

- account with separate information about foreign and Indian sources.
5. Every newspaper undertaking must submit with its annual account the following information to the Press Council.
    - (a) Details of revenue obtained from advertisements and printing contracts in respect of foreign sources country-wise, including advertisements and printing contracts received through an Indian agency; and
    - (b) Names of the top 100-share holders with their nationality and address and the number and proportion of shares held.

The Commission proposed that the newsagencies in the country explore hitherto untapped areas of news to give reporting a new purpose and unity. The agencies suffer from an urban bias and are preoccupied with political developments in the national and state capitals. The news agencies are hardly in a position to report the social or economic changes taking place or intended changes not taking place—in the countryside. Because of the obsession of the newspapers with the political news, the news agencies spend much of their energy in reporting political events.

There is scope for pooling and countrywide dissemination of the more significant stories of success or failure in rural development. This could form the nucleus of a rural news service which would enable readers, including farmers, administrators and legislators in one part of the country to profit from the experiences in other parts.

The four members of the Commission—Justice Sisir Kumar Mukherjee, Rajinder Mathur, Girilal Jain and H. K. Paranjape opposed the recommendations of the Commission regarding delinking of newspaper ownership from other business. In a 100-page dissenting note expressed the fear that suggestions for the introduction of price-page schedule and fixing the ratio of news and advertisement amounted to abridgement of the freedom of the press.

#### FREEDOM OF PRESS

To preserve the democratic way of life it is essential that people should have the freedom to express their feelings and to make their views known to the people at large. The press, a powerful medium of mass communication, should be free to play its role in building a strong viable society. Denial of freedom of the press to citizens would necessarily undermine the power to influence public opinion and be counter to democracy.

Freedom of the press is not specifically mentioned in Article 19(1) (a) of the Constitution and what is mentioned there is only freedom of speech and expression. In the Constituent Assembly Debates it was made clear by Dr. Ambedkar, Chairman of the Drafting Committee, that no special mention of the freedom of the press was necessary at all as the press and an individual or a citizen were the same as far as their right of expression was concerned.

The framers of the Indian Constitution considered freedom of the press as an essential part of the freedom of speech and expression as guaranteed in Article 19(1) (a) of the Constitution.

In *Ramesh Thapar Vs. State of Madras*, and *Brij Bhushan Vs. State of Delhi*, the Supreme Court took it for granted the fact that the freedom of the press was an essential part of the right to freedom of speech and expression. It was observed by Patanjali Sastri J. in *Ramesh Thapar* that freedom of speech and expression included propagation of ideas, and that freedom was ensured by the freedom of circulation.

It is clear that the right to freedom of speech and expression carries with it the right to publish and circulate one's ideas, opinions and other views with complete freedom and by resorting to all available means of publication. The right to freedom of the press includes the right to propagate ideas and views and to publish and circulate them. However, the freedom of the press is not absolute, just as the freedom of expression is not. Public interest has to be safeguarded by Article 19(1)(2) which lays down reasonable limitations to the freedom of expression in matters affecting :

- (a) Sovereignty and integrity of the State,
- (b) Security of the State,
- (c) Friendly relations with foreign countries,
- (d) Public order,
- (e) Decency and morality,
- (f) Contempt of court,
- (g) Defamation,
- (h) Incitement to an offence.

#### Freedom of Press Defined

It is an absence of statutory and administrative control on dissemination of information, ideas, knowledge and thoughts.

The freedom of the press and of expression is guarded by the First Amendment to the US Constitution which specifically lays down that

this freedom be in no way abridged by laws. It is not that Indian leaders were not aware of the US First Amendment or of Jefferson's famous declaration when he said that "Were it left me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter". Jawahar Lal Nehru echoed similar views "I would rather have a completely free press, with all the dangers involved in the wrong use of that freedom, than a suppressed or regulated press". Voltaire once said, "I do not agree with a word you say but I defend to death your right to say it".

Mrs. Gandhi has never had much faith in the press. Her misgivings about the press were first expressed in her address to the International Press Institute Assembly in New Delhi on November 15, 1966, when she blamed the press for giving wide publicity to student unrest in the country. She said, "How much liberty should the press have in a country like India which is engaged in fighting a war against poverty,

backwardness, superstition and ignorance." Mrs. Gandhi suggested restrictions that might be imposed on the press but said that it was for the leading editions, and journalists of the country to decide. Nine years later when Mrs. Gandhi declared emergency action was taken against the press immediately and complete censorship was imposed.

Kuldip Nayar, a veteran journalist wrote to Mrs. Gandhi soon after she imposed the emergency. "If newspapers have criticised the government, it is largely because of its sluggish administration, slow progress in the economic field and the gap between promise and performance. My concept of a free press is to ferret out the truth and let the public know."

To preserve the democratic way of life, it is essential that people should have the freedom to express their feelings to make their views known to the people at large. The press, a powerful media of mass communication should be free to play its role in building a strong viable society. Denial of the freedom of press to citizens would necessarily undermine the power to influence public opinion.

An awesome responsibility remarks S. Nihal Singh, "rests on the shoulders of journalists because in the final analysis they are custodians of freedom of the press". If they prefer careerism to standing up for their rights, they are letting down their profession.

Besides the restrictions imposed on the press by the Constitution, there exists various other laws which further curtail press freedom and the right of the citizen to information as well as the right to freedom of

speech and expression. They are all in force in the interest of public order of the sovereignty and security of the State.

### Yellow Journalism

The degrading kind of journalism is known as yellow journalism. It is a journalism without soul. Facts are distorted or exaggerated. There is very little truth in the stories. Unethical means are adopted to increase the circulation. It is a kind of journalism which lures the readers by any possible means. It makes the high drama of life, a cheap melodrama. Worst of all, instead of giving its readers effective readership, it offers sex and violence.

Joseph Pulitzer, publisher of the *New York World* and William Randolph Hearst who in 1887 became the editor of the *San Francisco Examiner* were the men responsible for the birth of yellow journalism. Hearst's association with the newspaper business came from his father,

who was more an aspiring politician than a journalist and had originally acquired the *Examiner* for political purposes. William Randolph Hearst ventured east to Harvard where he gained fame more for his pranks than for his studies and was eventually expelled. He did manage to acquire newspaper experience on Pulitzer's *World* and, on his return to San Francisco, took the lessons of sensationalism from the penny press and applied them to big city journalism. (Penny press is a term that describes the mass appeal press of the early nineteenth century in New York. Newspapers were sold for a penny in the streets and they made a profit from advertisers, and were oriented towards less educated, ordinary citizens). With bold, eye-grIPPING headlines and various escapades to generate or report the news Hearst's *Examiner* began to climb in circulation. The result was that both profit and circulation doubled and then tripled.

Joseph Pulitzer also succeeded in building the circulation of the *Sunday World* in New York to over 300 thousand in the early 1980s. To do this, he combined good reporting with crusades, an emphasis on disasters, melodramatics, sensational photographs and comic strips in colour all to increase reader's interest. Pulitzer crusaded against corrupt officials and for civil service reform and taxes on luxuries, large incomes and inheritances. He pioneered the use of coloured comics in newspapers, which did much to spur the circulation of his Sunday editions. One cartoon in particular made history. It featured a baldheaded, toothless, grinning kid, clad in a yellow sack-like garment.