CHAPTER 3

HISTORY OF FREEDOM OF THE PRESS IN INDIA BEFORE INDEPENDENCE

The history of the press in India can be traced to the ancient period even before printing started. Printing, as it is understood in the present day, was not there in India during the ancient period when it was ruled mostly by kings and emperors. It was a period when education was not widespread and the means of communication and transportation were quite inadequate. Asoka (304 B.C. to 233 B.C.), one of the greatest Indian emperors and the grandson of Chandragupta Mauraya, devised his own means of communication. During his regime all the imperial edicts were inscribed on copper plates, rocks and stone pillars which exist even today from Afghanistan in North East to Karnataka state in the South (Padhy and Sahu, 2005:2). His edicts are considered examples of imperial political communication to the informed and literate section of the population.

With the establishment of the Moghul Empire started a new era in the field of the press in India. Communication was effectively organized. Written newspapers of a kind were circulated. It must be pointed out that the news-writers were given maximum freedom to cover, present and disseminate the news which had been unfortunately very often inaccurate, fabricated and distorted (Padhy and Sahu, 2005:2). According to historians of journalism, the news was collected in a well-organized manner under Akbar the Great. In 1574, Akbar established a recording office that helped later medieval historians to gather materials for chronicles. (Available at: http://vishnuprasadu.blogspot.in. Accessed on: 21/5/2013)

3.1 Beginning of the Press in India

The Christians, who came to India with an avowed purpose of propagating Christianity among the Hindus and convert them into Christians, set up for the first time printing presses in India to achieve their desired goal. 6 September, 1556 is quite significant for the Indians as it was on this day, arrived the first printing press in India. It is interesting as well as significant to state that initially the establishment of printing presses in different parts of India was looked down with contempt and suspicion by
the Indians as their sole aim was the propagation of the Christian faith (Padhy and Sahu, 2005:3-5).

The press as we know it today was, however, brought to India in the wake of British rule. Under the rule of the East India Company, there was the possibility of interesting news and some enterprising journalists set up printing presses in India to expose the misdeeds of the Company (Narain, 1970:2-3). No newspaper was published until 1780 because the Company’s establishments in India were a close preserve, and the Company’s servants by common consent wished to withhold 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 furtherance of their personal rivalries and jealousies (Ahuja, 1669:6).

It is significant to mention that even though the first printing press set up in the third quarter of the 16th century, publication of a newspaper was delayed by more than two centuries. The absence of a newspaper must have created a vacuum in the field of communication. However, this deficiency could overcome when James Augustus Hicky, who may rightly be called the father of Indian journalism, published, printed and edited the first newspaper of India in Calcutta, bearing the title The Bengal Gazette or the Calcutta General Advertiser. Bengal Gazette was intended to operate as an organ for the local British settler population. The circulation of the printed interests and views of the British Indian population would come to represent a public opinion that countered the absolute rule of the colonial authorities. Much like the growing power of the British press, the English press in India came to be associated with a liberal, reform-minded agenda that challenged the authorities both to justify their own actions and to respond to public demands. For the very reason, the authorities treated the press with distrust and imposed stringent licensing and registration laws for the publication of newspapers (Padhy and Sahu, 2005:5-6).

Hicky’s Gazette contained comments on the private affairs of individuals, though a considerable space was devoted to advertisements. Hicky described his publication as “A weekly political and commercial paper open to all parties, but influenced by none.” Using allegory, the paper made transparent insinuations about certain
individuals. There was suspicion that Sir Philip Francis, a Member of the Governor General’s Council and the enemy of Warren Hastings, supplied Hicky with slanderous information which Hicky skilfully used in his paper to annoy the Hastings Administration-suspicious fortified by the fact that Hicky’s paper never attacked Sir Francis himself. Finally, on November 14, 1780, (following Sir Francis’ departure from India) after reading scurrilous attacks upon Mrs. Hastings in Hicky’s Gazette, Sir Warren Hastings denied Hicky the use of postal facilities on the ground that the newspaper contained improper paragraphs tending to vilify private character and to disturb the peace of the English Settlement in Calcutta and “for failure to promote British economic interests”; and after this no copy was to pass through the channels of the post office. This might be considered as the first censorship of the press in India. Hicky was infuriated and was bitterly opposed to those who were in power and attacked Governor General Hastings and other officials in an indecent way. In June 1781, he was imprisoned for being unable to pay fines of Rs.80,000/- but his imprisonment did not extinguish his paper. He is truly a pioneer of the Indian Press. So in its early days the press offended the Government by libeling private persons or writing libellous articles against the Company’s servants. Later on, these papers began to receive the resolutions and minutes of the council and military secrets and the like were published as news. The Government objected to this kind of publication in 1785 (Athique, 2012:15; Agrawal, 1970:24-25, Karkhanis, 1981:18-19 and Iyengar, 2001: xviii).

There was always a swing from liberty to control and back since the birth of the Indian press with the publication of Hicky’s newspaper. Thus, while Hicky was a firm believer in freedom of the press, the governor general Warren Hastings in Bengal wanted to control the press because it was publishing libels against the government. Similarly, the press in Madras was controlled because it was on hostile terms with those in power and was publishing libellous articles. Although the British allowed many newspapers to be published after the Bengal Gazette, British rule was characterized by a swing between imposition and relaxation of restrictions on the press. The attitude to the press depended to a considerable extent on the personality and values of the person who was in power at that time (Raghavan, 1994:13).

The second Indian newspaper was The India gazette started in November 1780 by B. Massink. His aim was to counteract the evils brought out by the Hicky’s Gazette. In
February 1784, under the auspices of the Government the *Calcutta Gazette* was started. Within a few years after the Hicky’s Gazette many papers came into existence, e.g. *The Bengal Journal* 1785, *The Oriental Magazine* or *Calcutta Amusement* in 1786, *The Madras Courier* in 1785, *The Bombay Herald* 1789 and *The Bombay Courier* 1790. *The Madras Courier* got recognition from the Government notifications which were published at the Sea Gate were now published in this paper. It was allowed to circulate free of charges through the postal system (Agrawal, 1970:25).

The Madras press was on hostile terms with the Government for it published some libels on the Government. The Madras Government imposed censorship on December 12, 1795 on the *Madras Gazette*, which was prevented from publishing the general orders of the Government, without prior inspection by the Military Secretary. Four years later, on June 29, 1799, all the papers were ordered pre-censorship. The government was getting more and more alarmed at the criticism, so it withdrew the free facilities of newspaper circulation in the Madras presidency (Agrawal, 1970:25).

Lord Wellesley in 1789 assumed the office of Governor General. When Mr. Bruce, the editor of *Asiatic Mirror*, published an article on the relative strength of the Europeans and the native populations, Wellesley got furious and he wrote privately from Madras to Sir Alfred Clarke in Calcutta in April 1799 that he was going to impose restrictions on the press and those not complying with the rules will be sent to Europe (Barns, 1940:67). This threat was immediately put into action and a fresh set of rules was published to shackle the press on May 13, 1799. It provided that every newspaper should bear the name of the printer, that the name and address of the editor and proprietor should be communicated to the Government and that no newspaper should be published unless it had been inspected by the Government censor appointed for the purpose. The penalty for a breach of regulations was an immediate embarkation for Europe. The censor was instructed to prevent publication of matter relating to subjects like “public credit”. These measures were justified on the ground of emergency so long as the necessity existed for the maintenance of absolute power. Like Warren Hastings before him, Wellesley also believed in restricting the press for keeping the public ignorant and for maintaining power. Henceforward, the press was virtually in a state of siege for years to come with jealous censorship hanging over its head like the sword of Democles (Agrawal, 1970:26-30).
The following month, on May 13, 1799, there appeared the first of the many regulations which were to follow during the British Raj in India. Considered to be the most severe of the regulations, it required that a newspaper print the name of the printer, the editor and the proprietor; that those three persons declared themselves to the Secretary of the Government; and that all material published in the paper be submitted for the Secretary’s prior scrutiny. Sunday publication of the newspaper was prohibited and violations of the rules were made punishable by immediate deportation to England. Additional rules formulated for the guidance of the Secretary, who was to act as censor, required the Secretary to exclude from newspapers information regarding the movement of ships or the embarkation of troops, store or specie, or Naval or Military preparations, intelligence concerning the destinations of both private and Government ships as well as observations concerning the Government officers—Civil, Military, Marine, Commercial or Judicial—were also to be excluded. Other prohibitions included private scandal or libels on individuals, statements concerning war or peace between the Company and the native powers, observations tending to convey information to the enemy or likely to excite, alarm or commotion within the Company’s territories, and any comments from European newspapers which may affect the influence and credit of the British power with the Native States. On the whole Wellesley’s strict regulations accomplished his objectives of curtailing and silencing criticism of the Government by the newspapers (Karkhanis, 1981:24). In the interval between 1791 and 1798, newspapers in Bengal were pulled up for various offences, many of which related to military subjects (Ahuja, 1996:5).

The turn of the 18th century marked the end of a phase in journalism in India. It was a period of control on the press. 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 pre-censorship; 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. Restrictions were imposed on the press because the government feared the criticism labeled against it by the press (Ahuja, 1996:5-6).

3.2 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. This attitude to the press was the result of personality and values of this governor general. 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 Indian kingdoms, the information 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 comments on the state of public credit, or revenues, or the finances of the Company, or on the conduct of Government offices, 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 (Nataranjan, 1954:10). 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 (Ahuja, 1996:6-7).

Wellesley, by shackling the press, shackled the news itself. England for more than twenty years was deprived of all information about India except that obtained from the servants of her Government. This was the reason why there was no growth in the newspaper press from days of Lord Wellesley to those of Lord Minto (1810-1813). The policy was to crush the power of the press so that it may not be strong enough to awaken the people of India, which may lead them to question and criticize the rule of the Company. The reason for strict censorship was to keep the natives of India
ignorant and to prevent the spread of knowledge among the people (Agrawal, 1970:30-31).

Lord Hastings succeeded Lord Minto in 1813 who was known to have liberal ideas on education and progressive views towards the press. In this way, there was a swing from control of the press to freedom of the press and so a relaxation of restrictions. This new attitude to the press was the result of the personality and values of this governor general. Upon his arrival, he issued brief instructions requiring all owners of printing presses to submit proof sheets of newspapers, appointments, extra publications, notices, handbills and other publications to the Chief Secretary for scrutiny and revision. To the editors this meant an easing of the 1799 Press Regulations imposed by Wellesley, which required pre-censorship. The abolition of pre-censorship was enthusiastically received by the European and Indian community. At a meeting in Madras, leading officials and merchants praised Hastings’ new regulations and offered congratulations to him for what they regarded as an improvement of government in India (Karkhanis, 1981:25-27).

Censorship was abolished in 1818, but the Directors in England didn’t like it. So to appease them Lord Hastings had to promulgate the following rules: “The editors of newspapers prohibited from publishing any matter coming under the following heads, (1) Animadversions on the measures and proceedings of the Hon’ble Court of Directors, or other public authorities in England connected with Government of India, or disquisitions on political transactions of the local administration; or offensive remarks leveled at the public conduct of the Members of Council, of the judges of the Supreme Court, or of the Lord Bishop of Calcutta. (2) Discussions having a tendency to create alarm or suspicion among the native population or any interested interference with their religious opinions or observances. (3) The republications, from English or other newspapers, of passages coming under any of the above heads or otherwise calculated to affect the British power or reputation in India. (4) Private scandals and personal remarks on individuals, tending to excite dissension in society. These regulations were hailed in India and the newspaper press once again breathed free air. People again got busy starting new journals, when a few days ago none dared to do such a thing. These new regulations opened the way to a free press. Later on the same regulations were promulgated in Bombay also (Agrawal, 1970:32).
With the coming to power of John Adam, there was a swing away from freedom of the press to control of the press. The attitude to the press depends on the personality and values of those in power and John Adam believed in imposing restrictions on the press. The leniency shown by Hastings toward English language newspapers was reversed by the newly appointed Acting Governor-General John Adam, who had previously served as the Chief Censor of the Government. He drafted new regulations for the press and took the precaution of securing the sanction of an ordinance duly approved by the Court of Directors. Perhaps the most comprehensive and stringent regulations so far, these regulations are known in the history of Indian journalism as Adam’s Gag. The main provision of this 1823 Act included:

(i) Prohibition of the printing of books and papers and the use of printing presses without a license.

(ii) Penalty for infringement was a fine of RS.1, 000 commutable to imprisonment without labour for a period of not more than six months.

These regulations also laid down the procedure for applying for a license, the authority to which it should be forwarded, the conditions which government may, in each instance, think proper to attach such license, the service of notices to the recall for such licenses by government and the penalties which may be imposed in the event of the use of the printing presses after a license has been recalled. Magistrates were empowered to attach and to dispose of, as the government may direct, both unlicensed printing presses as well as presses which continued to function after the notice of recall (Ahuja, 1996:19).

The fact that the attitude to the press depends on the personality and values of those who were in power can be seen from the difference in the attitudes of Hastings and John Adam to Bukingham and his *Calcutta Journal*. Sir James Silk Bukingham, the famous and most controversial personality in Indian journalism, made his appearance on the Indian scene in the year 1818, by assuming the editorship of the *Calcutta Journal*. As an editor, he believed it was his duty to admonish Governors of their duties, to upbraid them furiously for their faults, to uncover the truth, though it was disagreeable to some people. He considered the press to be a very necessary check on an irresponsible Government, especially in the absence of a legislature. Buckingham’s contribution to the struggle for freedom of the Press in India was monumental, and he
occupies an outstanding place in the history of Indian journalism. Hastings was a liberal and so Buckingham’s *Calcutta Journal* continued till Hastings’ administration came to an end in 1823. When John Adam became the new Acting Governor General, the *Calcutta Journal* was forced to cease publication and he hastened Buckingham’s deportation to England the same year (Karkhanis, 1981:28-29).

Lord Amherst succeeded Adam. He also liked to control the press. It again shows that the attitude to the press depends on the personality and values of those in power. When certain objectionable passages from the newspapers were submitted for orders in 1825, he said that it would be understandable for the Government frequently to impose its authority in matters relating to the periodical press because the Court of Directors of England never liked a free press in India. He had to issue the regulations of 1825, prohibiting the servants of the East India Company from having any connection with the press. This decision was the result of an incident in Bombay, where a member of the Council of the Governor of Bombay, was the owner of a newspaper. The regulation was promulgated in Bombay, Bengal and Madras simultaneously in December 1825 (Agrawal, 1970:35).

There was a swing towards freedom of the press when the liberal and progressive Lord William Cavendish Bentink came to power in 1828. He introduced reforms of the press regulations. He understood the advantage of the press in the Indian language. As Bentink’s reputation as a reformer grew, the Indian language newspapers began to flourish (Karkhanis, 1981:35).

The new Governor General Lord Metcalf, the successor of Bentink came to power in 1835. Like Bentink, he was a liberal and held strong views in favour of freedom of the press. When appointed, he invited Lord Macaulay, the renowned liberal scholar, historian and politician, who was then the legislative member of the Supreme Council, to draft a Press Act presumably to be incorporated into the code which was being drafted by the Law Commission. Macaulay, who favoured the new act, pointed out that the existing licensing regulations were wrong and the press in India should be free. The proposed Act, was intended to establish a perfect uniformity in the laws regarding the press throughout the Indian Empire. Every person who chooses will be at liberty to set up a newspaper without applying for a previous permission. But no person will be able to print or publish seditious or calumny without eminent risk of
punishment (Karkhanis, 1981:35). Macaulay’s new Act found favour with Metcalfe. On August 3, 1835, Metcalfe the successor of Bentink with the unanimous support of the Council passed the Press Act of 1835- the most liberal Press Act in Indian history. The new law was made applicable to the entire territories of the East India Company. The law favoured the growth of the Indian press (Karkhanis, 1981:35-37).

Lord Auckland succeeded Metcalfe, holding the position of Governor General until 1842. Auckland is remembered by the Indian press as favouring freedom of the press and supporting Metcalfe’s liberal legislation. During his regime, cordial relations existed between him and the editors of various Calcutta newspapers (Karkhanis, 1981:37-38).

A revolt known as the Mutiny broke out in 1857 against British rule. It was the last armed attempt to throw out the British by force. As soon as the revolt broke out, the Government gagged the press with an ordinance akin to the press laws of Adam’s in 1823. This was the notorious Gagging Act by Lord Canning, who was the then Governor General, under which restrictions were imposed on the newspapers and periodicals. A permit was necessary for launching any paper or periodical and the Government observed utmost discretion in granting such a permit. The ordinance was equally applied to the Indian and the Anglo-Indian papers. The censorship was limited for one year. Lord Canning, wanting to improve his reputation in India, permitted the “Gagging Act” to expire on June 13, 1858 (Karkhanis, 1981:44).

Lord Lawrence became Viceroy of India in 1864. It was during his administration that the landmark 1867 Press and Registration of Book Act was passed. The essence of such a law was rooted in a total distrust of the press and what it was capable of doing. The purpose of this law was to keep the Government informed of the activities of printing presses rather than to restrict the printing presses and newspapers. It also repealed Metcalfe’s Liberation Law, although it incorporated all its provisions in Act II of the new Act (Karkhanis, 1981:46). Using the broad argument of the public interest, the British appealed to the “rule of law” and argued that public order must be maintained at all costs. From 1870, the Indian Penal Code was systematically extended to cover “constructive” threats to public order through the press. This act contains certain essential features which have survived for more than a century and are still a part of the law (Dhavan, 2009:89).
The law was repealed in 1881 by Lord Ripon who was sent to India as a Viceroy. He was specifically instructed to repeal the Act. Ripon, in consonance with his policy of conciliation and reforms, took measures for the liberation of the Vernacular Press, but the resentment that the law produced among Indians, became one of the catalysts giving rise to India’s growing independence movement (Agrawal, 1970:52). The relationship between the nationalist press and the alien regime continued to be in tension and conflict (Raghavan, 1994:21).

The year 1835, when Metcalfe liberated the press, was a turning point in the growth of Indian newspapers. From this year to 1875 the Indian press kept dealing with Indian aspiration and it was waking up the country. This period saw the rise of the press of all sections and so Metcalfe was called the “liberator of the Press.” Social and religious causes had already been taken up and now came the freedom of the press; so the Indian press got impetus from all sides. Metcalfe wanted to establish a perfect uniformity in laws regarding the press throughout the Indian Empire. The authorities in England looked upon the action of Metcalfe with displeasure, yet the Indian press for twenty years to come was not shackled. The result of his action was renewed journalistic enterprise. Educated Indians began to want a newspaper and twenty-one vernacular periodicals appeared in Bengal alone (Agrawal, 1970:35-38).

3.3 Beginning of the Vernacular Press in India

Digdarshan was the first vernacular newspaper. It started in April 1818 by the Serampur missionaries William Carcy, Joshua Marshman and William Ward. They soon started another journal in June of the same year and named it Samachar Darpan (Available at: http://blog.crijayaprakash.com Accessed on: 28/10/2013). The first vernacular newspaper published by an Indian was in Bengali and Persian. It was published by the most important personality of vernacular journalism, Raja Ram Mohan Roy. In the history of Indian journalism, he is one of the tallest personalities. He was a social reformer who used his journals to criticize traditional customs and practices which were holding back Indian society. He felt the need for modernization by following rational and egalitarian customs and practices. Born at Radhanagiri, in the district of Hooghly, on May 12, 1772, he was himself a victim of traditional customs and practices (Iyengar, 2001: xviii). Ram Mohan in his journals endeavoured to counter the criticism of the missionaries on the one hand, and to educate Indian
public opinion on the need for social reform (Raghavan, 1994:8). The beginning of
the vernacular papers by Roy brought to the attention of Indians the controversial
social and political topics of the time. In this way, he was able to bring about public
awakening about national issues (Ahuja, 1996:9).

Raja Ram Mohan Roy also brought out periodicals in English, Bengali and Persian.
Some of Roy’s papers were Sambad Kaumidi, Brahmical Magazine, Mirat-ul-Akhbar,
and Bangadoota and Bengal Herald. Sambad Kaumidi and Mirat-ul-Akhbar tried to
meet a wide variety of reader interest. There were items of local news including
births, marriages and deaths, as well as reports of events in India and the world;
articles on themes of religious and social reform, especially the need to end the
inhuman custom of Sati as well as travelogues; and shipping and commercial news.
Mirat-ul-Akhbar, the weekly in Persian, devoted much space to international affairs.
The first issue carried an article on China and an analysis of the causes of tension
between Russia and the Turkish ruler at Constantinople (Raghavan, 1994:9).

The awakening generated by Ram Mohan Roy in Bengal soon spread to other parts of
India. Newspapers published in Indian languages strengthened national
consciousness. Indian-owned newspapers sprang up in various parts of the country.
Many of them advocated political and social reform. This awakening also resulted in
the formation of citizens’ associations comprising lawyers, teachers and other sections
of the English educated intelligentsia and emergence of nationalist newspapers
(Raghavan, 1994:16-19).

To the British, the vernacular press exposed an India that they had only dimly
perceived and that they rightly feared. Initially, the response of the authorities was
hampered by an overall scarcity of British officials who were able to read their
content directly. It was only gradually, then, that the British became aware of the
expanding readership and content of these publications, and began to set “reliable”
Indian intermediaries to scrutinize their content for political agitation or anti-British
sentiments. By the 1870s, the already stringent rules imposed upon the Indian press in
the name of public order were superseded by legislation that targeted the vernacular
press specifically, and much more harshly than the English press (Anthique, 2012:
16-17).
In the struggle against the British, vernacular newspapers played a very notable role and so restrictions were imposed on their freedom. This included the Hindi Patriot, Established in 1853, by the author and playwright, Grish Chandra Ghosh. It became popular under the editorship of Harish Chandra Mukherjee. In 1861, the paper published a play, "Neel Darpan" and launched a movement against the British, urging the people to stop cultivating the crop for the white traders. This resulted in the formation of a Neel Commission. Later, the paper was taken over by Ishwar Chandra Vidyasagar. The paper strongly opposed the Government's excesses and demanded that the Indians be appointed to top government posts. The Indian Mirror was the other contemporary of this paper which was very popular among the reading public. Yet another weekly, Amrita Bazar Patrika started publication from Jessore edited by Sisir Kumar Ghosh. It was to ventilate grievances of the people and to educate the public and was critical of the government. On January 1, 1874 Sisir Kumar Ghosh wrote that the only instrument with which the people could fight the Government was the newspaper. The result of this was that the proprietors of this newspaper faced trial and conviction (Agrawal, 1970:48). In 1871, the Patrika moved to Calcutta and another Act was passed to suppress it and other native journals (Available at: http://ncert-notes.blogspot.in. Accessed on: 12/7/2013).

A clear distinction between the vernacular press and the British press was taking place. The Mutiny of 1857 sharpened this distinction. The journalists in India were divided on the basis of their nationalities. English journalists with one voice cried blood for blood after the Mutiny, while the Indian editors had sympathy with the rebels (Narain, 1970:4). The Indian press thus became nationalistic and appealed directly to the masses because it spoke their own language (Agrawal, 1970:43). With the advance of national consciousness, the press run by the Indians gained influence and strength and so faced restrictions. The Anglo-Indian Press grew jealous of this rival and the government placed fewer restrictions on it (Agrawal, 1970:52). Thus, Adam’s “Gagging Act” of 1823 and Canning’s “Gaging Act” of 1857 were directed more against the newspapers published in Indian language and edited by natives of India than against English language, English-owned newspapers. With the exception of the Calcutta Journal, no English newspaper was deprived of license in 1823. The editors were given warnings, but no serious action ensued. As for the Indian-owned newspapers Roy had already ceased the publication of Mirat-ul-Akhbar and severed
his connections with the *Sambad kaumidi*. Other Indian newspapers kept out all political news to escape from the “Gagging Acts” (Karkhanis, 1981:30-31).

When Canning’s “Gagging Act” was withdrawn in 1858, the production of books, pamphlets and newspapers by Indian writers both in English and Indian languages resumed its growth (Agrawal, 1970:41-42). Along with this growth of the press, there was a growth of their influence. By 1870 there were 644 papers in British India of which 400 were in vernaculars. Vernacular journals outnumbered the British journals in number as well as in influence (Agrawal, 1970:47).

Convinced that the vernacular newspapers were spreading national consciousness, Lord Lytton on March 1, 1878 passed the Vernacular Press Act, an Act for more stringent control of publications in vernacular languages. One of the most comprehensive and rigorous acts, this act furnished the Government with more effective means to punish and repress seditious writings calculated to cause disaffection with the Government among the ignorant population. It empowered any Magistrate of a district, or a Commissioner or Police in a Presidency town to force the printer and publisher of a newspaper to agree not to publish certain kinds of material, to demand security, deeming it forfeited at their discretion, and to confiscate any printed matter it deemed to be objectionable in accordance with this Act. No printer or publisher against whom such action had been taken could have recourse to a court of law (Karkhanis, 1981:49-50).

The Vernacular Press Act excluded English-language publications. It elicited strong and sustained protests from a wide spectrum of the vernacular newspapers. In the year 1880, it was noticed that some improvement had taken place in the style and language of the vernacular newspapers since the introduction of the Vernacular Press Act. The Act was accordingly repealed by Act III of 1882 which retained power to the Post Office authorities to search for and seize any vernacular publications of a seditious nature, the importation of which had been prohibited under the Sea Customs Act, 1878 (Ahuja, 1996:27).

The press played a vital role in the building of Indian nationalism. The national movement emerged from the fact that leaders like Raja Ram Mohan Roy to Keshab Chandra Sen, Gokhale, Tilak, Pherozshah Mehta, Subash Chandra Bose, C.R. Das, Dadabhai Naoroji, Surendranath Banerjee, C.Y. Chintamani, Moti Lal Nehru, Madan
Mohan Malaviya, M.K. Gandhi and Jawaharlal Nehru used it as a medium for arousing and mobilizing nationalist public opinion. They criticized government’s policies and educated the public in the understanding of political problems through the press. It was a weapon in the hands of the nationalist leaders to popularize among the people, their political programs and methods of struggle. This accounts for the remarkable growth of the press in India in both daily and periodical at that time (Desai, 1984:236-237). The support of the vernacular press for the national movement was strong and enduring, as calls, first for home rule, and then for full independence, gathered in strength in the first two decades of the twentieth century. Thus, as Daya Thussu argues, “an Indian press both, in English and in the Indian languages, became an integral component in the rise of anti-colonial nationalism, providing a necessary vehicle for nationalist discourse as well as serving to develop informal political constituencies amongst their readerships press” (Anthique, 2012:17).

3.4 Press in India in the Period After 1900

The dawn of a new century resulted in increased number of newspapers, particularly vernacular newspapers which supported the growing national consciousness. The Anglo-Indian papers always supported Government measures and policies. This strengthened the distinction between the Indian and the Anglo-Indian press with the former favouring Indian nationalism and the latter favouring the government. The Government was also showing favouritism to the Anglo-Indian papers and opposing the Indian papers (Agrawal, 1970:64).

There was also a swing to control of the press and imposition of restrictions at the dawn of the new century. Lord Curzon took office in 1899 as Viceroy of India. He immediately began to make improvements which he thought were necessary without considering public opinion (Karkhanis, 1981:57). The Official Secrets Act of 1903 was passed. It was nothing but an additional fetter to curb the liberty of the press. It was a grave peril to the independence of journalism. The Anglo-Indian press joined the Indian press in condemning this measure (Agrawal, 1970:73).

Another measure taken by Lord Curzon without considering public opinion and on the pretext of improving the administration of a large province like Bengal was the partition of that province in 1905. There was a massive agitation in Bengal against its partition because it was considered to be a measure designed to weaken the national
consciousness of which Bengal was the centre. It was during this movement against the Bengal partition that the repressive measures of the British led to the rise of the revolutionaries and their journalism. Barindra Kumar Ghose, younger brother of Aurobindo Ghose, founded *Yugantar* in 1906 as the journal of the revolutionaries. Lajpat Rai in Punjab started a newspaper called *Bande Mataram*, the rallying cry of the movement against Bengal’s partition. Aurobindo Gose attracted the adverse notice of the authorities for his writings in *Bande Mataram* (Raghavan, 1994:35-36). A Marathi weekly, *Kesari* was started by Tilak from January 1, 1881. He, along with Agarkar and Chiplunkar started another weekly journal, *Mratha* in English. The Editor of the *Daccan Star*, Nam Joshi also joined them and his paper was incorporated with *Maratha*. Tilak’s papers became the leading media to propagate the message of freedom movement. They also made the anti-partition movement of Bengal a national issue. In 1908, Tilak opposed the Sedition ordinance. Tilak and Agarkar were convicted for writings against the British. He was later exiled from the country for six years (Available at: http://ncert-notes.blogspot.in. Accessed on: 12/7/2013).

When Lord Minto succeeded Lord Curzon, he inherited a turbulent situation and tried to meet it by widening the scope of the Press Act. A number of ordinances and circulars abridging the right of free speech and free criticism were issued. Lord Minto passed the Newspapers (Incitements to Offences) Act of June 1908, which empowered the authorities to take judicial action against the editor of any newspaper which published matter which, in the view of the Government, amounted to incitement to rebellion. Simultaneously, the Governor of Bombay made a declaration in the Legislative Council at Poona, that the Government was determined to put down seditious agitation in the province (Ahuja, 1996:176-177).

Partition of Bengal, violence in different parts of the country, and the British assassinations caused a threatening situation. To cope with this situation, new legislation, the Indian Press Act of 1910, was passed and the provision of the bill increased Government control over the printing presses and publishers. It empowered district magistrates to levy and to forfeit security deposits from the publishers of newspapers and the keepers of presses; to authorize searches and to declare printing presses and newspaper copies forfeited to the Government; and for prohibition of the transmission by post of copies of newspapers deemed to contain objectionable matter.
History of Freedom of the Press in India Before Independence

(Raghavan, 1994:36). All proprietors who made a declaration under the 1867 press Act for the first time were required to deposit security of 500 to 2000 rupees unless it was waived with by the local magistrate. Owners of existing presses were required to make the deposits only if the printed “objectionable matters” as such that incited to murder, caused religious or racial animosity, tampered with the loyalty of the army or expressed Government hatred. If objectionable matters were printed, the local Government was authorized to declare the security forfeited. In that case the press would either cease to function or the owner would be required to put up a larger deposit. If the printer published objectionable matters again, both the security and the press would be seized. Customs and postal authorities were authorised to detain and search suspicious mail. Newspapers of those publishers who had failed to deposit securities could also be seized. The measure also authorized the local Government to confiscate any newspaper, book or printed document which continued to print prohibited materials. Local police were authorized to search and seize the objectionable materials. The legislation barred recourse to judicial review except through appeal to a special bench of high court judges, who could decide whether or not the matter objected to be the kind defined in the Act. This measure was vigorously enforced. Between 1910 and 1914 the Government initiated 355 cases (warnings, security demands and prosecution) against the printing presses. In 1922, the Central Legislative Assembly on the recommendation of the committee appointed to investigate press legislation repealed the Newspaper (Incitement to offences) Act of Press Act of 1910 (Karkhanis, 1981:62-67).

The six-year of administration of Lord Irwin (1925-1931) was a turbulent period. The Indian leaders were dissatisfied with Lord Irwin’s proclamation to give dominion status to India and declared at the Lahore Session that the goal of the Indian National Congress was complete national independence. Soon after that, in April 1930, Gandhi began his Civil Disobedience Movement with the march to Dandi to break the salt law. The movement spread throughout the country, creating turmoil. Thus, this period is marked by a greater government control and restrictions on the press. The 1930 Indian Press Ordinance, one of the six Ordinances aimed to better control of the press similar to the 1910 Press Act, was passed by the British Government. On March 6, 1931, the Government withdrew the Indian Press Ordinance of 1930 along with other ordinances passed that year because Irwin met with Gandhi and signed the Irwin-
Gandhi Pact in which Gandhi agreed to discontinue the Civil Disobedience Movement (Karkhanis, 1981:67-71).

In April, 1931, Lord Willington became the Viceroy of India. Unsympathetic to the Nationalist Movement, he declared the Indian Nationalist Congress illegal and took measures to suppress the Civil Disobedience Movement. The first of the repressive measures was the passage of the Indian Press (Emergency Powers) Act of 1931 (Karkhanis, 1981:70-71). Similar to the 1908, 1910 and 1930 legislation, this act empowered local magistrates at their discretion to require publishers and printers to deposit security of up to 1000 rupees. The local Government was empowered to take action against any publisher or printer suspected of printing or publishing material which may be construed as incitement to commit crime. The local Governments were empowered to declare securities for forfeit and demand additional security, and to direct a Magistrate to issue a warrant to search property where copies of newspapers and books declared forfeit were suspected of being stored for distribution. This was an act which gave wide ranging powers to local Governments, the effect of which was to prohibit the printing of names or portraits of well-known leaders of the Nationalist Movement as well as notices and advertisements of meetings of the Congress Party or any political events (Karkhanis, 1981:71-72).

With the beginning of World War II, the Government found it necessary to pass Defence of India Act, bolstering the authority of the Central Government to deal with seditious material. Censorship machinery with a Chief Censor, a Director of Public Information, and other censors and advisory committees in each province, began to operate. Printed material came under the scrutiny of the Government (karkhanis, 1981:75). On October 25, 1940, the Government of India issued an order which prohibited “the printing or publishing by any printer, publisher or editor in British India of any matter calculated, directly or indirectly, to foment opposition to the prosecution of the war to a successful conclusion, or of any matter relating to the holding of meetings or the making of speeches for the purpose, directly or indirectly, of fomenting such opposition as aforesaid: provided that nothing in this order shall be deemed to apply to any matter communicated by the Central Government or a provincial government to the press for publication (Raghavan, 1994:100). Fresh restrictions were imposed on the press following the Quit India resolution of August 1942. The newspaper’s offices were raided by the police a few days later, some
papers were seized and the premises placed under lock. It was only towards the close of 1945, following the release of members of the Congress Working Committee, that the premises were restored (Raghavan, 1994:100-101). With the war drawing to an end and a clear indication that India was soon to be freed, continuation of censorship and repression was meaningless. Gradually, as the war ended so did most of the controls on the press (Karkhanis, 1981:76).

3.5 Conclusion

The history of freedom of the press before India’s independence shows that the swing from freedom of the press to control of the press depends largely on the personality and values of the Governor Generals and the Viceroy in power at that time. Whenever those in powers were liberal, there was a relaxation of restrictions on the press and when those in power were authoritarian, restrictions were imposed on freedom of the press. Warren Hastings, Lord Wellesley, John Adam, Lord Amherst, Lord Canning, Lord Lawrence, Lord Lytton, Lord Curzon, Lord Minto, Lord Irwin and Lord Willington were Governor Generals and Viceroy who were authoritarian and believed in controlling the press. They took measures to curb the press. Lord Hastings, Lord William Cavendish Bentinck, Lord Metcalf, Lord Aukland and Lord Ripon were Governor Generals and Viceroy who were liberal and gave freedom to the press. During their regime, the Indian press enjoyed freedom and could grow.