CHAPTER 6
PRINT MEDIA IN INDIA

BEGINNINGS

There was always news, though the etymology of the word is not exactly known. Three derivations are usually given. Firstly, what of new? which became news. Secondly, whatever came from North, East, West, South was news. Thirdly, news is the plural of new, after the medieval Latin nova. But newspapers themselves are a modern development. In ancient Rome there were writers of newsletters who furnished news to those who resided at a distance from the capital, and even after the invention of printing, intelligence was supplied to businessmen and political leaders through written news-letters. During the consulship of Julius Caesar the acta diurna, bulletins devoted chiefly to Government announcements, were posted daily in public places in Rome. Apart from town criers there were proclamations, which were often posted, ballads, broadsides, news pamphlets, besides propaganda pamphlets, usually dealing with a battle, a disaster, a marvel or a coronation. In the sixteenth century many of the news pamphlets appeared in several European countries and were sold at fairs and shops. Early in the seventeenth century, more or less regular newspapers printed from movable type appeared in Germany, Austria, the Netherlands and Italy.

Edicts and proclamations were an early form of communication from the rulers to their subjects. The tax-collecting and other agencies were also used for gathering and disseminating information. Besides the spies, there were the secret overseers attached to departments. There were also reports from the departments, and accounts from the monasteries. The King's writs were important and so were the writ-writers. The newsletter was an early institution.

In India these forms of communication were improved under the Moghuls. The news-writers in particular became an institution. The manuscript reports were meant exclusively for official use, but later they were copied for wider use. An emperor like Aurangzeb allowed great freedom in news reporting and the reports sent by the news-writers were unreliable and led to his failure in the Deccan.
Francois Bernier, a French doctor who served in India, writing in 1656-1668, said:

The provincial governors, as before observed, are so many petty tyrants, possessing a boundless authority; and as there is no one to whom the oppressed subject may appeal, he cannot hope for redress; let his injuries be ever so grievous and ever so frequently repeated. It is true that the Great Mogul sends a Vakea-Nevis (Waki' ahnawis, a news-writer) to the various provinces, that is, persons whose business it is to communicate every event that takes place; but there is generally a disgraceful collusion between these officers and the Governor, so that their presence seldom restrains the tyranny exercised over the unhappy people.

Niccola Manucci, a Venetian traveller, who lived at the court of Aurangzeb, wrote:

It is a fixed rule of the Moghuls that the vaquia-navis and the confianavis or the public and secret news-writers of the empire must once a week enter what is passing in a vaquia-that is to say, a sort of gazette or mercury, containing the events of most importance. These news-letters are commonly read in the King’s presence by women of the mahal at about nine o’clock in the evening, so that by this means he knows what is going on in his Kingdom. There are, in addition, spies who are also obliged to send in reports weekly about other important business, chiefly what the princes are doing, and this duty they perform through written statements. The King sits up till midnight, and is uncasingly occupied with the above sort of business.

Some hundreds of original manuscript newspapers of the Moghul Court were sent by Col. James Todd in 1828 to the Royal Asiatic Society in London; the papers, 8 inches by 4 1/2 inches inside on an average, written in various hands, record notices of promotions, visits by the Emperor, hunting expeditions, bestowal of presents and news of similar interest. According to John Fryer, a doctor who served in India from 1672 to 1681, Aurangzeb’s failure in the Deccan, in spite of the formidable armies he had, was partly due to the false report sent by his news-writers. About a hundred and fifty years later, Sir William Sleeman says that Ghulam Husain of the Kingdom of Oude was so ashamed of his defeat that “he bribed all the news-writers within twenty miles of the place to say nothing about it in their reports to court, and he never made
any report of it himself”. Sleeman also records that the King of Oude employed six hundred and sixty news-writers and that they were paid between four and five rupees each per month - “... such are the reporters of the circumstances in all the cases on which the sovereign and his ministers have to pass orders every day in Oude.” In the first half of the eighteenth century, the factors of the East India Company availed themselves often of the services of news-writers to acquaint the Indian courts of items of news. The Company’s representatives also had their complaints published in the news-letters and thereby sought to get them redressed.

The newsbooks of the seventeenth century led to the news-papers of the eighteenth in Britain. Several generations of enterprising men known to their contemporaries as authors, curranters, mercurists, newsmen, newsmongers, diurnalists, gazetteers and journalists had experimented with modes of communicating news and opinions. The first new book was Weekly News from Italy, Germanie, Hungaria, translated out of the Low Dutch copie, published in 1622. The Oxford Gazette, later the London Gazette, of which Pepys wrote, “Very pretty, full of news, and no comment in it”, published news in 1665 and for long afterwards. After thirty years the word ‘newsbook’ went out, readers now referred to the paper as newspaper, the earliest recorded use of the term going back to 1670.

Public Occurences, Both Foreign and Domestic, issued from Boston in 1690 by Benjamin Harris, a London bookseller and publisher, who had fled England after imprisonment for sedition, was probably the first American newspaper. It was to be “furnished once a month (or if any Glut of occurrences happen oftner). Four days after its appearance the Governor and Council, suppressed it. The first American newspaper, with three pages filled with news and one left blank for private correspondence, thus ended summarily with its first number.

It was in Germany that not only was the first Western printing from movable type done but some of the earliest news pamphlets and perhaps the first regularly published newspapers were issued. There is a file of the avis Relation oder Zeitung published at Augsburg in 1609, and one copy of the Strasbourg Relation of that year. The first French newspaper, the Gazette, was established in 1631 under the patronage of Cardinal Richelieu. Swiss news-sheets were published in Basel in 1610. Vienna and three weekly news-sheets
before 1620. The first Italian newspaper with a continuous title appears to have been Sincero, published in Genoa in 1645. The first Russian journal is said to have appeared in 1703. A Mexican news-sheet was published as early as 1541.

It is not known when exactly printing from movable type was invented in Europe but it is supposed to have been about 1440 and independent of the Chinese invention four centuries earlier. Caxton, England's first printer, set up a press at 'The Red Pale' in the Almonry at Westminster in 1476, having learnt the art in Cologne. The first presses, two of them, arrived in India in 1550, though nothing was published till 1557 when a Catechism, reputedly by St. Francis Xavier, was printed and circulated. The early Portuguese settlers, followed by a number of Jesuits, needed quick means of communication for conversion. An English Jesuit, Thomas Stevens, believed to be the first English man to have lived in India, translated a Portuguese primer into the local language for the use of college pupils. A press was set up in Punikaiel, in the Tinnevelly District, in 1578 and another at Vypicotta in 1602. The next printing press was established in 1679 at Ambalakad, south of Trichur, and there the first Tamil Portuguese Dictionary was published. The authorities were apprehensive of the effect of printing. The arrival of those Englishmen in India and the flow of commercial information led to the formation of the East India Company and its first excursions into India.

News-writers were in great use under the East India Company, confined in the beginning to reporting the affairs of the English and occasionally reporting the grievances of the employees of the Company. The Company's news-writers were under greater control than those under the Mogul Emperors. There could be no free expression of views or even free communication of news within the prevailing atmosphere of grabbing and favouritism and profiteering. The East India Company's establishment in India was the close preserve of the Company's servants and they saw to it that no true or coherent account of the extraservice activities reached the headquarters in London. There was thus no newspaper in English though the Company had installed presses in Bombay, Madras and Calcutta and provided types and paper.

The beginnings of the Written Communication

One of the earliest forms of written communication in India is traced back to the beginning of organised society. In ancient India, the ruler is known to have propagated his ideas to the people through edicts and
proclamations. The rulers in those days created agencies to acquaint them of activities which were inimical to their authority. These agencies also spread out their proclamations of social and economic reform to its authority. Later on, machinery was developed to keep the rulers informed of the main currents of the life of the people. The agency that collected taxes, for example, provided information on conditions in the prosperous and backward areas. It is known that organised attempts were made to relieve famine and distress by affording timely relief. The inference may be drawn that in the first stages such information was transmitted verbally by messengers who committed it to memory and in later stages it was reduced to writing.

In the Ashoka period when the temple and the State became identified as one and the State itself was supported by a highly developed administration, the Emperor had many sources of information ranging from the spies who reported on subversive activities, the secret overseers attached to every department, the reports from the departments themselves and an account of the socio-religious activities of the people from the monasteries.

The news-letter was an early institution which kept the ruler regularly informed of developments in various parts of the country and among different classes of the people.

In the Moghul period, news writers were appointed to various administrative units in their territory, and were charged with the function of sending reports to the head quarters of the administration. These manuscript reports were submitted exclusively for official use and there are early indications of news writers working in collusion with a governor or a local administrative official, presenting them in a favourable light to the central authority and covering up their tyranny and oppressive exactions. A later development was the copying of these reports and their circulation to important officials.

Still later the various administrations in the Indian peninsula kept themselves informed of events and doings in one another's territories through the medium of these manuscript newspaper. There are conflicting reports about the state of the 'Press' in the time of Aurangzeb; for while one historian records that the Emperor allowed great liberty in the matter of news, another ascribes the failure of Aurangzeb in the Deccan to the false reports sent to him by his news writers.
The East India Company also requisitioned the services of news writers for the same purpose as the Moghul Emperor. Early reports were confined to the affairs of the English and occasionally, the grievances of the Company's employees were ventilated through this channel and sometimes redressed. For a number of reasons, the news writers in the service of the East India Company were subject to greater control than those of the Moghul Emperors.

Newspapers of the 18th Century.

William Bolts: The first attempt to start a newspaper was made in Calcutta in 1776 by Mr. William Bolts and ex-officer of the East India Company. Bolts resigned owing to censure by the Court of Directors of the Company for this carrying on private trade beyond the Company's authority. He announced his intention to embark on a writing career saying he had "in manuscript many things to communicate which most intimately concerned every individual". This gave rise to alarm in official quarters. He was directed to quit Bengal and proceed to Madras and from there to take his passage to Europe. Hence the first attempt for journalistic venture proved abortive.

James A Hicky: After Bolt plan of a newspaper, it was James Augustus Hicky who actually started the Bengal Gazette Calcutta General Advertiser in 1780. Hicky introduced himself as "the late printer to the Honourable Company". Hicks did not enjoy high reputation in the Company. He had no pretentions to literacy attainment and his two sheet newspaper devoted considerable space to scurrilous attacks on the private lives of the officials of the Company, including the Governor General, Warren Hastings and attacks on one Simon Droz, Colonel Thomas Dean Pearse and a Swedish missionary, John Zachairah Kiernander, soon landed Hicky in trouble. He was deprived of the privilege of circulating his newspaper through channel of the General Post Office. Kiernander against whom Hicky's real complaint was that he had sold his types to a rival newspaper the India Gazette was accused on contemplating the sale of the Main Church. Kiernander secured a letter from the Governor-General clearing him of any such intention and sued Hicky for libel. Hicky was sentenced to 4 months imprisonment and a fine of Rs.500.

He was to be held in prison till the fine was paid. This did not deter him, however, from continued critical approach of bitter and abusive attacks on the Governor General and the Chief Justice, Sir Elijah Impey. An armed band of some 400 persons led by Europeans raided Hicky's press in order to
effect his arrest under the order of the Chief Justice and instructions from the Governor-General. He beat them back but appeared of his own accord before the Supreme Court soon after. As the Court had risen for the day he was imprisoned and held in detention for inability to pay the bail of Rs.80,000. Hicky continued to edit his paper while in prison without any change of tone. In the trial that followed he was sentenced to a year's imprisonment and a fine of Rs.200 on one charge, and on another, the Chief Justice awarded Warren Hastings damages to the extent of Rs.5,000 which, however, the Governor-General waived. Undeterred by all these setbacks, Hicky persisted in his writings but was gradually reduced to poverty and distress which ultimately broke him.

India Gazette: In 1780 another publication entitled the India Gazette was started by Messrs B.Messink and Petral and then addressed him in writing for postal concessions assuring him in that they would abide by any regulations he may lay down and soliciting the favour of being appointed printers to the Honourable Company at Calcutta. The Calcutta Gazette was published in 1784 under the patronage of the Government and in 1785 came in the Bengal Journal and a monthly, the Oriental Magazine of Calcutta Amusement which was brought out along with the Calcutta Chronicle published in 1786. Thus there were four weekly newspapers and one monthly magazine all published from Calcutta.

The editors of the five journals of Calcutta trod warily the trail which Hicky had blazed for them. The Bengal Journal offered to publish all Government advertisements free of charge. Nothing is known of the fate of the Calcutta Chronicle beyond the fact that issues of the paper are to be found in the Imperial Library, Calcutta, (between 1782 and 1794) and in the British Museum Newspaper Library (between 17** and 1790). The three other papers seem to have conducted without any incident till 1791, except that in April 1785 the publication of Orders and Resolutions of the Council under the title of "General Orders" was banned.

The Madras Courier: The first newspaper in Madras, the Madras Courier, came into existence in 1785 as an officially recognised newspaper founded by Richard Johnson, the Government Printer. By an order of the Government it was laid down that the publication of advertisements under the official signature either of the secretaries of Government, or any other officer duly authorised, should be deemed to convey "officially and sufficient
notification of the Board's orders and resolutions in the same manner as if they were particularly specified to any servants of the Company etc. "In 1791, oyd, then editor of the Madras Courier resigned and started the Ilarkaru, but the paper ceased publication a year later when he died.

The Madras Courier continued without a competitor till 1795 when R. Williams started the Madras Gazette followed a few months later by the India Herald which was published without authority by one Humphreys who was arrested for the unauthorised publication but escaped from the ship on which he was to be deported to England.

Censorship was first introduced in Madras in 1795 when the Madras Gazette was required to submit all general orders of the Government for scrutiny by Military Secretary before publication. Free postage facilities were withdrawn and on both newspapers protesting, it was decided to impose the levy at the delivery end.

The Bombay Herald: Bombay's first newspaper. The Bombay Herald came into being in 1789. The Courier which was published a year later carried advertisements in Gujerati. The Bombay Gazette was published in 1791 and The Bombay Herald was merged into it the following year, being officially recognised for purposes of official notifications and advertisements on the same terms as the Madras Courier.

In Bombay and Madras, newspapers do not seem to have come into conflict with the Government in this early period. In the contrary, they were anxious to earn official recognition and to enjoy official favour. In Bombay, the editor of the Bombay Gazette for once commented on the conduct of the police, and incurred the Government's displeasure. He, labour, sought to obtain the exclusive patronage of the Government on the ground that he had incurred heavy losses as a result of making the paper "subservient to the purposes of Government."

William Duane's Indian World: In Bengal in 1791, William Duane in partnership with Messers Dimkin and Cassan, acquired the Bengal Journal and became its editor. He, however, walked straight into the trouble by publishing the rumoured death of Lord Cornwallis. He could not consequently continue as editor of the Bengal Journal. He started another paper The Indian World which
prospered steadily in the next three years. Duane's house was twice raided in 1794, once to ensure his presence in the Court of Requests for the Town of Calcutta and the second time when his house was broken into and searched, presumably under the orders of the Supreme Court to which he subsequently addressed a complaint asking to be informed of the reasons for its attitude towards him. He was informed that it was the wish of the Government that he should proceed to Europe by the next boat. Duane demanded an audience with Sir John Shore, the Governor-General, who invited him to the Government House. He was, here, placed under arrest and sent to England aboard an armed ship together with three orphan children whom he had adopted. Duane received no compensation for the property left behind in India of the value of which his own estimate was Rs. 30,000. In the interval between 1791 and 1798, newspapers in Bengal were pulled up for various offences many of which related to military subjects.

Charles Maclean's Bengal Harkaru: In 1798, Dr. Charles Maclean started The Bengal Harkaru. He however, had a series of encounters first with the Post Master General for detaining certain letters addressed to Maclean and later with the Government for contributing a signed letter to The Telegraph, edited by Mckenly, reflecting upon the conduct of the Magistrate of Ghazipore.

The turn of the 18th Century marked the end of a phase in journalism in India. During the period, there were no Press laws as such. If the person intending to start a paper was already persona non grata with the Government or with influential officials, he was deported forthwith. If a newspaper offended and was unrepentant, it was first denied postal privileges, and if it persisted in causing displeasure to the Government, it was required to submit part of or the entire newspaper to precensorship; if the editor was found "incorrigible", he was deported. Another aspect of journalism in India during this period was that it contained material exclusively of interest to and relating to the activities of the European population in India.

The early newspapers were thus started by ex-servants of the Company who had incurred its displeasure and their columns were devoted to the exposure of the evils and malpractices of the time. Many of the writings
were scurrilous and indulged in the grossest libel. Nevertheless, they served a useful purpose. Later newspapers were started with direct or indirect official patronage.

No newspapers were published until 1780 because the Company's servants by common consent wished to withhold from Leadenhall Street the evils and malpractices arising from "private trading" in which all of them, almost without exception, illegally indulged. The first newspapers were started by disgruntled ex-employees of the Company. They were aided and abetted by servants of the Company who used these newspapers for the furtherance of their personal rivalries and jealousies.

3. Early Nineteenth Century Newspapers

The first two decades of the 19th century saw the imposition of rigid control on the Press by the Marquess of Wellesley and relaxation by the Marquess of Hasting. The Press regulations required a newspaper to carry in imprint the name of the printer, the editor and proprietor, to declare themselves to the Secretary to the Government and to submit all material published in the paper to his prior scrutiny. Publication on Sunday was prohibited. The prescribed punishment for breach of these rules was immediate deportation. The Secretary was vested with the powers of a censor. By a separate set of rules he was required to exclude from newspapers information in regard to the movement of ships or the embarkation of troops, stores or specie, all speculation in regard to relations between the Company and any of the enemy and comments likely to be of use to the enemy and comments likely to excite alarm or commotion within the Company's territories. In addition, he was to exclude all comment on the state of public credit, or revenues, or the finances of the Company, or on the conduct of Government officers, as also private scandal or libels on individuals. He was also required not to permit the publication of extracts from European newspapers which were likely to constitute a breach of the above restrictions.
A list of the newspapers of the time is given below:

<table>
<thead>
<tr>
<th>Name of the Paper</th>
<th>Proprietor</th>
<th>Editor</th>
<th>Printer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bengal Harkaru</td>
<td>William</td>
<td>William</td>
<td>Urquart</td>
</tr>
<tr>
<td>Morning Post</td>
<td>Archibald</td>
<td>Archibald</td>
<td>Archibald</td>
</tr>
<tr>
<td></td>
<td>Thompson</td>
<td>Thompson</td>
<td>Thompson</td>
</tr>
<tr>
<td></td>
<td>Paul Ferris &amp; Morely</td>
<td>Paul Ferris</td>
<td>&amp; Morely</td>
</tr>
<tr>
<td></td>
<td>Greenway</td>
<td>Greenway</td>
<td>Greenway</td>
</tr>
<tr>
<td>Telegraph</td>
<td>Holt McKenly and H.D. Wilson</td>
<td>Holt</td>
<td>McKenly</td>
</tr>
<tr>
<td>Calcutta Courier</td>
<td>Thomas</td>
<td>--</td>
<td>Thomas</td>
</tr>
<tr>
<td></td>
<td>Hoolingbery &amp; Robert</td>
<td>Hoolingbery</td>
<td>&amp; Robert</td>
</tr>
<tr>
<td></td>
<td>Khellen</td>
<td>--</td>
<td>Khellen</td>
</tr>
<tr>
<td>Orietneal Star</td>
<td>Richard</td>
<td>Richard</td>
<td>John Johnson</td>
</tr>
<tr>
<td></td>
<td>Fleming</td>
<td>Fleming</td>
<td></td>
</tr>
<tr>
<td>India Gazette</td>
<td>William Morris</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td>William Farrlie &amp; J.D.Williams</td>
<td>--</td>
<td></td>
</tr>
<tr>
<td>Asiatic Mirror</td>
<td>Charles K. Bruce &amp; John</td>
<td>Charles K.</td>
<td>Bruce</td>
</tr>
<tr>
<td></td>
<td>Schoolbred</td>
<td>--</td>
<td></td>
</tr>
</tbody>
</table>

Many of the newspapers being owned by the company personnel did not care for pre-censorship with any regularity; military information was published and books and pamphlets printed sometimes containing forbidden information. Prohibitory instructions were sent to the editors of six out of the seven newspapers. Restrictions were imposed on the Press and public meetings were banned by order of the Governor General in Council (April 9, 1807).

In the eighteenth century, newspapers were started by ex-servants of the East India Company and contained materials mainly relating to the European population in India. 19th century saw the rapid growth of the Indian Press. There was a movement for religious and social reforms and there was a growing political consciousness among the people. In the latter part of the 19th century, Indian National Congress came into being and there was political matters. The influence of the Indian Press on the minds of the people, particularly...
the intelligentsia, was considerable. Writing about the Press in the 19th century, Dr. Pattabhi Sitaramayya points out that popular agitation gives birth to repression on the ground that, unless the people are thoroughly beaten, no concession should be made to popular demands. Lord Lytton's Press Act of 1878 which was, however, quickly withdrawn, was the real forerunner of this policy. The Arms Act was another reply to the growing self-consciousness of the nation and continued a festering sore."

**Acts of 1908 and 1910**

With the emergence of the nationalist Press which took up the cause of the freedom movement, a new dimension was added to Indian journalism. The nationalist Press and the Anglo-Indian Press had different, almost conflicting, objectives. Mr. S. Natarajan describes the early part of the 20th century as an "amazingly hysterical period which the Press in India passed through." The Anglo-Indian Press was one with the Government in its policies and it went all out to belittle the extremist as well as the moderate schools. Naturally, therefore, the Government did not find any danger in the Anglo-Indian Press. Even if it criticised government policies on certain occasions, they were explained away as "occasional lapses from good taste and right feeling." The nationalist Press, on the other hand, was a bitter critic of the government and lent its support to the freedom movement and was trying to rouse political consciousness among the people and the Government took repressive measures against nationalist Press on the slightest pretext.

A wave of revolutionary movement was passing through the country, particularly in Bengal and with the Government notification in July, 1905 announcing the partition of Bengal, the stage was set for widespread trouble. As open criticism of the government was no longer possible, the movement went underground and terrorist activities increased and the young men took to the cult of the bomb. Tilak who was inspiring the people in the cause of freedom movement through his papers Kesari and Mohratta was prosecuted and sentenced for sedition twice, once in 1897 and again in 1908. Prominent among the editors prosecuted in Bengal were Aurobindo Ghose of the Bande Mataram, Brahma Bandhab Upadhyaya, editor of Sandhya and Bhupendra Nath Dutt, the editor of Jugantar. Lajpat Rai and Ajit Singh had already been deported in 1907 and Bengal contributed as many as nine who were singled out for this distinction.
The Government of India was haunted by the spectre of sedition and it enacted laws to control public meetings (1907) followed by the Newspapers (Incitement to Offences) Act, 1908. This Act empowered a Magistrate to seize a Press on being satisfied that a newspaper had printed matters containing any incitement to murder or to any other act of violence or to an offence under the Explosive Substances Act. Proceeding under this Act did not save any person from being prosecuted under any other law and if the Magistrate makes his order of the seizure of the Press absolute, the local government could annul the declaration by the printer or publisher and prohibit any further declaration in respect of the newspaper or any newspaper which was in substance the same as the prohibited newspaper. The effect of this draconian law was that several newspapers, which expressed sympathy with terrorist activities, ceased publication. Any hope that the hardships inflicted by the 1908 Act were temporary was shattered when it was followed by a more comprehensive enactment, the Indian Press Act, 1910.

The Indian Press Act was directed against offences involving violence as well as sedition. It required security deposit by every person keeping a printing press and provided for forfeiture of such deposit in all cases where the matter contained in the newspaper incited violence or sedition. The provisions of forfeiture were attracted when the matter contained in 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 his duty, to put 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, a person making a fresh declaration was required to deposit a higher amount than the first and on the third occasion, if an offence was alleged, the security deposited, the printing press used for printing the newspaper and all copies of such newspaper were forfeited.

Enlightened public opinion was very much against the harsh provisions of the Press Act from the very beginning. To demand security deposit from the keeper of every printing press, irrespective of the purpose for which the Press is used, put an unnecessary financial burden on well-intentioned printers and publishers and in cases of small concerns, the burden proved too
heavy for printers and they became bankrupt. The Act had become a festering sore affecting the Indian Press. After the bomb attack on Lord Hardinge in 1912 from which he narrowly escaped, the provisions of the Act were being indiscriminately misused.

**Criminal Law Amendment Act, 1913 and the Defence of India Regulations, 1914**

The rigours of the Act of 1910 were further enhanced by the Criminal Law Amendment Act, 1913 and by the Defence of India Regulations which were promulgated on the outbreak of the First World War in 1914. They were used to stifle criticism and silence agitation. Lord Chelmsford used the Press Act with severity and too often. A notorious instance of the misuse of the Act was the case of Mohmed Ali. A pamphlet published by him under the title of “Come over to Macedonia and help us” was forfeited without the notification stating the grounds for the Government’s opinion which was a requirement under the Act. The Calcutta High Court took the view that the pamphlet was not seditious and the Chief Justice Sir Lawrence Jenkins observed that it would be the duty of the Court to hold, but for Section 22, that there had been no legal forfeiture. He analysed the provisions of the Act and said that they were far too harsh for the publisher of a newspaper and that “much that is regarded as standard literature might undoubtedly be caught”. Again, in the case of New India edited by Mrs. Besant, the Madras High Court remarked: “Section 3(1) imposes a serious disability on persons desiring to keep printing presses.” A deputation of the Press Association headed by Mr. Horniman waited upon Lord Chelmsford on 5th March, 1917 to impress upon him the harsh nature of the law. Lord Chelmsford remained unimpressed and said: “The function of a judge is not to say what the law ought to be, but what it is. Executive action is an must always be based upon information, experience and considerations of policy which find no place in the courts of law. Sir Lawrence Jenkins was not entirely consistent with himself. And I cannot but think that if he had any knowledge of the statistics I have given you, he would have hesitated before describing the keeping of printing presses and the publication of newspapers as an extremely hazardous undertaking.”

Powers vested in the government were being misused all over India. Mrs. Besant was prohibited from entering into the Bombay Presidency by Lord Willingdon under the Defence of India Act. In Bengal, the number of young
men interned ran up to nearly three thousand. The amount collected by the Government by way of securities and forfeitures, most of them by executive orders, the number of presses closed and the publications proscribed would clearly show under what trying conditions the Press functioned and to what extent it was crippled. The numerous protests proved to be of no avail. Immediately on the heels of these repressive measures came the Rowaltt Act. The agitation which followed took a new turn. Proscribed literature was being read publicly and distributed openly and people were courting arrest. There was insistent demand that the repressive laws should be repealed.

When the situation was going out of control, a Press Laws Committee was appointed under the Chairmanship of Sir Tej Bahadur Sapru in 1921 to review the working of the Acts of 1908 and 1910. The Sapru Committee felt that the two Acts had done little to check the evils they were meant to restrain, namely, the promotion of revolutionary conspiracies through the Press and recommended repeal of the two Acts and 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 Law Repeal and Amendment Act, 1922.

Official Secrets Act, 1923

The next important law on the subject is the Official Secrets Act, 1923. It is a general Act but has an important impact on the Press. It is aimed at maintaining

The next important law on the subject is the Official Secrets Act, 1923. It is a general Act but has an important impact on the Press. It is aimed at maintaining the security of the State against leakage of secret information, sabotage and the like.

The Gandhian Era and the Indian Press (Emergency Powers) Act, 1931

Gandhiji’s advent into politics in 1920 was not a mere event; it was a phenomenon. Drawing essentially from his experiences in South Africa, Gandhiji combined Aurobindo’s faith in passive resistance, Tilak’s faith in masses and Gokhale’s belief that the possibilities of understanding knew no limit. His faith in the masses remained unshaken throughout, and their faith in
him was equally deep and abiding. He launched his first non-cooperation movement in 1920 which roused political consciousness among the masses. Though Gandhiji dominated the political scene, there were other leaders also exerting considerable influence who differed from Gandhiji in their approach to national problems. In the twenties, newspapers played an important role by propagating the views of different schools of thought and by moulding public opinion.

In Bengal, the Amrita Bazar Patrika gradually worked its way up to the position of the leading paper in the province. It clashed with the Bengalee of Surendranath Banerjee. Among Bengali papers, the Ananda Bazar Patrika was started in 1922 which had the distinction of having had over a long period the largest circulation of any individual newspaper in the country. There were other papers, the Nayak, Nabasakti and the Basumati. In 1923, C.R. Das's Forward appeared to propagate the Council-entry programme of the Swaraj Party which swept all before it. On the other hand, Shyam Sundar Chakravarty, a staunch follower of Gandhiji started the Servant which continued to propagate the cause of Gandhian no-changers. In Bihar also, there were many papers and the publication of the Searchlight founded by Sachchidananda Sinha marked the beginning of national as opposed to sectarian journalism in the Province. The Leader in Allahabad was a moderate paper. In Bombay, there were three Anglo Indian papers, the Times of India, the Bombay Gazette and the Advocate of India. The Congress felt the need for a paper of its own in Madras and by common consent and its own inclinations, the Hindu was permitted to function as a progressive nationalist paper without coming under the direct influence of any party. There was a large number of newspapers all over India to represent different shades of opinion and they performed a useful function by providing a free market of ideas.

After the repeal of the Acts of 1908 and 1910 in 1922, there were no repressive Press laws and newspapers flourished. But the launching of the Civil Disobedience Movement by Gandhiji in 1931 prompted the government to promulgate an Ordinance to “control the Press” which was later enacted as the Indian Press (Emergency Powers) Act, 1931. Originally a temporary Act, it was made permanent in 1935. This Act imposed on the Press an obligation to furnish security at the call of the Executive. The Act (as amended by the Criminal Law Amendment Act, Act, 1932) empowered a Provincial Government to direct a printing
press to deposit a security which was liable to be forfeited, if the printing press published any matter by which any of the mischievous acts enumerated in Section 4 were furthered, e.g. inciting or encouraging the commission of any offence of murder or of any cognizable offence involving violence; expressing, directly or indirectly, approval or 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 subject; and inciting a public servant to resign or neglect his duty. The government was empowered to forfeit the security 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. Power was also conferred on the postal and customs authorities to seize articles in the course of transmission, if they were suspected to contain matter of the nature described above. This was a comprehensive and harsh measure.

While the Draft Constitution was under consideration in the Constituent Assembly, 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." This Committee recommended, inter alia, the repeal of the Press (Emergency Powers) Act, 1931 and the incorporation of some of its provisions in the general statutes laying down the law of crimes. The Act of 1931 was accordingly repealed and replaced by the Press (Objectionable Matter) Act, 1951.

Post-Independence Period

At present there is no repressive Central law directed against the Press. The Press (Objectionable Matter) Act, 1951 was enacted to provide against the printing and publication of incitement to crime and other objectionable matter. The expression 'objectionable matter' was defined in the Act. The Act provided for demand for security from the keeper of the Press as also from newspapers and newsheets in certain cases. There were also provision for forfeiture of such security. But such demand for security and its forfeiture could be made only after a judicial inquiry by a Sessional Judge; 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 also a right of appeal from the order of the Sessions Judge to High Court. The Act was a temporary one and was allowed to lapse in
February, 1956 and it was also formally repealed by a subsequent Repealing Act of 1957. During the Emergency of 1975, the Prevention of Publication of Objectionable Matter Act, 1976 was passed but it was repealed in 1977 by enacting the Prevention of Publication of Objectionable Matter (Repeal) Act, 1977.

Though there is no specific Press law to control the Press, freedom of the Press is not absolute or unfettered. Restrictions may be imposed on the Press under clauses (2) and (6) of article 19 and also during the Emergency. We shall discuss the nature and scope of these restrictions in Chapter 3. There are various laws which have an impact on the Press; there is also executive control. We shall discuss this matter in Chapter 4. The Press is also subject to various other restrictions, such as contempt of court and contempt of legislatures. We shall discuss them in subsequent chapters.

In 1956, the Newspaper (Price and Page) Act was enacted which was declared void by the Supreme Court in 1962 as being violative of article 19(1) (a). We shall discuss the matter fully in Chapter 9 while dealing with price-page schedule.

From the foregoing brief survey of the history of the Press in India, we have seen that the Indian Press, both English as well as vernacular, had played a leading part in the affairs of the country for over a century. We have seen the trials and tribulations through which the Press had to pass under the British rulers. We have also seen how arbitrary the government action had been towards the newspapers. In particular, the Vernacular Press Act of 1878 which was nicknamed as the Gagging Act and the Indian Press Act of 1910 were notorious and sent many a journalist and publisher to jail or turned them bankrupt. But the journalists of those days had a mission and indomitable courage and because of the sacrifices of those great men of the past, we are enjoying freedom of the Press to an extent which very few democratic countries have.

**Some Facts about the Indian Press**

Statistical data, in relation to the Indian Press, are incomplete and inadequate.

**Number of Newspapers**

The total number of newspapers, including dailies and periodicals, was 19,144 in 1981 as against 18,140 in 1980 indicating an annual growth of
5.5 per cent. Of them, 1,264 were daily newspapers in 1981 as against 1,173 in 1980. The remaining 17,800 were periodicals of which 6,729 were monthlies, 5,624 weeklies, 2,555 fortnightlies, 1,859 quarterlies and 230 annuals. The remaining periodicals were bi-monthlies, half-yearlies etc.

Circulation levels

The total circulation of all newspapers taken together advanced from 50.9 million copies in 1980 to 51.1 million copies in 1981 showing a modest increase of 0.4 per cent.

The circulation of dailies touched the figure of 15.25 million copies in 1981 and showed an increase of 5 per cent compared to their circulation in 1980.

The total circulation of the periodicals was 35.7 million copies in 1981. The weeklies led in circulation with a share of 42.9 per cent followed by monthlies with 39.4 per cent.

In India in 1982, with a population of 68 crores and 28 crores at least nominally literate, there was not a single paper which had crossed the seven figure barrier. The Indian Express with ten editions prints 6,47,709 copies; Times of India with three editions prints 4,67,812 copies; Malayala Manorama with three editions, 4,70,770 and Novabharat Times, with two editions, 4,17,514 copies. Ananda Bazar Patrika, the largest circulated single-edition daily has a circulation of 4,03,047 copies.

No daily newspaper in Indian languages sells 5 lakh copies. A Tamil periodical Kumudam has crossed half-million mark.

Out of 1,264 daily newspapers, only 32 have a circulation of one lakh or more. Out of 17,800 periodicals, only 49 have a circulation of one lakh or more.

According to the circulation data furnished by the newspapers (dailies and periodicals), there were 177 big, 358 medium and 6,798 small newspapers. The remaining newspapers could not be classified as their circulation figures were not available.

Among daily newspapers, 66 were big, 125 medium and 586 small. The circulation figures of the remaining newspapers were not available.
Notes: A small newspaper has a circulation up to 15,000 copies per issue;

A medium newspaper has a circulation between 15,000 copies and 50,000 copies per issue; and

A big newspaper has a circulation above 50,000 copies per issue.

Languages

Newspapers were published in the country in 84 languages in 1981. These include 16 principal languages and 68 other languages. The largest number of newspapers was brought out in Hindi (5,329), followed by English (3,583), Bangla (1,463), Urdu (1,299) and Marathi (1,098).

Daily newspapers were published in 15 principal and 7 other languages. Kashmiri was one principal language that did not have a daily newspaper. Out of 1,264 dailies, 105 were published in English, 407 in Hindi, 128 in Urdu, 120 in Marathi, 101 in Malayalam and the rest in other languages.

State Press

Arunachal Pradesh and Lakshadweep remained out of the list of publishers in 1981 also. Uttar Pradesh continued to be the publisher of largest number of newspapers (2,702), followed by Maharashtra (2,560), Delhi (2,325), West Bengal (2,115), Tamil Nadu (1,216), Andhra Pradesh (1,068) and Kerala (1,005).

With a total circulation of 8.66 million copies, the Maharashtra Press continues to claim the first position. The Press in Delhi comes second with 7.3 million copies followed by Tamil Nadu, U.P., and West Bengal, respectively, in that order.

Ownership pattern

Out of 19,144 newspapers, 12,521 were owned by individuals, 3,240 by societies and associations, 956 by firms and partnerships, 782 by joint stock companies and 597 by Central and State governments. The ownership pattern of the remaining newspapers is not available.

However, newspapers brought out by joint stock companies had the largest circulation with 19.6 million copies.

Foreign Mission Publications

100 publications were brought out by 26 foreign missions stationed in India. All these periodicals were published from the four metropolitan cities. The Embassy of U.S.S.R. with 49 publications remained the largest publisher.