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ROLE OF PRESS AND FREEDOM IN INDIA



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Short Profile

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ABSTRACT:

During the British period, the press certainly had a mission to rouse mass consciousness and serve the cause of freedom movement. The newspapers were run by national leaders who had a mission and sense of self sacrifice. Journalism was not a profession but a service. Today the entire concept has undergone a change. The press is a business with a profit motive. Thought the journalism is not carried with the same spirit, as was visible during the pre independence era. Nevertheless, journalism has become an attractive and lucrative profession.

KEYWORDS

Press and Freedom , journalism , attractive and lucrative profession.

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INTRODUCTION :

A free press should in our view, be a constructive critic and present a balanced point of view to the consumers of its ideas. All this has been lacking in the present day press. Rag journalism is affecting the press. The press is also irresponsible in the field of advertisement. Throwing into the wind all the norms and ethics of advertisement it publishes nude or semi-nude pictures of women or photos depicting the sexual intimacies between men and women. Such kind of advertisement is encouraged with a motive to earn revenue. Sex scandals, blackmail, stories of corruption, true or false appeal to the readers tend to increase the circulation of newspapers, this should be discouraged. It also acknowledged that the press also suffers from considerable ineptitude. Sometimes it transmits information without truth verification which may prove harmful to the public welfare and hence our expectations from the press vis-a-vis our confidence in the press may be diminished.

HISTORICAL PERSPECTIVE :

In India, the struggle for freedom of the press has a long history behind it. During the British rule there was no guarantee statutory or otherwise of individuals freedoms. The leaders of Indian freedom struggle laid great emphasis on freedom of speech and of the press apart from other freedoms. However, nothing concrete could be achieved till the attainment of the freedom in 1947. The Constituent Assembly which was assigned the task of framing a constitution for India declared in the Objective Resolution on January 22, 1947 its firm resolve to draw up a Constitution guaranteeing, inter-alia, freedom of thought and expression. The draft Article 13 which became the present Article 19 guarantees to every citizen the right to freedom of speech and expression which includes the freedom of press as well Clause (2) of the article provides that the guarantee of this right would not affect the operation of any existing law insofar as it related to, or prevent the State from enacting any law relating to libel, slander, defamation, contempt of court or any matter which offended against decency or morality or which undermined the security of, or tended to overthrow the State. The right to freedom of speech and expression as enshrined in Article 19(1)(a) of the Constitution is not an unlimited right. Its exercise is expressly subject to reasonable restrictions under Clause (2) which may be imposed " in the interest of the sovereignty and integrity of India . The security of the State, friendly relations with foreign States, contempt of court, defamation or incitement to an offence". The reasonableness of these restrictions is justiciable. But courts have no authority to evolve new limits as exceptional to this constitutional freedom .

Dr .B.R. Ambedkar , father of Indian Constitution in one of the debates in the constituent assembly said, "the editor of a press is merely exercising the right of the expression, and therefore , no special mention of the s necessary." Indian Constitution does not provide for a specific and separate right to unlike that in the United States of America. Although Article 19(1)(a) does not mention the it is inferred from judicial decisions that the freedom of speech and expression included in its rubric the and circulation also. In several cases the Supreme Court held that there was no need to mention freedom of the press separately, because it was already guaranteed under the freedom of expression . It is felt unnecessary to make such specific mention, includes the liberty to propagate not only ones own views but also the right to print matters which have either been borrowed from

someone else or one printed under the directions of that person, and also includes the liberty of publication and circulation.

MONOPOLY TRENDS:

The press in India is a private business, largely owned by private individuals. Nevertheless the large and well established newspapers suffer from certain weakness, some of them are partisans in the presentation of news in respect of the financial interests with which they are allied there is a certain timidity to expose courageously the shortcoming of those who are in a position of power and authority. There is a tendency to suppress facts which are unfavourable to their own interests or financial interests with which they are associated. These undesirable features are not singular to the Indian press. It is sometimes felt that the press exceeds the Constitutionally laid down sanctions. Recently the press has been accused of too much interference. It is said that the role of the press is increasingly becoming political. The fact that there have been many occasions where some newspapers have conducted themselves without a sense of responsibility. In the absence of proper ethical guidelines the press may sometime invite threats or challenges which might prove harmful to its internal stability as well. Objectionable writings which calculate to incite communal or religious feelings or passions is one such threat secessionists and insurrectionary activities going on in some of the part of the country need not be given too much air. The Press Council of India Chairman, Justice Markandey Katju, commenting on the reportage of Anna Hajare's agitation, said that a large section of the print and electronic media was swayed by emotions and became a part of the movement. Did this media exceed its mandate, becoming the news maker instead of playing the role of a news

MALPRACTISES AND CORRUPTION:-

The other aspect relates to the agitationist politics. The nation has been witnessing frequent incidents of violence and disruption of normal public life by agitators. In most of the States of the country like Punjab, Haryana, Delhi, Bihar, Uttar Pradesh, Maharashtra, Jammu and Kashmir, Assam, such agitations have taken place in the past causing huge damage to public property and disrupting normal life of the people. In these situation the media has to play a more responsive role. The fact that there have been many occasions where media have conducted themselves without a sense of responsibility. The issue came up before Andhra Pradesh High Court hearing a PIL by Advocate VVSS Kameswara Rao, who was seeking a restraint order on a news Channel that had been repeatedly telecasting provocative speeches that could create enmity amongst various groups in the State. The Judge, in his four page order, stated that these channels were creating sensationalism and indulging in acts which were injurious to harmony among different groups to improve viewer ship. The Judge noted that on account of these improper visuals, people are becoming violent and creating havoc in the State. The Andhra Pradesh High Court has imposed certain rules on electronic media and has directed 13 TV news channels not transmit or telecast any programmes which could create panic in the minds of the general public. The judge has also directed the State government to ensure that the channels comply with the programme code as envisaged in Rule 6 of the Cable Television Network Rules, 1994. Rule 6

States: 'That no program should be carried by the Cable Service which offends good taste or decency, contains criticism of friendly countries, contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes, contains anything obscene, defamatory, deliberate, false and suggestive innuendoes and half truth, which may incite violence or contains anything against maintenance of law and order or which promotes anti-national attitude.

TRIAL BY MEDIA AND INCORRECT REPORTING OF COURT CASES:-

Freedom of the press is an integral part of the inner strength and dynamism of our democracy. Without this freedom there can be no democracy. Media has been interfering in each and every corner even on trial. Media trial is also known as trial by media. It is a phrase popular in the late 20th century and early 21st century to describe the impact of television and newspaper coverage on persons reputation by creating widespread perception of guilt or innocence before or after a verdict in a court of law. Since the beginning of a new era of electronic and English media, the country has felt media interfering with the judicial procedure so much, that there have been instances or mere apprehensions that media has influenced the trial procedure and the judgement media has been successful in covering and disclosing the reality of cases, mostly of criminal nature and in majority of these cases it has helped the court in convicting the accused. But it was this role of media which became debatable in cases such as Jessica Lal murder case, Nitish Katara murder case and Priyadarshani Matoo case. The question which came up were, why does media target only cases of high profile background.

In India both electronic and print media appears to caught in ruthless competition leading aggressive journalism. many a times due to the cut-throat competition for the TRPs, media crosses the line between investigation and pushing an opinion. With due respect, private news channels have been accusers, investigators, participants in fomenting public agitations, to take us to the preconceived conclusions. They have grossly overstepped their role as vendors of news and opinion. But with criminal cases in court and when the court has passed judgement, the media should have no role till the process is complete. Of late, trial by media

Commenting on the confusing stage of affairs of the India press, Shri Mankekar a veteran journalist observed "since independence, the Indian press has remained stagnant and lost its idealism and, routineer and, Therefore, uninterpreting. The crusading spirit and zeal for public causes that distinguished the pre-independence press of the country are conspicuous by their absence in our present day newspaper .

CONCLUSION:

The press in India is a private business, largely owned by private individuals.

SUGGESTIONS:

- 1) 'Satyameva Jayate' is not merely a national motto but a guidelines for the press. The political essence of press autonomy is freedom blended with dedication to truth. The press should supply "truthful, objective and comprehensive news from all corners of the world".
- 2) The media has to publish that is in public interest and not what "public is interested in". The press has a duty to show that it serves public interest at large. It is also an essential duty of the press to strike that proper balance between the citizens right to privacy and people's right to information vis-a-vis the role of media that is the press, the press should boldly show its functional accountability.
- 3) The press has lost its credibility and is treated by the public with suspicion and distrust. No more the public takes the press into confidence. But it is now high time that the press should try to change its image by playing a different role in the society so that it can restore its credibility and gain the confidence of the public. This can be possible only when it is guided by self- imposed restraints. The press should accept certain responsibilities towards the society and work for public good. institutions. It can secure the trust and confidence of the people if it is public service oriented rather than profit motivated.

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