

The Story of the Indian Press

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ABOUT this time two dominating personalities appeared on the scene—James Silk Buckingham and Raja Ram Mohan Roy, —who were destined to play a significant part in the fight for the freedom of the Press. Both attracted the staunchest supporters from among their countrymen and at the same time provoked the bitterest antagonisms. Buckingham edited his paper, *Calcutta Journal*, fearlessly till 1823 when he was deported. Raja Ram Mohan's incursion into journalism was only to propagate the truth and have it tested in the light of discussion. His conception of freedom of the Press was freedom to pursue the truth and to evolve a way of life proved by the test of reason.

VIEWED WITH FEAR

Raja Ram Mohan's paper and the progressive Indian Press were viewed with apprehension in official circles, while newspapers which favoured the orthodox point of view did not attract the same measure of hostile attention. Almost simultaneously with Raja Ram Mohan's newspaper, a powerful orthodox Hindu Press came into being which opposed social and religious reforms at every stage throughout the nineteenth century. James Silk Buckingham, more than any other single person, by a tireless campaign against the restrictions and censorship imposed on the Press, convinced many eminent minds in England and in India of the useful function which a free press could perform by an exposure of the lapses of the administration and by criticising its policies. Governor-General John Adam passed an ordinance in December 1823 which required that all matters to be printed in a press or to be published thereafter, except shipping intelligence, etc, should be printed and published under a licence from the Governor-General in Council. The application for a license should give all the details regarding printer, publisher, proprietor, etc. Among the newspapers whose writings were cited in justification of these regulations was Ram Mohan's *Mirat-Il-Akbar*. The paper was restrained in its language and constructive in criticism, but dealt

social and administrative evils and critically examined the British policy both in India and Ireland. With the extinction of *Calcutta Journal*, the *John Bull* and *Hurkara* took up the controversy of the freedom of Press.

LORD BENTINCK'S ENCOURAGEMENT

John Adam's regulations were the fore-runner of the Vernacular Press Act of 1878 which both in conception and its application drew a clear distinction between the two sections of the Press. Following the Press regulations, the Indian-owned Indian language papers seemed to have kept clear of political topics for about seven years. In July 1824, C J Fair, Editor of the Bombay Gazette, was hauled up for casting aspersions on the Supreme Court and asked to furnish a security of Rs 20,000. As he was unable to do so, he was deported. During this period, though liberal concessions were allowed to papers published by the Scrampole missionaries, only nominal concessions were given to Indian-owned Indian language newspapers. Ford Bentinck's assumption of Governor-Generalship was marked by a significant change in the attitude of the Government towards the Press in general and the Indian language Press in particular. Bentinck saw the obvious advantage of newspapers published in Indian languages pursuing freely social controversies, and of generally relaxing the restrictions on all sections of the Press in the interest of efficient administration. He extended facilities to newspapers, and between 1831-1833 nineteen newspapers came into existence. A noteworthy development at this time was that both Bengal and Bombay started official gazettes, the Bombay Government Gazette and the Calcutta Gazette. In Madras about this time two newspapers were started, one in Tamil and the other in Telugu. In NW Provinces, a Hindi journal and an Urdu journal were successfully launched under Government patronage.

In 1867, an act for the regulation of printing presses and newspapers, for the preservation of copies of books printed in British India and for the regulation of these was passed to replace the Metcalfe Act XI of 1835. In this Act were incorporated all the provisions of the Metcalfe Act which

dealt with printing presses and newspapers and later came to be known as 'The Press and Registration of Books Act'. After this it was amended by Act X of 1890 and by Acts III and X of 1914 and it was further modified in 1952 and 1953.

VERNACULAR PRESS ACT

Meanwhile, Government was becoming increasingly uneasy about the attitude of the Press generally and its relation with Government. It was particularly apprehensive of the Indian language press as preparations for the rebellion of 1857 were made with the use of seemingly harmless words and symbols. In 1878, the Vernacular Press Act was passed with a view to having better control over newspapers published in Indian languages, in spite of the representation made from all the Indian presses concerned. A deputation on behalf of the Indian Press Association waited upon the Viceroy under the leadership of Surendranath Banerjee, But it was all in vain. The gagging Act of 1857 was a much milder piece of legislation than the Press Act of 1878.

The Vernacular Press Act was repealed in December 1881 under the enlightened regime of Lord Ripon. "The Nationalist movement since 1883 gave an impetus to the development of the Press in India. As a matter of fact, it is very difficult to distinguish the development of the Press and important events in this respect from the crucial events and developments of the Nationalist movement,

A number of Press Laws and restrictions were enforced and placed on the statute book from time to time. After the establishment of the Indian National Congress, there were sections 124A and 153A of the Penal Code enacted in 1898. There was also section 565 of the Indian Penal Code. Four new measures were enacted between 1908-1911, namely, the Newspapers (Incitement to Offences) Act of 1908, the Press Act of 1910, the Prevention of Seditious Meetings Act of 1911 and the Criminal Law Amendment Act of 1908. There was also the Official Secrets Act as amended in 1903.

DEFENCE OF INDIA ACT

In 1914 the enactment of the Defence of India Act added to the restrictions imposed on the Press.

The Press Association of India in a memorandum on the operation of the Press Act of 1910 stated that nearly 1,000 papers had been prosecuted under the Act. The total amount of securities and forfeitures which went into the hands of Government during the first five years of the Act was nearly Rs 5 lakhs according to another official return made in 1918. Over 500 publications were proscribed under the Act. The Defence Act Rules in India were not merely used for war purposes, but also for all political purposes so as to carry out the policy of the Indian Government in regard to repression of political agitation or free public criticism of its normal acts and methods of administration in India.

PRESS EMERGENCY ACT 1931

When Gandhiji started his Salt Satyagraha in March 1930, the peace between the Press and Government, which had been maintained for nine years, snapped. A Press Ordinance was issued, reproducing the stringent provisions of the repealed Press Act of 1910, on January 4, 1932. Simultaneously with Gandhiji's arrest, the earlier Press Act of 1930 was amplified in the form of the Criminal Law Amendment Act of 1932. The struggle for freedom passed through many vicissitudes between 1932 and 1946. There were intervals, though brief, of understanding between Government and the Congress. Throughout this period, however, the Press Emergency Act of 1931 remained in force and was applied with greater or less severity according to political circumstances. The record of prosecution in the 15-year period exceeded the one under the 1910 Act. Well over a 1,000 newspapers were victimised in Bombay, Bengal, Delhi, Madras, Punjab and UP.

WORLD WAR II

When World War II broke out in 1939, the Government of India under the Defence of India Act armed itself with the power of pre-censorship of material published in the Press relating to certain matters. The penalty of imprisonment was extended to five years; the Official Secrets Act was amended to provide a maximum penalty of death or transportation for the publication of information likely to be of use to the enemy. The Press Emergency Powers Act was also similarly amended. When Congress adopted the 'Quit India' resolution in 1942, a fresh notification was issued under Rule 41 of the Defence of India Act. Defence of India Rules directly aimed

at the suppression of all news relating to Congress activities. The notification was withdrawn after consultation with the All-India Newspaper Editors' Conference which gave an assurance that newspapers would observe certain voluntary restraints in the matter of publication of news regarding the 'Quit India' movement organised by the Congress.

An account of the development of the Press would be incomplete without a reference to unauthorised and cyclostyled news-sheets which were circulated from time to time. Some were published when press restrictions resulted either in the closing down of newspapers or in newspapers being compelled to exclude the news of the national movement from their columns, while others were underground publications even in normal times. At one time, instructions were communicated by means of writings on walls and streets. In 1930, the promulgation of a Press Ordinance made the printing of Gandhiji's Young India impossible, and it was issued in cyclostyled sheets.

When in September 1946, a popular interim Government was installed at the Centre, almost immediately, the extensive powers for the control of the Press assumed by the Government of India under the Defence of India Rules came to an end. However, in 1946-47 many of the Provincial Governments were compelled to resort to Ordinances to bring the communal situation under control. These Ordinances were subsequently replaced by emergency legislation by the Provincial Governments.

PRESS LAWS ENQUIRY

In March 1947, the Government of India appointed an enquiry committee to report on Press Laws in force in the country. The committee made certain recommendations. The more important of them are:

(1) The repeal of Indian States Protection against Disaffection Act, 1922, and the Indian States Protection Act 1934.

(2) The repeal of the Indian Press (Emergency Powers) Act, 1931.

(3) The repeal of Foreign Relations Act and the enactment in its place of a more comprehensive measure on the basis of reciprocity.

(4) The modification of section 124A of the IPC and the exclusion, by explanation, of the application of section 153A, to the advocacy of peaceful change in the socio-economic order.

(5) Section 144 of the Criminal

Procedure Code should not be applied to the Press.

(6) All action taken against the Press in the exercise of emergency powers should be preceded by consultation between the Provincial Governments and Press Advisory Committees or similar bodies.

THE PRESS UNDER THE CONSTITUTION

With the adoption of the Constitution in January 1950, the Government of India was confronted with a new set of problems in regard to the Press. Certain newspapers against which action had been taken successfully appealed to the High Court and the Supreme Court which overruled the action of the Executive on the ground that they were ultra vires of Article XIX (2) of the Constitution. This Article laid down that 'Nothing in the sub-clause (a) of clause 1 of the Article (which guaranteed the right of freedom of speech and expression to all citizens) shall affect the operation of any existing law in so far as it related to, or prevent the State from making any law regarding, libel, slander, defamation, contempt of court or any matter, which offends against decency or morality or which undermines the security of, or tends to overthrow, the State'. The Government of India amended Article XIX of the Constitution in the face of the strong opposition of the All-India Newspapers Conference. The same year the Press Objectionable Matters Act was passed.

NEWS AGENCIES

When the Vernacular Press Act was passed in 1878, a Press Commissioner was appointed to give information to the English-owned and edited Press. His function was later widened to enable him to deal with the language Press too. Some of the English language papers like the Statesman, Englishman and Indian Daily News pooled their resources together and brought into being the Associated Press of India with Buck and Coate as its first directors. As K C Roy was refused a directorship, he formed a rival organisation, the Press Bureau, together with Shri Usha Nath Sen, Roy's genius threatened to develop the Press Bureau into a serious rival, and he was offered a directorship on the Associated Press of India. The influence of K C Roy in the development of the modern Indian newspaper has been tremendous. Though he was never an editor, his genius for the shaping of news have proved 4 more potent factors in bringing Indian journalism upto date according to Western notions than that of any

editor in the previous four decades.

In 1915 K C Roy started the Indian News Agency—a news bulletin of about two typed pages foolscap supplied at the rate of Rs 60 per copy to leading civil and military officials. The Indian News Agency continued till 1947.

The Reuters Agency was started by Julius Renter as a carrier-pigeon service on the continent and it developed into a telegraphic news service based on London in 1858. On matters relating to India and the service to and from India, Reuters was subject to strong official influence both in London and in Delhi. The Associated Press of India was later on taken over by Reuters, which was essentially a British concern. Reuters and the Associated Press were very much under official control. The news of non-co-operation and civil disobedience was kept down to the barest minimum in the early 'twenties, and eminent Indians in politics and business felt that on controversial matters like the rupee ratio, etc, their views were not adequately carried to London, and this led to the establishment of the Free Press of India News Agency.

In 1933 the United Press of India News Agency was started in Calcutta by Shri B Sen Gupta. In 1948 the newspapers in India joined hands and formed the Press Trust of India with the object of establishing a co-operatively-owned internal news agency.

There are at present two news services operating in India on a country-wide basis, the Press Trust of India which subscribes to Reuters World Service and the United Press Trust of India which, by an agreement with the Agence France Presse, gives a service or foreign news to its subscribers in India.

The first press association was formed in 1891, after proceedings had been instituted against the Bengali newspaper Bangabasi with the object of "improving the tone of the native Press and preserving moderation in the discussion of public questions". In 1915, five years after the rigorous enforcement of the Press Act of 1910 despite individual protests by political leaders and newspaper editors, the Press Association of India was formed for the defence of the interests of the Press in general, and protection against undue encroachment upon its liberties by legislation and executive action. In the early 'twenties, a number of journalists' associations were formed at the principal centres of newspaper production, notably in Bombay and Calcutta.

After long negotiation, the Indian and Eastern Newspaper Society was

formed in 1939, to act as a central organisation of the Press of India, and to promote and safeguard common business interests. Independent of the Indian and Eastern Newspaper Society, but nevertheless from it, developed the All-India Newspaper Editors' Conference in 1940. The All-India Newspaper Editors' Conference was an outcome of the efforts of some members of the Indian and Eastern Newspaper Society who were alarmed by the comprehensive pre-censorship order in respect of news relating to the Satyagraha movement passed by Government in the closing months of 1940. The Indian Federation of Working Journalists came into existence in October 29, 1950. The Federation has also kept a vigilant eye on all matters affecting the rights of the Press and of working journalists.

A perusal of this report leads one to the conclusion that the Indian Press is today subjected to more stringent Press regulations than it was in pre-Independence days, bar-

ring, of course, the war periods, in a free and democratic country, why should such restrictions be imposed on the Press in the name of safeguarding the infant democracy, when the existence of a vigorous and independent Fourth Estate is the rear guarantor of a true democracy? At times one feels that these stringent Press regulations are promulgated with a view to safeguarding the interests of the present administrators. To quote Ratnavali, an old newspaper of Bengal, "The King of England is not in charge of government; the people make a king of their own, as in Bengal an earthen pot is put up and worshipped." In the same way, the present administrators of the country are not in charge of government, but are put up there by the people of India and as such they must not try to stifle the popular voice by introducing various Press regulations in the name of safeguarding the interests of the people.

(Concluded)

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