



FREEDOM OF INDIAN PRESS (IN SPECIAL REFERENCE TO MEDIA TECHNOLOGIES)

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ABSTRACT

This Article is basically going to talk about the degree of freedom that should be awarded as well as professed under freedom of press guaranteed under the Indian Constitution, particularly to the Media Technologies, such as broadcast media and social networking platforms. These two platforms are the largest mode of mass communication in today's modernized world and almost cent percent of this generation's population rely mostly on these two modes for information. Basically through this Article, I want to bring the current situation, or something which can be called as utmost freedom which are availed by most of the media houses just for the sake of greater TRPs and money and acting against the law of the country. This also talks about the need of a particular Act concerning the freedom and regulations on press. This article brings in the threats that can be caused because of utmost freedom granted to these media houses and networking sites, as well as lists the suggestions on restrictions that must be imposed in order

to provide internal as well as external safety for the country.

INTRODUCTION

*"Freedom of the press, if it means anything at all, means the freedom to criticize and oppose."*¹

-GEORGE ORWELL

To understand the idea of freedom of press, let us first get the answer of the question, 'What is a press?' A press is something which acts as a medium to express one's opinions and views, is an effective instrument for building opinions and views on various regional, national and international issues.

Now coming to the idea of freedom of press, in a limited and well-defined meaning, freedom of press, which is basically covered under the ambit of freedom of speech and expression, implies the right to freely utter and publish whatever one pleases without previous restraint, and to be protected against any responsibility from doing as long as it does not violate the law, or injure someone's character, reputation or business.

Literally 'freedom' means absence of control, interference or restrictions. Hence, the expression 'freedom of press' means the right to print and publish without any interference from the state or any other public authority. In other words, freedom of the press or freedom of the media is the freedom of

¹The Prevention of Literature, available at: http://orwell.ru/library/essays/prevention/english/e_plit, (Visited on December 26, 2017).



communication and expression through mediums including various electronic media and published materials. While such freedom mostly implies the absence of interference from an overreaching state, its preservation may be sought through constitutional or other legal protections.²

“Freedom of the press is a precious privilege that no country can forego.”³ Why freedom of press has been given so much importance all around the globe? Why it is necessary for a democracy to have a free and fair media? The answer to the first question is that press acts as a mirror for a country; it helps to reflect back what is going in and outside the country, not just for the people sitting at helm, but also for the people at grass root level, and that too all around the world. The 1948 Universal Declaration of Human Rights states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and impart information and ideas through any media regardless of frontiers".⁴ The answer to the second question can be inferred from a statement given by Shashi Tharoor, which goes as, “Freedom of the press is the mortar that binds together the bricks of democracy.”⁵ The existence of a free, independent and powerful press is

the cornerstone of a democracy, especially in a welfare state like India. Thus it can be said that press plays a pivotal role for the smooth functioning of a country, but a press under the shackles is of not much importance for anyone. A free and fair press is what a democracy enshrines in itself as a birthmark and it cannot leave or get it behind fetters just for the sake of some temporary benefits, however there are some restrictions to be followed, which are enlisted under Article 19(2) of the Indian Constitution.

However the media houses, in recent times have either crossed the limits in some of the cases, and at some instances there have been no or partial censoring of the contents shown in their channels, which may have arisen many grave security issues for the country. There have been many instances where without proper investigation, just for the sake of greater number of TRPs and to get ahead of other media houses, many false (sometimes to the full extent, and sometimes partially correct and partially incorrect) reports and news were telecasted, believing which people were at a state of mental shock. Moreover there is no direct control of government over the contents in the social networking sites, which is one of the vital source of information for general public in these

²Freedom of the press, *available at:* http://en.wikipedia.org/wiki/Freedom_of_the_press#India (Visited on December 25, 2017).

³Young India, *available at:* <http://www.mkgandhi.org/indiadreams/chap68.htm> (Visited on December 26, 2017).

⁴Universal Declaration of Human Rights, *available at:* <http://www.un.org/en/universal->

[declaration-human-rights/](#) (Visited on December 26, 2017).

⁵Mediapersons under siege, *available at:* <http://www.thehindu.com/thehindu/mag/2003/05/11/stories/2003051100070300.htm> (Visited on December 29, 2017).



times, which sometimes has been the reason for inner conflicts in the nations, most popular being some of small religious riots. However till the time there have been no reported instances where our Army personnel have faced problems in counter terrorism, because of the telecast of the ongoing encounters or battles, but the kind of reporting which is done by the news reporters can someday be a grave issues for the internal and external security. Moreover the news stating or telecasting information regarding the defence ties, defence capabilities and abilities, in its strength either in population or in weapons, is not something to be shown to the world, as these information might be used by some foreign agencies as well as domestic agencies in order to create conflicts as well as war, especially in a country like India which is surrounded by neighbours such as Pakistan, with whom it had been in a state of war since 1947 and China, which has grown hatredness because of the territorial issues as well as recent developments. Nevertheless the great Indian media houses have also been criticized by some well known journalists and thinkers for reporting irrelevant things and telecasting the same, which can't even be called news. The issues such as national security, decency are kept at margin by these digital Medias which require some checks time and again. There also lies some greater amount of responsibilities with those media houses, as under the Indian

Constitution pre-censorship at many a time has been defeated in the court of law. So the greater sword in respect to the right and power regarding public information lies in the hand of press, and with great power comes great responsibilities, which Indian media has been overlooking time and again.

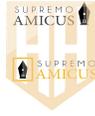
HISTORICAL BACKGROUND and LEGISLATIONS

As Evelyn Hall speaks-

*“I disapprove of what you say, but I will defend to the death your right to say it.”*⁶

But Indian history speaks a different way, especially when it was ruled by the British Government. It speaks I will disapprove of what you say, and for my own benefits I will defy your right to say it. There has been a history of great impositions, sometimes legit, and sometimes not, on the Indian Press. The East India Company, in order to protect its so called throne or control over Indians, did not resist themselves from imposing and passing various Acts as stringent curbs on Indian Press of that time, which were mainly in the form of newspapers, circulars and posters. First of all those restrictions was ‘the Gagging Act’ passed by Lord Lytton, which was driven to curtail and control the Indian publication content invoking sepoy mutiny of 1857. The Act compelled all Indian publications to apply for a license from the government, while also ensuring that nothing was written against the British government, nor was the

⁶Evelyn Beatrice Hall, available at: https://en.wikiquote.org/wiki/Evelyn_Beatrice_Hall (Visited on December 29, 2017).



government challenged in any measure. And this followed many more restrictions time-to-time, for example the Vernacular Press Act, 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." The tension between the Press and the Government was slowly mounting. The *Press Emergency Act of 1931* further heightened the tension. During [Mahatma Gandhi](#)'s Satyagraha, he used the press to advocate his feelings and rally the masses to protest against the British.

In the post-constitutional era, the Government of India, Court of law and the Constitution has been very liberal towards the rights and power given to Indian press, especially in current times to many of the media houses. After enforcement of the Indian Constitution, the old conflict between the Press and the State vanished overnight. However this vanishing conflict doesn't mean an ultimate and no restriction power in the hand of press. Although Nehru was a liberal and believed in freedom of the press, but he was forced to enact laws curbing freedom of the press after independence in order to check increasing writings with communal overtones, he in 1951 passed "The Press Objectionable Matters Act" (lapsed in 1956). There was a swing away from freedom of the press to control and the imposition of restrictions on the press by

the government during the period when Nehru's daughter Mrs. Indira Gandhi, an authoritarian, who believed press as a tool of progression of her party, which should blindly support the government, became the Prime Minister. The emergency, imposed in 1975 which lasted for 19 months is considered to be the darkest period in the post independence history of the freedom of the press. Many arbitrary Acts were formulated and even pre-censorship was imposed all around the state. However after the emergency period was over, Indira Gandhi's government was found to be charged with mishandling and distorting the news by using her power.⁷

A COMPARATIVE APPROACH

As a whole, especially in current situation, it can be said that Indian Press is enjoying the highest level of freedom. Looking into the situations, it can be inferred that the Government is not able to impose even a legit restriction on the press. There have been instances in the past where press was restricted for all the right reasons, but the same power or ability or concern lack in present time. Some of the reasonable restrictions imposed earlier can be inferred from Reba Chaudhuri, a journalist's writings, where she pointed out that how the Government of India, during World War II armed itself with the power of pre-censorship on materials published in the press relating to certain matters. Similarly during the Quit India Movement (1942), the All-India Newspaper Editors' Conference – the protector of Indian

⁷Shah Commission (Government of India, 1977).



Press' rights – gave a word of confidence to the government that the newspapers will observe caution and voluntarily refrain from releasing information regarding *Quit India Movement*. Similarly “The Press Objectionable Matters Act” which lapsed in 1956 was a correct measure taken by Nehru’s Government as that was a time of greater conflict between the two countries, India and Pakistan. Even during the 1961 Declaration of Emergency which he called to deal with the Chinese incursions on India’s borders, the imposition of restrictions was there applying only to news relating to India’s defences, though no concentrated attempt was made to censor the press. But something is better than nothing, some restrictions, though minimal helped to prevent the leakages of information which might have backfired. So these instances clearly shows that there need to be some restrictions as well as censored news is necessary for the proper information to be imparted to the public, for their safety as well as correct knowledge. However same is not the situation in most of the countries. For example though in the landmark case of *Express Newspapers (Private) Ltd. v. Union of India*⁸, Justice Bhagwati stated, “*that the fundamental right to the freedom of speech and expression enshrined in our Constitution is based on (the provisions in) Amendment I of the Constitution of the United States*”, but also there are some differences between the degree of freedom in both the countries. The freedom for press under American Constitution has two

distinctive and positive features as compared to that of the Indian Constitution, (i) freedom of press is specifically mentioned therein, (ii) no restrictions are mentioned on freedom of speech.

The consequence of the extent of the Freedom in the US constitution is that ideas or expression which may be offensive or hurtful or even racial can be expressed freely. The other side of the coin suggests that it leads to healthy debate on public issues and such. When talked about the UK, there lies not much difference as Acts such as, 2006 Terrorist Act, 2006 Racial and Religious Hatred Act keeps an eye and imposes reasonable restrictions on the freedom of speech. Private media outlets in the UK generally maintain their independence from political pressure and convey a range of views, with some tending to support or oppose particular parties or governments. The BBC is also editorially independent, though its governance and funding came under scrutiny in 2015. There are no restrictions on internet access in the UK. Physical attacks on the media are rare. After all these comparisons, which shows minimal differences in the freedom of press between these three countries, the rankings of the countries in RPF reports, which ranks countries on degree of freedom of speech and expression in relation with press, speaks some different story, where according to 2017 reports India ranks 136, The US 43 and the UK 40. Thus it shows the differences in the

⁸(1985) 1 SCC 641



ease of the reporting news inside the country, which gets affected both by the government policies as well as carelessness of reporters.

CONSTITUTIONAL PROVISIONS AND JUDICIARY

When the question of inserting freedom of press explicitly in the Constitution of India, Dr. B.R. Ambedkar argued, *“The press is merely another way of stating an individual or a citizen. The press has no special rights which are not to be given or which are not to be exercised by the citizen in his individual Capacity. The editor of a press or the manager is all citizens and therefore when they choose to write in newspapers, they are merely exercising their right of expression and in my judgment therefore no special mention is necessary of the freedom of the press at all.”*⁹

Although the Constitution shows no special provision to safeguard the rights of the press, the Judiciary has taken up the role and confirmed that the rights of the press are implicit in the guarantee of freedom of speech and expression under Article 19(1) (a) of the Constitution. Indian Judiciary and judicial committees, from the time of Independence, has been in the favour of a free and fair press, which ultimately has led to a greater amount of freedom to the media covered under press, as it can be inferred from the decisions of taking back of Objectionable Matters Act, 1951, Shah committee

charging Indira Gandhi for misuse of power and mishandling the Press etc.

Though in a democracy, free press is very important, as it acts as a watchdog of the three pillars of democracy, viz. the legislature, the executive and the judiciary, still no absolute right can be vested upon them, as absolute power leads to absolute exploitation and the same is visible in the Indian Constitution. The freedom of Press is imposed with certain restrictions, as enlisted under Article 19 (2) of the Indian Constitution. The restrictions are- (1) Sovereignty & Integrity of India, (2) Security of the state, (3) Friendly relation with foreign nations, (4) Public Order, (5) Decency or Morality, (6) Contempt of Court, (7) Defamation, (8) Incitement to an offence. These restrictions keep an eye on the arbitrary use of power and rights vested with the press in the country.

Keeping all these things on mind, Indian judiciary has been a faithful servant of the Constitution of India. It, following all the orders, though nowhere explicitly mentioned, not only imparts justice whenever there has been a violation of the fundamental right of freedom of press, but also when there has been arbitrary use of power by the journalists of different media houses. Indian judiciary have been quite a busy in deciding the questions of freedom of press. In *Prabhu Dutt v. Union of India*¹⁰ the Supreme Court has held that the right to know news and

⁹Constituent Assembly of India debates (Proceedings)-Vol.VII, Thursday, The 2nd December, 1948

¹⁰AIR 1982 SC 6



information regarding administration of the Government is included in the freedom of press. But this right is not absolute and restrictions can be imposed on it in the interest of the society and the individual from which the press obtains information. They can obtain information from an individual when he voluntarily agrees to give such information. There are many instances when the freedom of press has been suppressed by the legislature. In *Sakal Papers v. Union of India*¹¹, the Daily Newspapers (Price and Page) Order, 1960, which fixed the number of pages and size which a newspaper could publish at a price, was held to be violative of freedom of press and not a reasonable restriction under the Article 19(2). Similarly, in *Bennett Coleman and Co. v. Union of India*¹², the validity of the Newsprint Control Order, which fixed the maximum number of pages, was struck down by the Court holding it to be violative of provision of Article 19(1) (a) and not to be reasonable restriction under Article 19(2). The Court also rejected the plea of the Government that it would help small newspapers to grow.

INDIAN MEDIA HOUSES & THE LAW

*“Some people’s idea of free speech is that they are free to say what they like but if anyone says anything back, that is an outrage.”*¹³

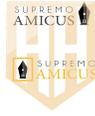
-SIR WINSTON CHURCHILL

It seems that most of the Indian media houses have been working on this idea only, and have made this statement as their principle, and not the meaning which has been sarcastically brought out by Sir Winston Churchill. One common thing which anyone can see, inside India, whenever he opens any of the news channel (exceptions lies everywhere) is, *“we are taking a short ad break, but we will be right back, stay tuned with us”*. However these channels have taken the meaning in a quite different way, unless there is some hot gossip from bollywood or some terror attack in the country. They think a small break means a break of about 1-20 minutes in a 30 minutes show. Open a news channel and one can bet that 7 out of 10 times, you will end up watching some Patanjali ads, or fairness cream ads or something totally irrelevant. And 3 out of 10 times some good news, that too if you have good luck and has pressed a good channel number and if not some news, then at least some sensible advertisements which are related to government policies and schemes. Yes it is understandable that news channels also need money to run, and revenues through advertisements are their biggest source of income, but there are some responsibility vested upon them. It is not just the money they are working for, and for the question of revenue, there has been some particular guidelines mentioned under The Cable Television Network Rules, 1994, which ought to be followed. And thereafter they complain that they are not

¹¹AIR 1962 SC 305

¹²AIR 1973 SC 106; (1972) 2 SCC 788

¹³“The Churchill Spirit-In his own words”, The New York Times, August 2, 1964.

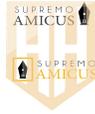


given proper freedom of speech and expression, and their voice is suppressed. Had they not spoiled those guaranteed time to exhibit these freedoms on money producing advertisements, they would have been able to produce a much more amount of news. And when not satisfied by their own rights, they even bark off that why that particular news channel or particular journalist has reported such things. They are embedded as supporters of a particular political party, or a follower of a particular religion.

Why this hypocrisy in a country of 125 crores population which has given maximum number of doctors and engineers to the world? Why there is less news and more advertisement in the news channels? Why there are irrelevant news and why so much importance given to them?

The most common and suitable answers for these questions are TRP, money and a blind race ending nowhere, and the biggest problem is that most of the media houses have fallen as victim of the same. Most of the news channels are basically funded (a large amount) by political parties, political leaders and because of which these media channels just end up being the mouth piece of those particular political parties. And when their praise ends, then comes the blame game. Not only political parties and leaders are becoming the prey of these blame games, but also the cricket players who represent our country in the international level. After the recent defeats of Indian Cricket team in Champions trophy against Pakistan, this became the biggest

highlight for most of the news channels. Cricket experts were called in, and then the breaking news flashed, "*Who is the culprit of India's loss?*" and that for around three to four days in a row. Similarly on 21st of June, all the news channels were busy recording 'INTERNATIONAL YOGA DAY' and yoga sessions of Modi and Ramdev baba; and this not ended here, the very next day, they were analysing how ministers have done Yoga, but the sad part was that there was only one or two news channels reporting the militants attack on 22nd June in Qazigund, Kashmir. Similarly there are intense debates on the loss of Indian Cricket team and that too only of men's cricket; but women's cricket, hockey, ice sports and athletics are just important enough to be published as a news ticker and nothing more. Now this is hypocrisy, but then money and TRP is more important. Let us first blame the ministers for not doing yoga properly, thereafter we will report the attack, and it will fetch us one more chance to blame the government. Now talking about the ratio of news and advertisement in most of the shows, unless it is a great TRP gainer is, around 35:65. These days, there is certainly less news, and way more advertisement, because what matters most is money and advertisements are the biggest source of revenue collection. Most of us have often felt irritated because of the deluge of advertisements while watching prime time news. However, there is already a law subscribing volume of advertising per hour of programming. The Cable Television Network Rules, 1994, clearly say that not more than 12 minutes (20%)



of advertisement for every one hour of programming is acceptable. Rule 7 (11) states: “No programme shall carry advertisements exceeding 12 minutes per hour, which may include up to 10 minutes per hour of commercial advertisements, and up to 2 minutes per hour of a channel’s self-promotional programmes.” But no one seems to follow it. Hindi channels Aaj Tak and Zee News have an average of 43% and 46% advertisement time. Only DD news, the only government funded News channel (bilingual and free to air) has an average less than the mandated 20%¹⁴. Thus it can be said that the institutes which are entrusted to impart information regarding everything legit and possible, are themselves not following the rules and regulations which the state has levied on them. The watchdog of democracy, itself has become unfaithful to the master. Now coming to the last question, which talks about a media’s huge hue and cry over some irrelevant news, has been a matter of great discussion between some of the great journalists and thinkers. Whenever there is any bollywood gossip, let it be any irrelevant incident, viz. scandals, breakups, tiffs between stars are made the breaking news. Abhishek bacchan’s marriage was a matter of great national importance according to some of the news channels, as they were live telecasting the same. Aliens and Sai Baba were at sometime the biggest headlines under some particular news channels. Similarly there are intense debates on the

loss of Indian Cricket team and experts are called in the studio to discuss the strategies need to be followed in the forthcoming game. They blame some particular players when the team loses, and also set the match plans. So it can be inferred that they are capable enough to be appointed as Indian Coach but nobody applies. Somebody need to tell these fake media houses how a news channel is run, or they can learn from DD news channel. ‘But the experts need not be taught’.

Two more questions which need to be discussed are, why there is not proper investigation before publishing any news, and if sources and investigation are not full proof then also why such news are telecasted? Second, why there is live telecast of ongoing encounters between terrorists and our Army?

As Mark Twain quoted, *“If you don't read the newspaper, you're uninformed. If you read the newspaper, you're misinformed.”* However if we replace the word newspaper with television or being more particular, news channels, it would more suitable in respect to Indian context, because Indian media has made itself famous for reporting news without any proof or guarantee(many-a-times). In 2008, a popular TV channel in Karnataka showed that children were dying because of the polio drops given to them the previous day. The situation became worse, and stones were pelted on one of the most trusted hospital of the city.

¹⁴Too many ads: not just irritating, but unlawful, available at: <http://www.livemint.com/Opinion/jqj52rmzXWY>

[h4pf3SmrR5M/Too-many-ads-not-just-irritating-butunlawful.html](http://www.livemint.com/Opinion/jqj52rmzXWY), (Visited on December 27, 2017).



However the next day it was reported by the same news channel that the reports were false, and published after some children died because of some disease in Hosur. No apology video was posted and no regret was shown by the news channel.¹⁵ Recently the Arundhati Roy-Paresh Rawal conflict was a great matter of discussion, where Paresh Rawal had made replied to the comments made by Arundhati Roy over tying of a man in front of Army's jeep. News headlines were flooded with the comments made by both the veterans, however later "It's crap," Roy told *The Wire*. "Have not been to Srinagar recently." Have not made any statements about Kashmir except what I wrote in Outlook last year." One of the purveyors of this fake news was Arnab Goswami, nightly anchor of NDA politician and MP Rajeev Chandrasekhar's new channel, Republic TV, who attacked Roy as a 'one-book whiner wonder' who had "visited Kashmir in the second week of May."¹⁶ These reports show the credibility of Indian media; the media of the largest democracy of the world.

For the second question, these live telecasts of encounters, as far as I can think, keeps the security of army personnel as well as security of the nation at margin, just in order to telecast how well our army is fighting. But the other side of the coin is that these terrorists have always been fighting hiding in some

buildings, or some enclosed space where direct surveillance by army is next to impossible; but on the other side army doing the counter attack, are at open space and live telecasting them, means the heads of the terrorist who are sitting somewhere else and guiding those terrorists, are aware of each and every position and strategies of our defence, which put not only them at a higher risk, but the same also goes with the security of nation. Kargil war was India's first televised war. I'm sure government's view in allowing reporters to embed with army was to present India's view and let the nation know how its brave soldiers are fighting. Instead of soldiers Brakha Dutt leeched all the glory. Similarly during 26/11, all these so called nation building media houses were competing with each other in order to break the headlines tab. For the kind of reporting we saw during 26/11, few journalists would have gone to jail in certain other countries. SC held that they have served no national interest or any social cause." *Expressing its anguish, the Bench said:* "The shots and visuals could have been shown after all the terrorists were neutralised and the security operations were over. But, in that case, the TV programmes would not have had the same shrill, scintillating and chilling effect and would not have shot up the TRP ratings of the channels. It must, therefore, be held that by covering live the terrorists' attack on Mumbai in the way it was done, the Indian TV channels

¹⁵"Rumours spark polio vaccine panic in south", The Indian Express, Bangalore & Coimbatore; December 23, 2008.

¹⁶How Fake News Triggered Republic TV, TV18, BJP MP's Attacks on Arundhati Roy, available

at: <https://thewire.in/139162/paresh-rawal-arundhati-roy-fake-news-kashmir/> (Visited on December 27, 2017).



were not serving any national interest or social cause. On the contrary, they were acting in their own commercial interests, putting the national security in jeopardy. It is in such extreme cases that the credibility of an institution is tested. The coverage of the Mumbai terror attack by the mainstream electronic media has done much harm to the argument that any regulatory mechanism for the media must come only from within.”¹⁷ Abu Jundal the Hindi tutor of the ten terrorists who was also in the control room in Pakistan told his interrogators in India that live television reports of the operations were a boon to them and they kept advising the terrorists to act in a manner which would hamper the operations.¹⁸ When confronted with the charge, Rajdeep Sardesai of CNN-IBN said “government should have kept us out of that area.” He is one of those editors who vociferously opposes any government directive on media and talks of media’s self control, and thus if the government would have taken any step to keep them out of that area, another breakout would have been possible by these so called liberal and free journalists. However no further developments have been seen, still in order to increase TRP, live telecasts are becoming more famous. The principle which Indian Media is exhibiting these days is ‘No matter how many of our brothers die, let us first make money on telecasting them live, and later we will

bark off on their death, and that will yield more TRP and money. So a double benefit, the motto of blind utilitarianism which we also should blindly follow.

Now in recent times one more and important question that arises is what about the fake news or posts published in social networking sites such as facebook, twitter and messengers such as whatsapp. Those forwarded messages and those fake posts are one of the main reasons of these riots and tiff among various religion groups. Most recent being Basirhat incidence¹⁹ of West Bengal, where just because of some irresponsible posts on facebook, which rooted out because of some video on Youtube, gave a small incident which should have been investigated and handled by Police, was given a face of Hindu-Muslim fight. A small incident grew out to be a communal riot, burning whole of the state (West Bengal) in a war place. Even the CM and the Governor who should have acted with highest concern, are fighting with each other, and letting those morons fight. Thus there must be some checking on the reliability and applicability on these posts.

CONCLUSION AND SUGGESTIONS

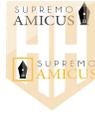
In words of the Father of the Nation Mahatma Gandhi, "The role of journalism should be service. The Press is a great power, but just as an unchained torrent of water submerges the whole

¹⁷“Live TV coverage put national security in jeopardy, says Bench”, The Hindu, August 29, 2012.

¹⁸26/11 Mumbai Terror attack: More horrifying than the attack was the TV coverage, available at: <http://www.oneindia.com/feature/26-11->

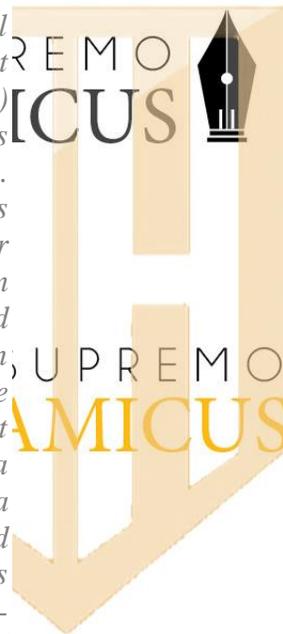
mumbai-terror-attack-media-role-responsibility-1572960.html (Visited on December 17, 2017).

¹⁹“Bengal violence over FB post: Man dies of stab wounds, clashes erupt in Basirhat”, Hindustan Times, July 16, 2017.



countryside and devastates crops, even so an uncontrolled pen serves but to destroy.”²⁰ These Indian Media houses must be shown these lines before presenting any news, before going to their newsroom everyday. These lines states that role of journalism should be service and not just a monetary beneficiary programme. And whilst imparting this service, there must be some control and restrictions, maybe in form of censorship. Though there can’t be any direct control on the things on social networking sites and messengers, but still there must be some governmental departments (though some are there, but facts shows that they are not as effective) dealing with these posts which sometimes has been the reason for communal riots. Moreover there must be some changes brought in the current situations, in order to make the country a good country in regards of Press, both in their rights and restrictions, such as a separate provision in Constitution to directly safeguard the freedom of press, freedom of press must be exercised with circumspection, and a direct and strict control over these media houses, both in their contents and advertisements. It has been seventy years since India’s independence and sixty-seven years since the commencement of the Constitution, there has been a lot of ups and down in our democracy and the press also has come across age. As being a subject of the largest democracy, we should remember the PM Rajiv Gandhi,

“Freedom of Press is an Article of faith with us, sanctified by our Constitution, validated by four decades of freedom and indispensable to our future as a Nation.”²¹ Thus we can conclude that the time has come for the press of largest democracy of the world to work with hand-in-hand with judiciary for the welfare of its subjects.



²⁰Mahatma Gandhi, India of my dreams 287(Navajivan Publishing House, Ahmedabad, 2001 Edition).

²¹Has the time come to review press freedom, available at: http://www.legalserviceindia.com/articles/press_freedom.htm (Visited on December 30, 2017).