metcalfe gave an opportunity to the Press to breathe afresh by liberating it from the clutches of the restraints to which it was subjected. Following this Act, the native press developed rapidly in the three provinces of Bengal Bombay and Madras as also in the North-West provinces.

**4.9 ACT OF 1857**

During the great rebellion of 1857 there were cases of incitement to rebellion in the Indian Press particularly in Indian languages press. The tone of the press was horrible. The 1857 Revolution forced the British Government in India to change its attitude to the press and adopt a new course of action to deal
with the situation and meet the challenge. As a result, Lord Canning enacted the Act of 1857. All the main features of the Adam Licensing Regulations of 1825 were reintroduced.

The Act re-enacted with the slight modifications in the provisions of John Adam’s Regulation of 1823 for the whole of India. The provisions of Metcalfe Statute were also retained. The provisions of the Act read thus: (i) The new Act restored the system of licenses in addition to existing registration procedure. (ii) It conferred on the Government the power to prohibit publication or circulation of any newspaper, book or printed matter, (iii) No distinction was made between the publication in English and in the Indian languages. (iv) It was applicable to the whole of India and its duration was limited to one year. (v) All books and other papers printed at a Press licensed under the Act were to have printed legibly thereon name of the printer and of publisher and the place of printing and publication thereof. (vi) No book, pamphlet, newspaper or other works printed as such Press or with such materials or articles shall contain any observations or statements impugning the motives or designs of the British Government either in England or in India or in any way tending to bring the Government into hatred or contempt, to excite disaffection, or unlawful resistance to its order or to weaken its lawful authority of its civil or military servants. (vii) No such books, pamphlets, newspapers or other works shall contain observations or statements having a tendency to create alarm and suspicion among the native population of any intended interference by the Government with their religious opinions and observances. (viii) No such books, pamphlets, newspaper or other works shall contain observations having a tendency to
weaken the friendship towards the British Government of native princes, chiefs of States in dependence upon or alliance with it.

3.10 THE BRITISH CROWN’S REGIME

British rule assumed a new complexion with the passing of British control from the East India Company to the Crown with Queen Victoria’s Proclamation on November 1, 1858. As the first Viceroy of India, Lord Canning lived up to his name of Clemency Canning. Public confidence was restored and the Pres felt somewhat free again. When the Indian Penal Code, which had been largely drawn up by Macaulay came up for adoption in 1860, Lord Canning suggested the omission of the section dealing with sedition and it was omitted. Indian Council Act was passed in 1861. There was increased public interest in government’s activities. Newspapers were increasing and numbers of Printing Presses were growing. More and more books were being published. The appearance of English newspapers set the pace. In 1861 the times of India was established after the amalgamation of the Sunday, the Telegraph and the Courier with the Bombay Times. The Pioneer was established in 1865. It was regarded as the mouthpiece of the official mind and an organ of the Anglo-Indian Community. The Civil and Military Gazette was established in Simla in 1872 and transferred to Lahore in 1876. Robert Knight brought the Friend of India and founded the Statesman. The Madras Mail and the Madras Standard served the Anglo-Indians in Madras. The Standard which was started in 1877 passed into Indian hands in 1892 and became an independent radical and vigorous advocate of the Indian point of view. Much more
significant was the development of the English language newspapers owned and edited by Indians. Probably the first important one was the Hindu Patriot which was edited by Girish Chandra.

3.11 THE PRESS AND REGISTRATION OF BOOKS ACT, 1867

The need for comprehensive legislation to regulate the working of Printing Presses and what they published was felt by the Government in 1867 and an Act No. XXV of 1867 known as Press and Registration of Books Act was passed for the regulation of Printing Presses and Newspapers, for the preservation of Books printed in British India and for the registration of such books to replace Metcalfe Act XI of 1835. The new Act incorporated all the provisions of the Metcalfe Act which dealt with Printing Presses and Newspapers. The Act was later known as the Press and Registration of Books Act after it was amended by Act X of 1890 and was further modified in 1952, 1953 and 1956.

3.12 THE VERNACULAR PRESS ACT, 1878

From 1858 onwards the sale of both English and Indian language newspapers went up. From both the sections there was criticism against the Government. But the Indian language, newspapers and the Indian editors and proprietors of English papers were vehement and strong in their criticisms of Government’s policies and actions. The British officers sensed this growing criticism of the Indian Press. Lord Lytton, the then Viceroy was appraised of the situation, who
introduced a powerful legislation to curb the Indian language press. The Vernacular Press Act IX of 1878 became law in March 1878 and the language press all over India was muzzled. This Act, which was a great blow to the freedom of the press in India, caused the language newspaper to suffer drastically.

3.13 PRESS AND FREEDOM STRUGGLE

During the freedom struggle in India, as the nationalist press strongly supported the cause of independence, it had to incur the displeasure of the government. Bal Gangadhar Tilak, the publisher and editor of Kesari and Marhatta, Aurobindo Ghose of Bande Mataram, Brahmo Bandhav Upadhyaya of Sandhya, Bhupendra Nath Dutt of Jugantar were prosecuted for their writings that went against the interests of the British rulers.

The Indian Press started playing a different role which sought to liberate the country from the British imperialism. Supporting the cause of national freedom, it plunged into the fire of freedom for independence. Communicating the message of freedom to the common people, it encouraged and inspired them to oppose the British Government on every front so as to secure freedom for themselves. The nationalist Press and the Anglo-Indian Press had, almost conflicting aims and objectives.

Following the partition of Bengal in July 1905, the country witnessed an unprecedented upsurge against this policy of the British Government in India. It was a period of great turmoil. The whole atmosphere was surcharged with a revolutionary spirit. Everywhere there was discontent,
disenchantment and dissatisfaction and at any time this could find out an outlet in the form of violence, revolution and terrorism.

After 1905, the youth became violent and aggressive. They took to the cult of bomb. As open criticism was no longer possible, the revolutionary movement went underground. Bal Ganga Dhar Tilak, who was fighting for national freedom through his newspapers Kesari and Marhatta, was prosecuted and sentenced for sedition twice, once in 1897 and again in 1908. Lala Lajpat Rai and Ajit Singh had already been deported in 1907.

3.14 ACT OF 1908 AND 1910

The 1908 Act was followed by the Indian Press Act, 1910. The latter was directed against offences involving violence as well as sedition. This Act made it compulsory that every owner of the printing press should deposit an amount as security which could be forfeited by the government if the newspaper published something that incited violence and sedition. The security deposit could also be forfeited if the newspaper had “a tendency, directly or indirectly, whether by inference, suggestion, allusion, metaphor, implication or otherwise, to incite to murder or to any offence under the Explosive Substances Act, 1908, or to any act of violence or to seduce any officer from his allegiance or duty, to put any person in fear or cause annoyance to him, to encourage or incite any person in fear or cause annoyance to him, to encourage or incite any person to interfere with the
administration of the law or with the maintenance of law and order and so on.

When the security deposit was forfeited the owner of the printing press was required to deposit a higher amount and make a fresh declaration. And if the press committed an offence for the third time then not only the deposit but also the entire press along with all copies of such newspapers was forfeited.

Till 1908 the Indian Press enjoyed considerable freedom. However due to the phenomenal growth of the nationalist movement in the previous ten years the government decided to curtail the freedom of the press through the Newspaper Act 1908 and Indian Press Act 1910.

3.15 CRIMINAL LAW AMENDMENT ACT, 1913 AND THE DEFENCE OF INDIA REGULATIONS, 1914

The Act of 1910 was made more rigorous and strongest when the Criminal Law Amendment Act was passed in 1913 and the Defence of India Regulations were promulgated in 1914 after the outbreak of the 1st World War. The Act and Regulations were made to stifle criticism and silence agitation. The Press Act was too often misused with severity by Lord Chelmsford. The Act and the Regulations were too harsh for the publisher of a newspaper. They imposed a “serious disability on persons desiring to keep printing presses”. Mrs. Beasant, the editor of New India, was prohibited from entering into the Bombay Presidency by Lord Willingdon under the Defence of
India Act. In Bengal, nearly three thousand young men were interned.

The Press was muzzled. It was crippled. By administrative order, the money was collected as security deposit, then it was forfeited on the slightest pretext that the press promoted sedition, and in some cases the presses were seized along with their publications. This clearly shows under what trying conditions the press functioned and to what extent it was humiliated. All the protests made against the draconian measures adopted to silence the Press fell on the deaf ears of the authorities.

When the situation was going Out of control, a Press Law Committee was appointed in 1921 under the Chairmanship of Sir Tej Bahadur Sapru to make an assessment of the working of the Act of 1908 and 1910. The Sapru Committee came to conclusion that these Acts which were made to bring an end to the revolutionary conspiracies through the press, failed to achieve the desired goals. Therefore, it recommended that these Acts must be repealed forthwith. It suggested that the purposes of these Acts would be served by ordinary law and by incorporating the provisions of the Act of 1910 as to seizure and confiscation of seditious publications in the Press and Registration of Books Act, the Sea Customs Act and the Post Office Act by suitable amendments. Accordingly, the Acts of 1908 and 1910 were repealed by the Press Repeal and Amendment Act, 1922.

3.16 ACT OF 1919
Incidentally in 1913 the Criminal Law Amendment Act was passed. The First World War started in 1914 and with its outbreak the Defense of India Regulation came into force. Both these Acts among others, aimed at silencing criticism of the government and stopping any sort of political agitation. The Press Association of India formed in 1915, submitted a memorandum in which it pointed out that by 1917, 22 newspapers were asked to furnish securities. Of the 22, 18 preferred to close down than to submit to the government orders. Between 1917 and 1919 coercive action was taken against 963 newspapers and Printing Presses.

Gandhi ji launched the Non-Cooperation Movement but had to stop it in 1919 because of violence that crept in. He also did not want that the relationship between the Indians and the Englishmen should be strained. The Satyagraha movement might have been peacefully concluded but for one ghastly incident that took place in Jallianwala Bagh in Punjab. Thousands of men, women and children were mercilessly massacred. The Government took immediate action to bring the situation under control and imposed press censorship lest the news of Jallianwala tragedy spread like wild fire. Nobody could know actually what happened in Jallianwala for many days. Freedom of press, thus, was severely curtailed. All the papers and journals including the Hindu and the Bombay Chronicle were asked to furnish securities under the Press Act. The editor of the Chronicle, B. G. Horniman, was asked to leave for England. Indian newspapers strongly protested against the imposition of press censorship. The Bombay Chronicle resumed its publication and was asked to pay Rs. 5,000 as deposit and this amount was later increased to Rs. 10,000.
Press Law Repeal and Amendment Act, 1922, repealed the Act of 1908 and 1910. This Act of 1922 came in vogue in pursuance of the recommendation of a Committee set up in 1921, the object behind the passing of this Act of 1922 was that “the contingency in view of which these Act had been passed, namely, the promotion of revolutionary conspiracies through the Press was over and that the purpose of these Acts would be served by the ordinary law and by incorporating the provisions in the Act of 1910, as to seizure and Confiscation of seditious publications in the Press and Registration of Books Act, the sea customs Act and the post office Act, by suitable amendment.

3.17 ACT OF 1939

In 1921 along with a number of repressive measures, the Press Act was repealed and when one devil was expelled, seven more devils entered the body-politic. This time it was the Protection of the Princes and the States that held the field. The Indian States Protection against Disaffection Act and the Princes Protection Act came presently into being. There was a respite for seven or eight years and as soon as the Salt Satyagrah was begun, began also the rule of ordinances. Almost the First Ordinance passed was the Press Ordinance II of 1930 which exacted a toll of Rs. 24,00,000/- from 131 newspapers during the first six months of its relentless sway. The Viceroy promulgated Ordinance on April 27, 1930 reviving the Press Act of 1910. Gandhi ji made a statement which was published in the Young India of May 8, 1930. ‘Act contains provisions making the whole piece more deadly than before. It is a veiled form of Martial Law. The Pressmen, if they are
worthy representative of the public opinion will not be frightened by the Ordinance. I would therefore urge Pressmen and Publishers to refuse to furnish security and if they are called upon to do so either to cease the publication or to challenge the authorities to confiscate whatever they like. Government fell upon the press with a heavy cudgel. By July 1930, 67 Papers and 55 Printing Presses were shut down under the Press Ordinance. It was followed by the Indian Press (Emergency Powers) Act 1931. It is interesting to note that the maximum demand of a single journal went up to Rs. 30,000/-. But the horror lay not in the deposits paid but their incapacity of being paid. Almost 450 newspapers failed to deposit the security. In the year 1935 action was taken against 72 newspapers and a total security of over a lakh was demanded. Only 15 newspapers furnished the required security.

Gandhi ji started his historic Dandi March to oppose and break the salt-tax laws issued by the Government on 5 April, 1930. As a matter of symbolic protest he himself prepared salt from the common platform. Therefore, he was arrested and imprisoned. Strongly supporting Gandhi and his action, the press extensively covered the issue. Alarmed, the Government wanted to curb the freedom of press as it had already become a very powerful medium for propaganda. In 1930, the Indian Press Ordinance was promulgated to “provide for the better control of the Press.” This Act was intended to curb the freedom of the Press. The definition of the offence was made more comprehensive. A large number of newspapers were not only asked to deposit securities under the Ordinance but also had to forfeit them. Sometimes, the Press itself was seized and the assets destroyed.
The Indian States (Protection against Disaffection) Act was enacted to teach a lesson to the Press. Harsh measures adopted by the Government to curb the freedom of press were criticized and condemned by the press. For the first time, the newspapermen met together to discuss the issue. A. Rangaswami Iyengar, editor of the Hindu, presided over the meeting. But such kind of meeting, the deliberations of the newspapermen and their criticisms had little impact on the Government.

3.18 ACT OF 1931

The year 1922 witnessed the repeal of the Acts of 1908 and 1910. As a result, in the absence of any repressive Press Laws newspapers had a smooth sailing as they were no more subject to any draconian measure of the Government. The newspapers grew and flourished. But the Government was forced to promulgate an Ordinance, following the Civil Disobedience Movement launched by Gandhi ji, to “control the Press” which was later enacted as the Indian Press (Emergency Powers) Act, 1931. Though it was initially a temporary Act, it was subsequently made permanent in 1935. Under this Act each printing press was asked to deposit security whenever directed by the executive. The Act (as amended by the Criminal Law Amendment Act, 1932) empowered a Provincial Governor to ask a printing press to deposit an amount as security which could be forfeited, if the printing press published anything that might incite and encourage commitment of murder or any cognisable offence involving violence; expressing directly or indirectly, approval of admiration of any such offence; bringing the government into
hatred or contempt or inciting disaffection towards the Government; inciting feelings of hatred and enmity between different classes of subjects; and inciting a public servant to resign or neglect his duty. The Government was empowered to forfeit the security deposit or where no security had been deposited to declare the press to be forfeited. On the second occasion, the security to be deposited by the press could be up to ten thousand rupees. Postal and customs authorities were also empowered to seize articles in the course of transmission if they were suspected to contain matter of the nature described above.

While the Constituent Assembly was engaged in drafting the Constitution, the Government appointed a Press Laws Enquiry Committee to “review the Press Laws of India with a view to examine if they are in accordance with the fundamental rights formulated by the Constituent Assembly of India.” The Committee recommended that the Press (Emergency Powers) Act, 1931 should be repealed and suggested that some of its provisions should be incorporated in the general statutes laying down the laws of crimes. Accordingly, the Act of 1931 was repealed and replaced by the Press (Objectionable Matter) Act, 1951.

3.19 SECOND WORLD WAR

During 2nd World War, apart from Press Ordinance of August 8, 1942, there was the Defense of India Act in addition. What should be published and what not, has been categorically stated by Government in this Ordinance. According to All India Editors’ Conference held in the month of August 1942, 96 journals were either suspended or suppressed in India during
the latter three; weeks. This ordinance prohibited the printing or publishing by an editor, printer publisher of any factual news relating to the mass movement sanctioned by the All India Congress Committee or to measures taken by the Government against that movement, except news derived from official sources or a correspondent registered with the District Magistrate. The Central Government by an Order dated August 29 cancelled its Order of August 8. Subsequently with this Home Department Order, the Chief Commissioner of Delhi issued the following Order ‘whereas the Chief Commissioner is satisfied that for the purpose of securing the public safety, the maintenance of the public order and the efficient prosecution of war, it is necessary to make the following order that in exercise of the powers conferred by sub rule (1) of Rule 41 of the Defence of India Rules, the Chief Commissioner is pleased to make this Order and address the same to printers, publishers and editors generally in the Delhi Provinces’.

The Orders require that all factional news, photographs and pictures relating to mass movement, sanctioned by the All India Congress Committee in its meeting on August 8, 1942 in Bombay the demonstration and disturbances which have taken place in various parts of India since that meeting, the measures taken by the government to deal with that mass movement and those disturbances and demonstrations thereupon shall being published in any newspaper or other document be submitted for scrutiny to Lala Savitri Prasad, Assistant Press Advisor, Delhi or other officers appointed by the Chief Commissioner for the purpose and Prohibiting the printing or publishing of any newspaper or other document of any matter specified above unless it has been submitted for
scrutiny as required above and has been passed by the appointed authority as suitable for publication. The President of All India News Editors Conference lost no time in sending a note to the Home Department which said ‘the number and nature of restrictions seem to vary from province to province, and there is in consequence lack of uniformity as regards procedure. To mention only a few, the Standing Committee regarded the registration of correspondents as designed to bring them completely under the control of local officers and closed to editors all avenues of receiving impartial reports of events direct from their correspondents Government sought in the most comprehensive manner possible, to control at every stage not only the publication but even the character of factual news’.

A charge sheet against Press advising was brought up before the Council of State on September 28, 1942 by the Honourable H. N. Kunzru who exposed government policy and urged abolition of precensorship of news except military needs. The resolution was rejected by 25 votes to 9.

3.20 THE SCENE AFTER INDEPENDENCE

When India achieved independence in 1947 many of the top leaders entered Government at the centre or in the Provinces. With their presence in the Government and legislative bodies it was but natural to expect that the constitution of independent India would specifically provide for freedom of the press. The matter was raised and discussed. Upon the suggestion of K. M. Munshi, both K. T. Shah and Harnam Singh wanted that freedom of the press should be specifically guaranteed by a provision in the Constitution.
However, there were equally weighty arguments against such a provision. The Indian Constitution has equality before law for all citizens as its basic principle. Making a specific provision of guarantee of freedom for the press would have created a class of citizens with more rights than the others. They ruled that the primary purpose of guaranteeing freedom of the press was to serve the general welfare by informing the people and enabling them to make judgments on issues before them. The questions raised by inclusion of freedom of the press in the United States Constitution had been resolved by the passage of time. The framers of the Indian Constitution wanted to avoid the long and arduous journey. They therefore avoided making guarantee of press freedom specific in the Constitution.

**3.21 THE PRESS ACT, 1951**

The Press Act, 1951, was enacted to provide against the printing and publication of incitement to crime and other objectionable matter. Under this Act, any Press or any newspaper may be asked to deposit security which can at any time be forfeited. But this could be done only when a report to this effect was given by a Sessions Judge.

Under the Act, the government was authorised to demand and forfeit security, declare certain publications confiscated, or seize or forfeit undeclared printing presses producing unauthorised news-sheets, detain imported packages containing certain documents, prohibit postal transmission of certain publications and messages, and seize and destroy unauthorised news-sheets and newspapers.
Here an attempt has been made to point out certain basic differences between these two (1931 and 1951) Acts: The new act provided for a judicial inquiry by a Sessions Judge before security could be demanded from a printing press or forfeited to Government and the person against whom a complaint had been made, could demand the matter to be determined with the aid of a Jury and had a right of appeal from the order of the Sessions Judge to the High Court.

Thus, there existed a special law, instead of any general law, which imposed restrictions upon the publication of certain matters. The existence of any special law to control the press was not acceptable to many. Therefore, before the duration of the temporary Act could be extended beyond 1953, the question of further extension of the Act was examined by a Press Commission appointed by the Government of India in 1952. The minority of the Commission recommended that the Act of 1951 should lapse after the expiry of its current term i.e., 1953. The majority view of the Commission was that the press should be subjected to internal control by the Press Council and it recommended that the Act should be dropped by the Government after two years if the Council succeeded in restraining the press from publishing any objectionable matter. The Act of 1951, which had been extended up to February 1956, was allowed to lapse thereafter and it was also formally repealed by subsequent Repealing Act, 1957.

3.22 EMERGENCY PROVISIONS IN INDIAN CONSTITUTION

Modern constitutions, to meet an abnormal situation, provide the executive with wide powers to deal effectively with
such a situation in order to protect public safety and national interest. The Indian Constitution has, by part XVIII, provided the executive with ample powers to deal with abnormal situation or emergencies. Part XVIII of the Constitution of India visualises three different kinds of abnormal situations: An emergency due to internal disturbances or external aggression; an emergency due to failure of constitutional machinery in the state and an emergency due to financial break down.

Article 352 of the Constitution provides that if the President is satisfied that a grave emergency exists, whereby the security of India or any part thereof is threatened, whether by war or external aggression or internal disturbance, he may by proclamation, make a declaration to that effect. The President is empowered by Article 356 of the Constitution to make a proclamation whenever he is satisfied that the government of a state cannot be carried in accordance with the provisions of the Constitution, either on the report of the government or otherwise.

In case of proclamation of emergency under Article 352, the right to move the Courts for the enforcement of fundamental rights is liable to be suspended and the state is free from the limitations imposed by Article 19 of the Constitution. Whereas in the latter kinds of emergency the fundamental rights of the people remain unaffected.

In India, it is the executive authority that is empowered to suspend constitutional guarantees in times of war as well as in times of peace, for a proclamation under Article 352 may be made, not only when there is external aggression or internal disturbance; but also when there is imminent danger thereof,
according to the satisfaction of the President, which is final on this point.

So when a proclamation of emergency is made by the President, the citizens during the operation of emergency, has no protection against the legislative, executive or local authorities, as the state is free from the limitations imposed by Article 19 of the Constitution which guarantees freedom of speech, freedom of movement etc. Article 359 empowers the President to suspend the right to move the Court for the enforcement of any of the fundamental rights guaranteed by the Constitution. This right, it may be noted, is of the greatest value as it makes the other rights workable, real and concrete as it enables any citizen to seek relief or remedy in the Court of law. The suspension of this basic right will be in force during the operation of emergency or till such shorter period as may be specified in the order of the President. This Article does not specify the definite time within which the order must be placed before the Parliament to revoke the order.

3.23 UNDER THE EMERGENCY, 1962

On account of the naked aggression committed by China against India, The President proclaimed an emergency under Article 352 of the Constitution on 26 October 1962. The Defense of India Act was enacted and subsequently the Defense of India Rules were made which had pretty significant consequences for the Press in a democratic country pledged to constitutional rule.

But there were no reports of these rules being misused. Only in some States the over-enthusiastic bureaucrats tried to
use these against small provincial papers but the checks and balances were adequate enough. The government acted on the advice of the Central Emergency Press Advisory Committee, formed with the members of the All India Newspaper Editors Conference. It was decided that cases against newspapers with a circulation of 10,000 copies or more would be dealt with by the Centre and those with less by the States. But any indictment by this body meant withdrawal of government advertisement. It had to deal with 77 cases involving 54 papers between 1962 and 1965. Action was recommended in 16 cases. Some of the State Governments detained some journalists under the Defence of India Rules but none was detained by the Centre. Bihar detained two editors. Of these the notable case was that of Mr. T. J. S. George, Editor of Searchlight. There were also detentions in Madras, U. P., Kashmir, Punjab and West Bengal. The State Governments took action against 82 newspapers between 1962 and November 30, 1965. In 11 cases (six of them in U. P.) editors were arrested or detained. Most of the cases were in Delhi (24), U. P. (16), Jammu and Kashmir (11), Madras (8), Maharashtra (6), Punjab (5), West Bengal (1). There were 23 prosecutions.

3.24 UNDER THE EMERGENCY, 1975

The internal emergency was imposed on 26 June 1975 and it was followed by the imposition of strict censorship. The rationale for censorship of which Mrs. Gandhi was the chief architect, assisted by Mr. Vidya Charan Shukla, Mr. Mohammad Yunus and Mr. Sanjay Gandhi with an array of lesser functionaries and zealots, was spelt out in a speech, she made
in the Rajya Sabha on July 22, 1975. Mrs. Gandhi said ‘once there were no newspapers, there was no agitation. The agitation was in the pages of the newspapers. If you asked, why there was censorship of the Press, this is the reason why. If nothing else has proved it, this had proved it. I have no doubt that had the newspapers come out and started inciting people as they did before and as unfortunately they have done in times of communal trouble, there would have been a terrible situation. Our task was to avoid such a situation and we did avoid it. Mrs. Gandhi was long convinced that independent organs of the Press were hostile to her government. She repeatedly accused them of lies, falsehood, sensationalism and lowering national morale. She said ‘to stress rights and forget responsibility would be to condone arson, plunder and assassination. That was what some newspapers (or rather their owners and editors) were doing. There was shortage of space for reports on constructive developments, but not for gossip, insinuation and everything that could weaken the country, everything that would undermine the people’s self-confidence’. She also charged them with denigrating the office of Prime Minister and guiding the opposition. She tried to defend the imposition of internal emergency on 20 June 1975 in the following words ‘the purpose of the emergency was to bring a certain balance between rights and responsibilities’.

The very first act of censorship, even before the promulgation of the emergency, by stealth in the late evening of June 25, 1975 was the cutting of electricity supply to a whole string of Delhi Newspapers. At that time the government was not ready with the censorship apparatus. The government, therefore, in order to prevent the newspapers, publishing their
editions, resorted to the simple expedient of cutting off of electricity connection of all newspapers’ offices on Bahadur Shah Zafar Marg from 26-6-75 to 29-6-75. The order cut off power supply was given to the former Lt. Governor Mr. Kishen Chand at the No.1 Safadarjung Road residence of Mrs. Gandhi. The purpose behind the move was to prevent publication of the news, of the arrest of political leaders in view of an emergency situation. The Lt. Governor was told that something drastic was being contemplated and that action should be taken to avoid bloodshed. Both the decisions, to cut off and restore the supply had been given to him orally. Subsequently the government succeeded in setting up the censorship apparatus and appointed the Principal Information Officer, Dr. Baji as Chief Censor till such times as Mr. H. J. d’Penha could be appointed as Chief Censor.

3.25 PRE-CENSORSHIP

It was enforced under Rule 48 of D.I.S.I.R. on 26 June 75 and these rules were amplified in statutory order no. 275 (E) of the same date. Between June 26 and August 12, 1975 the Home Ministry issued a series of statutory orders and G.S.R.S. under the relevant rules of D.I.S.I.R. The result of the issue of these orders and rules led to wider expansion of the scope of Press Censorship and concentration of powers in the Central Government and the Chief Censors.

3.26 CENSORSHIP

The Censorship was untilized to suppress news unfavourable to the government; To play up news in favour of
the government; and To suppress news unfavourable to the supporters of the Congress Government.

Censorship was imposed under Rule 48 of D.S.I.R. It gave powers to the Centre and State Governments to impose censorship for purposes of securing the defense of India, civil defense, public safety, maintenance of public order and efficient conduct of military operations. Subsequently, the scope of Rule 48 was expanded to include President’s Rule in Tamil Nadu, Gujarat and in the matters of Family Planning. It is interesting to note that even the advice given by the Law Ministry was ignored in this regard. In the case of Family Planning, the Law Ministry had advised that ‘before the subject of Family Planning and other matters, incidental to it...be prohibited from publication without pre-censorship, it is necessary to examine whether the subject would be garmene to Rule 48 of D.S.I.R. In that view of the matter, the proposed amendment to the censorship order dated 26-6-75 would not appear to be permissible’. In spite of this clear advice, given by the Law Ministry, the Secretary, Information and Broadcasting, Mr. S. M. H. Burney ordered ‘we must continue killing all such family planning news, stories, periodicals etc., regardless of the advice given by the Law Ministry.

Again on July 5, 1975 Mr. V. C. Shukla at Coordination Committee Meeting desired that the opinion of the Law Ministry in writing should be obtained if proceedings and judgements of Courts are censored, whether this amounts to Contempt of Court. The Law Ministry advised that great caution should be exercised in censoring the judgement of the Court.
the Law Secretary felt that it would not be advisable to defy the order of the Court. However in spite of the advice of the Law Ministry, newspapers report on Court Proceedings was censored. The judgement of Bhoomiputra case which was against the government’s censor order was censored. A couple of Papers that published the summaries of the judgement was penalised. The judges were punitively transferred and their transfer orders subjected to censorship.

The censorship order, during emergency period (1975-77), prohibited all publication of rumours, reproduction of objectionable matter in any Indian or foreign newspaper, and printing of any article likely to arouse opposition to the government. All Cartoons, photographs and advertisements which came under the purview, of censorship, guidelines were also censored. The press was forced to, function under new press guidelines issued to them. It was so much obstinate that the government took a strong exception even to the space left in an editorial, article or anywhere (a common form of protest against censorship by Indian newspaper under the British rule in India). Government officials were posted in the offices of news agencies so that they could censor the objectionable material at source. To curb the press freedom, the Prevention of Publication of Objectionable Matter Act, 1976, was passed. It was, however, repealed in 1977 by Prevention of Publication of Objectionable (Repeal) Act.

The press, during this period, became one of the worst victims. The editors were threatened against Violation of censor directives Jayapraksh Narin’s Everymen Prajaniti, Piloo Modi’s March of India and George Fernandes’ Pratipaksha had
to suspend their publications. Tarun Bharat a dail, Pancha Janya, a weekly and Rastra Dharma, a monthly a group of Hindi publications of the Jan Sangh, a political party were also forcibly closed down. It is unfortunate to observe that the publishers of these papers the Rashtra Dharma Prakashan could not even get a counsel to take up their issue with the judiciary. Lawyers were afraid; whoever agreed was arrested under the Defence of India Rules. This was the way; the press was muzzled, which gives a clear picture of its relation with the government.

Motherland and Organiser the official publications of the Jan Sangh were also banned and their office premises closed. Bhumi Putra, a weekly Published from Baroda, had stop its publication as it was sealed for having published a statement made by M.C. Chagla denouncing the indiscriminate arrests made by the government. The Navjivan Trust Press, which in the past published Young India and Harijan, published a booklet on the Bhumi Putra case. The police raided the press and sealed it and kept it closed for six days. Ironically, the government had sealed the institution which Mahatma Gandhi had set up to fight the British imperialism and set the country free from the clutches of the British rule.

Even the Press Council of India, set up in July 1966 to protect the press freedom, was dissolved during the Emergency by ordinance on 8 December 1975. Kishan Kumar Birla, an industrialist and the proprietor of Hindustan Times, played a very important role in the dissolution of the Council B.G. Verghese the editor of Hindustan Times, was removed officially on 22 September 1975 by Birla. Of course, the latter
was condemned by the Council for having not allowed the publication correspondence between him and Verghese. But the Council could not pronounce its verdict as it was abolished on 31 December 1975.

The general guidelines to the Press were issued by the government on June 27, 1975. It included a provision for avoiding stories and to keep in mind any attempt at denigrating the office of the Prime Minister. The guidelines issued on 5 August 1975, apart from maintenance of public order included stability of economic growth in the country.

3.27 CENTRAL EMERGENCY PRESS ADVISORY COMMITTEE

Coming to grips with the Emergency, the Central Government devised a pattern for Press relations that is, broadly, a sensible one. It asked the All India Newspaper Editors’ Conference (AINEC) to name a committee that would advise the Government in dealing with errant newspapers. It set up a committee of its own officials who would screen what appeared in the Press before placing it in front of the central Emergency Press Advisory Committee. And, after discussion with the Press, it established a working convention that cases involving newspapers with a circulation of 10,000 copies or more would be dealt with by the Centre and those with less by the States.

This last was more an arrangement of convenience than a closely thought-out step. Nevertheless it does have a basis of reason: papers with more than 10,000 are likely to be the more important and influential ones and the Centre was keen to deal
with them in uniform manner. They are also the papers whose readership is likely to straddle more than one State.

It would be pointless to describe here the evolution of the committees. Only one development is worth mentioning. In the beginning, the Government (with the concurrence of the CEPAC) began issuing warnings without having given the offending newspapers a chance to explain their side of the case. As I have said before, a warning used to mean (please note the used which will be explained later) the automatic withdrawal of Government advertising. A warning also carried the odium of having been held irresponsible during a national crisis. So the Ministry of Law advised that ‘show cause’ notices ought to be issued. This was then done and the Government set up another committee of more senior officials to examine the replies by the newspapers.

Besides these two official committees, there is the Press Advisory Unit of the Press Information Bureau which also screens newspapers. The Intelligence Bureau also has its cell for screening publications, particularly from the angle of watching over the interests of the minorities.

3.28 RAJIV GANDHI AND FREEDOM OF PRESS

The Congress government headed by late Rajiv Gandhi, the then Prime Minister, got the Defamation Bill, 1988, passed in the Lok Sabha, thereby making an attempt to suppress the press. But the mounting pressure of the public and the press forced the government to withdraw the Bill without referring it to the Rajya Sabha.
During the two centuries 1780s to 1980s the Government of India took measures both during the pre- and post-independence period to curtail the freedom of the press and force it to act as its mouthpiece or dance it to its tunes. In the post-independence period even the State governments have had no hesitation to act against the press by curbing its freedom.

Though there is no specific law to control the Press, freedom of the press is not absolute. Restrictions can be imposed as, mentioned earlier, under Article 19(2) of the Constitution and other statutes. However vocal the authorities’ may be in claiming that press should be free and independent, they suppress its freedom and independence on the slightest pretext that it has abused, its power of pen by exposing their misdeeds.

The year 1988 proved to be a landmark in the history of Indian journalism. This was the year in which Indian journalism stood up and a fought valiantly when it saw the freedom of expression guaranteed under the Constitution under grave threat through the Defamation Bill introduced in Parliament by the Rajiv Gandhi Government. It led to a confrontation with the government which lasted nearly a month and ultimately the press emerged victorious and the government suffered a humiliating defeat, being forced to withdraw the bill.

It all began when the government introduced in the Lok Sabha on August 29, 1988, the Defamation Bill, 1988, said to have been in the making for over a year. It was clear that it was aimed at drastically curtailing the tendency of a section of the press to indulge in defamatory journalism through
insinuations and innuendos and in the name of investigative journalism, flinging unsubstantiated corruption charges against individuals in the corridors of power or supposedly close to the decision makers in government.

Among the major legislative moves to control the media was an attempt by the central government in July 1988 to introduce far-reaching changes to the criminal law of defamation. The Defamation Bill 1988 sought, *inter alia*, to create a new offence of “criminal imputation”, punishable by imprisonment of between three months and two years, coupled with a fine of up to 5,000 rupees. The Bill introduced against a backdrop of press exposure of corruption involving prominent members of the Congress Party arising from defence contracts with the Swedish armaments manufacturer Bofors, also proposed to make “scurrilous writings” the subject of criminal sanctions.

The contents of the Bill and the attempts to rush it through parliament elicited strong protests, especially from the press. A highly successful one-day nationwide strike by the newspaper industry and increasingly strident protests finally forced the then Prime Minister Rajiv Gandhi to withdraw the Bill in September.

The Press and Registration of Books (Amendment) Bill 1988, introduced in parliament on December 5, met with a similar fate. The Bill sought, among other things to broaden the range and volume of information that the Registrar of Newspapers could seek from the press elaborate employment statistics, financial data such as the amount of capital invested and the production capacity of the machinery used, the
volume of advertisements published and the monetary value thereof, and “such other techno-economic information about printing and other particulars as may be prescribed”. The Bill also sought to confer extensive powers on district magistrates to enter newspapers’ premises, copy documents and records and ask investigative questions. Professional and trade opposition was so strong that the government was compelled to withdraw the Bill within weeks of its introduction.

In the latter part of 1994, the print media found two new heroes a suspended Bombay municipal corporation official, G. R. Khairnar, who hurled charges of corruption and collusion with the underworld dons against the Maharashtra Chief Minister Shard Pawar and the Other the Chief Election Commissioner, T. N. Seshan, who posed problems for central and state governments with his crusade against electoral malpractices. The press lionised Khairnar and his speeches were lead stories in Bombay newspapers. It was again a case of Pandering to sensationalism without Concern for ethics and morality. Khairnar achieved the maximum Publicity and some of the elites of Bombay even pledged their Support to him. But Khairna, who said at a meeting that Sharad Pawar incited the communal, riots of 1993 in Bombay, could not substantiate his accusations against the Chief Minister when asked to do so. He lost credibility and the press too had lost interest in him.

But T.N. Seshan still survives as a hero and he Continues to be good “Copy” wherever he speaks and whatever he does. There is no doubt that Seshan has put the fear of God in the minds of Politicians and his efforts to cleanse the electoral arena are bound to yield results. He has the full of the print
media which revels in highlighting his sermons and homilies to
governments and the politicians alike.

The years between 1997 and 2000 were a period of
political instability and economic recession. Two governments
fell and there were two general elections. In between India
exploded a nuclear bomb conducting two tests and proclaiming
to the world that it had joined the nuclear club of the world and
that it was now a nuclear weapon state. The country also went
through a minor war on the Kargil front in Kashmir involving
the Pakistan Army. The media had its hands full with
speculative stories about political happenings and international
reaction to India’s emergence as a nuclear power and of
Pakistan following suit.

3.29 THE RIGHT TO INFORMATION ACT, 2005

The Right to Information Bill was introduced in the Lok
Sabha in December 2004. It was passed by both houses of
Parliament with major amendments in May 2005. The assent of
the President was received on June 15 and the Act was notified
in the Gazette on June 21. The law becomes operational by
October 2005.

This law was passed by Parliament to enable citizens to
exercise their fundamental right to information held by public
authorities all over the country (except Jammu and Kashmir).
The RTI Act aims to bring about transparency in the functioning
of public authorities, contain corruption and hold Governments
and their instrumentalities accountable to people. It creates a
process for providing information to people. The RTI Act places
a duty on officers to provide information to people both
proactively and upon request. It provides for a two-tier appeals mechanism to deal with complaints of unreasonable denial of information by public authorities. This law will have an overriding effect vis-a-vis the Official Secrets Act, 1923 and all other laws and orders passed by Governments that restrict information flow to people.

The right to information, however, must embrace the information not only from the government and the public authorities, but also from private individuals and institutions, whose activities have a bearing on the peoples’ affairs. This right is often denied even in some free societies mainly on grounds of national security, internal order, public interests and official secrets.

Information is regarded as the oxygen of democracy. It invigorates where it percolates. If people do not know what is happening in their society, if the actions of those who rule them are hidden, then they cannot take a meaningful part in the affairs of the society. Freedom of expression, free dissemination of ideas and access to information are vital to the functioning of a democratic government. Information is crucial for a vibrant democracy and good governance as it reflects and captures Government activities and processes. Access to information not only facilitates active participation of the people in the democratic governance process, but also promotes openness, transparency and accountability in administration. ‘Right to Information’ (RTI), the right of every citizen to access information held by or under the control of public authorities, can thus be an effective tool for ushering in good governance.
It is important that the media plays the role of an honest broker of information for its readers without deliberate bias or favouritism. The media must consider its independence to be its most valuable commercial, editorial and moral asset. Maintaining its independence through professional behaviour and a code of conduct that is subscribed to by all journalists, the media can be a powerful user of the RTI Act and an agent for the empowerment of people through an Information Society.

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