

Freedom of the Press Important for Social Development in India

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ABSTRACT: Freedom of press or media refers to the rights given by the Constitution of India under the freedom and expression of speech in Article 19(1)(a). It encourages independent journalism and promotes democracy by letting the people voice their opinions for or against the government's actions. Article 19 was brought to light after the Romesh Thappar vs State of Madras case highlighted the importance of media being the fundamental basis of all democratic organizations. However, it recognised the 'public safety and public order' under Article 9 (1-A) and dismissed the case. Venkataramiah J. of the Supreme Court of India in Indian Express Newspapers (Bombay) (P) Ltd. v. Union of India has stated: "In today's free world, freedom of the press is the heart of social and political intercourse. The press has now assumed the role of the public educator making formal and non-formal education possible on a large scale, particularly in the developing world, where television and other kinds of modern communication are not still available for all sections of society. The purpose of the press is to advance the public interest by publishing facts and opinions without which a democratic electorate (Government) cannot make responsible judgments. Newspapers being purveyors of news and views having a bearing on public administration very often carry material which would not be palatable to Governments and other authorities."

KEYWORDS: freedom, press, India, social, development, government, public, judgments

I. INTRODUCTION

Freedom of press and media is widely recognised in India. It does have reasonable restrictions under Article 19(2) to protect the safety of the people of the nation. At the heart of the declaration in Article 19 it states, "Everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." Freedom of the Press is nowhere mentioned in the Constitution. It is believed to be covered under Freedom of Speech and Expression. Hence, the rights of a common citizen are the same as the rights of a media or press house.[1,2]

The media has certain rights to challenge the government and showcase the issues gaining rapid attention by the people through various media sources and houses. Some rights are: Defamation and free press, Freedom of speech and expression, Right to publish and circulate, Right to receive information, Right to conduct interviews, Right to report court proceedings, Right to advertise

However, there are certain restrictions in Article 19(2) to protect the nation and its integrity. The restrictions can be imposed in case of threats against: Sovereignty and integrity of India, Security of the State, Friendly relations with foreign states, Public order, decency or morality, Contempt of court, Defamation, Incitement to an offence

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Importance is:

- Free exchange of ideas: The press inspires people to think beyond the social norms and gives a platform to exchange ideas and thoughts that deserve to be heard by people all around the nation.
- Holding the person or body accountable for their actions: Often, people try to cover up their actions and settle a case without bringing the media into it. The press brings to light such situations and makes sure that justice is served correctly with the backing of the common people.
- Voice of the people: The press acts as a channel which writes and speaks the thoughts of the majority of people. It focuses on the issues that are suppressed and brings forward the ones that should be talked about.
- Fourth pillar of democracy: Since the media is an independent body that challenges the Government, it can be referred to as the fourth pillar of democracy alongside the judiciary, legislative and executive bodies of the Government.[3,4]

Although there has been some progress from the time when ‘freedom of the media’ can be estimated, the situation today is not very good. There have been lots of cases of hate crimes, false accusations, trials due to wrongful portrayal, fake news, etc., in the recent years.

Let's take a look at the following:

- Fake News: We have all fallen victim to fake news which is so widely circulated that we believe it to be the truth.
- Paid News: Due to journalism and news-reporting being a low-paying job, some professionals often publish false news in exchange of a payment.
- Biased Media: High-paying criminals and politicians often pay media companies to cover ‘good’ and charitable moments of themselves. This leaves the audience biased, especially when it comes to elections.

Crimes against journalists- As of many years 6 journalists have been killed because of their work. India is among the top 4 countries with the most number of deaths on record. Whether it is on job or off the job, they have been targeted and attacked due to their work. Over the course of the last five years 138 cases of assault and attacks against journalists were recorded. In Uttar Pradesh alone, 12 were killed, 48 were attacked and 66 were booked under various charges and cases. Several cases of crimes have surfaced over the years. [5,6]

II. DISCUSSION

Press is supposed to be the voice of the public to the government, but in modern times, a contrast to this can be observed, where some of the major mainstream media houses are marketing the political parties while criticizing the opposition parties and not discussing the relevant issues like public welfare, corruption, analysis of government schemes, etc. Though it is also true that forums like WhatsApp, YouTube, and Facebook which are totally independent have become prone to fake news leading to mob lynching, fear-mongering, hate speech, propaganda spreading and indecency promoting, which highlights the need of some reasonable restrictions of the press.

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Though, without a shred of doubt, for preserving democracy and not promoting informed citizenry in the nation, we have to give reasonable freedom to the press. The present government has tried to curb this freedom by amending RTI Act, Whistleblower Act, and proposing the Sedition Act in the parliament which in the opinion of the author goes against the basic tenets of the constitution of tearing apart the very fabric of democracy.

To protect the intellectual, moral, and fundamental rights of the citizens, the government has taken several countermeasures to combat circulating fake news and restricting objectionable contents across the multiple platforms. The law of India prohibits spreading or publishing fake news through social or mass media, and could lead to imprisonment of a journalist or newspaper ban. The media have consistently upheld the personality cult of the leaders since the country's formation. It reported on the activities of the leader, regularly reporting on their political campaigns, frequently including "advertisements" to ruling parties through radio, television and Newspaper display ads. Previously, media would refer to 2014 Indian general election campaign of the Bharatiya Janata Party, a major political party as the "Abki Baar, Modi Sarkar" (this time Modi government). The political slogan was heavily covered by news media in the country[7,8]

Free Press of India was an Indian nationalist-supporting news agency founded in the 1920s by Swaminathan Sadanand, during the period of the British Raj. It was the first news agency owned and managed by Indians. Beset by dubious business acumen from the outset, and beholden to those who financed it, the agency failed to obtain substantial support from Indian-owned press and hence closed down in 1935. It was revived briefly between 1945 and 1947 before being stifled by the government of the newly independent country. It was at various times a supporter of the Swaraj Party and, later, of the Responsive Cooperation Party, as well as various business interests.

The Free Press of India (FPI) was the first news agency in the country to be both owned and managed by Indians. Sadanand said that he had planned its creation in 1923 and that it was actually established in 1925. On the other hand, the First news agency in India was the Associated Press Of India (API), which began functioning in 1905 and was owned by Britishers. K. M. Shrivastava, a professor of news agency journalism, notes that Sadanand's account of the origins is one of several differing versions. Milton Israel notes late 1924, but also an announcement of the FPI office opening that was published by The Bombay Chronicle on 8 January 1925. Sadanand had issued an appeal in September 1924, and earlier in that year he had approached Congress with his ideas and costings. His appeal noted that he proposed "An independent news agency that will collect and disseminate news with accuracy and impartiality from the Indian viewpoint [which is] a long-felt public want". One difficulty that would have to be surmounted, as the Chronicle noted, was that among all the various nationalist factions there was no common "Indian viewpoint"; Israel describes the extant monopoly as "efficient, dependable, and generally accurate". Another difficulty was to be the poor financial acumen of Sadanand, who envisaged that the FPI could be financially self-supporting by its second year of operation. Experienced newspaper businessmen, such as J. B. Petit and F. H. Holsinger, foresaw a much longer period of subsidy being required, as well as little chance of success because there were neither sufficient newspapers in print to justify another agency nor means to prevent the existing agencies from temporarily engaging in a price war to see off the new business. J. K. Singh was later to describe him as a great journalist but a poor business manager and a "sad failure".[9,10]

Although Petit served briefly on the board of directors, he refused to invest. Others did provide funds and the FPI became beholden to its principal financial backers, being various businesses and political factions. The Swaraj Party was a major initial supporter but when one member, M. R. Jayakar, who was also a director of FPI, shifted his support from that to the Responsive Cooperation movement after October 1925, so too did the FPI. Other early board members included GD Birla and P. Thakurdas. Israel writes that the FPI since its establishment "had been run

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by a coalition of Bombay industrialists and journalists". A primary stimulus in the formation and growth of the nationalist-supporting FPI was probably the "rupee ratio" debate that pitted the colonial government against Indian nationalists.

III. RESULTS

The potential of the FPI as a new competitor was sufficient to cause the management at Reuters to institute various administrative changes in order to meet the perceived challenge. Sadanand claimed that the FPI "had the support of the entire national press of India while it was functioning. It maintained a comprehensive internal service. It was the first Indian news agency which organised and maintained an effective world news service to the press of India during the years 1932–35". Shrivastava notes that, despite Sadanand's own description, the venture was not a success and was not in fact supported by the press of India, however worthy his aims may have been. Sadanand was an affluent man and could afford to take risks, which was evidenced by his agency frequently forfeiting security deposits in acts of defiance, but the combined effects of a lack of general support, the opposition of the government of the British Raj and the vested interests of established news media caused it to close in 1935.[11]

The FPI was revived in 1945 and aimed then to provide feeds of international news to the Indian press, for which purpose it established correspondents in Batavia, Cairo, London, Nanking, New York and Singapore. The revival was abandoned in 1947 when the necessary teleprinter lines were denied to the organisation. The FPI had angered Sardar Patel, the Home Minister, by circulating a news story, on the day after independence of India, that revealed unauthorised details of military movements. Patel thereafter denied FPI the facilities that it needed in order to operate. Sadanand had hoped to resurrect the venture once more when the new government of the now-independent India had settled into place but in fact the FPI was not revived. Sadanand was one of the seven initial shareholders of the Press Trust of India, which was started in 1948.

In India, freedom of the press is implied from the freedom of speech and expression guaranteed by Art. 19(1) (a). There is no specific provision ensuring freedom of press as such. The freedom of the press is regarded as a 'species of which freedom of expression is a genus'. Thus, being only a right flowing from the freedom of speech, the freedom of press in India stands on no higher footing than the freedom of speech of a citizen, and the press enjoys no privilege as such distinct from the freedom of the citizen. The Supreme Court had laid emphasis in several cases. On the importance of maintaining freedom of press in a democratic society. The press seeks to advance public interest by publishing facts and opinions without which a independent voters cannot make responsible judgments. Articles and News are published in the press from time to time to expose the weakness of the government. This leads At times to the suppression of the freedom of the press by the government.[12,13]

III. CONCLUSIONS

"The more time you spend in India, the more u realizes that the country is one of the world's greatest wonders-a miracle with the message .And the message is democracy matters". - Thomas Friedman.To conclude the freedom of Press has to be protected no doubt but at the same time, the freedom of individual even in the press also to be protected, preserved an any attempt to encroach the freedom of individual has to be prevented.The ideal situation is that the press should have the self monitoring of their acts / behaviors while dealing with the freedom of individuals, which does not deal with any matter of the public interest.But in the interest of decency an exception has to be carried out to this rule, that is, the name of a female who has victim of sexual assault, kidnapping, abduction, or a like offence should not be published in the Press that should be strictly taken care off. Because without any of the proper information then if the wrong information is published than the reputations the

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individual will be violate. So the more emphasis would be given to information related to the women who is affected any kind of the above mention crimes.[14]

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