

CHAPTER 9

Development of Indian Press

James Augustus Hickey in 1780 started The Bengal Gazette or Calcutta General Advertiser, the first newspaper in India, which was seized in 1872 because of its outspoken criticism of the Government. Later more newspapers/journals came up—The Bengal Journal, Calcutta Chronicle, Madras Courier, Bombay Herald. The Company's officers were worried that these newspapers might reach London and expose their misdeeds. Thus they saw the need for curbs on the press.

EARLY REGULATIONS

Censorship of Press Act, 1799, Lord Wellesley enacted this, anticipating French invasion of India. It imposed almost wartime press restrictions including pre-censorship. These restrictions were relaxed under Lord

Hastings, who had progressive views, and in 1818, pre-censorship was dispensed with.

Licensing Regulations, 1823, The acting governor-general John Adams, who had reactionary views, enacted these. According to these regulations, starting or using a press without licence was a penal offence. These restrictions were directed chiefly against Indian language newspapers or those edited by Indians. Rammohan Roy's Mirat-ul-Akbar had to stop publication.

Press Act of 1835 or Metcalfe Act, Metcalfe (governor-general-1835-36) repealed the obnoxious 1823 ordinance and earned the epithet, "liberator of the Indian press". The new Press Act (1835) required a printer/publisher to give a precise account of premises of a publication and cease functioning, if required by a similar declaration.

The result of a liberal press policy was a rapid growth of newspapers.

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Licensing Act, 1857, Due to the emergency caused by the 1857 revolt, this Act imposed licensing restrictions in addition to the already existing registration procedure laid down by Metcalfe Act and the Government reserved the right to stop publication and circulation of any book, newspaper or printed matter.

Registration Act, 1867, This replaced Metcalfe's Act of 1835 and was of a regulatory, not restrictive, nature. As per the Act,

- (i) every book/newspaper was required to print the name of the printer and the publisher and the place of the publication; and
- (ii) a copy was to be submitted to the local government within one month of the publication of a book.

STRUGGLE BY EARLY NATIONALISTS TO SECURE PRESS FREEDOM

Right from the early nineteenth century, defence of civil liberties, including the freedom of the press, had been high on nationalist agenda. As early as 1824, Raja Rammohan Roy had protested against a resolution restricting the freedom of the press.

The early phase of nationalist movement from around 1870 to 1918 focussed more on political propaganda and education, formation and propagation of nationalist ideology and arousing, training, mobilisation and consolidation of public opinion, than on mass agitation or active mobilisation of masses through open meetings. For this purpose the press proved a crucial tool in the hands of the nationalists. The Indian National Congress in its early days relied solely on the press to propagate its resolutions and proceedings.

Many newspapers emerged during these years under distinguished and fearless journalists. These included Hindu and Swadesamitran under G. Subramaniya Aiyar, The Bengalee under Surendranath Banerjee, Voice of

India under Dadabhai Naoroji, Amrita Bazar Patrika under Sisir Kumar Ghosh and Motilal Ghosh, Indian Mirror under N.N. Sen, Kesari (in Marathi) and Maharatta (in English) under Balgangadhar Tilak, Sudharak under Gopal Krishna Gokhale, and Hindustan and

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Advocate under G.P. Verma. Other main newspapers included, Tribune and Akbhar-i-ant in Punjab, Gujarati, Indu Prakash, Dhyan Prakash and Kal in Bombay and Som Prakash, Banganivasi and Sadharani in Bengal.

These newspapers were not established as profit-making business ventures but were seen as rendering national and public service. In fact, these newspapers had a wide reach and they stimulated a library movement. Their impact was not limited to cities and towns; these newspapers reached the remote villages, where each news item and editorial would be read and discussed thoroughly in the 'local libraries' which would gather around a single newspaper. In this way, these libraries served the purpose of not only political education but also of political participation. In these newspapers, government acts and policies were put to critical scrutiny. They acted as an institution of opposition to the Government.

The Government on its part had enacted many strident laws, such as Section 124 A of the Indian Penal Code which provided that anyone trying to cause disaffection against the British Government in India was to be transported for life or for any term or imprisoned upto three years. But the nationalist-minded journalists had evolved many clever strategies to subvert these legal hurdles. For instance, writings hostile to the Government used to be prefaced with sentiments of loyalty to the Government or critical writings of socialists or Irish nationalists from newspapers in England used to be quoted. This was a difficult task which required an intelligent mix of simplicity with subtlety.

The national movement, from its very beginning, stood for the freedom of press. The Indian newspapers became highly critical of Lord Lytton's administration especially regarding its inhuman treatment to victims of the famine of 1876-77. The Government struck back with the Vernacular Press Act, 1878.

VERNACULAR PRESS ACT, 1878

A bitter legacy of the 1857 revolt was the racial bitterness between the ruler and the ruled. After 1858, the European

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press always rallied behind the Government in political controversies while the vernacular press was critical of the Government. There was a strong public opinion against the imperialistic policies of Lytton, compounded by terrible famine (1876-77), on the one hand, and lavish expenditure on the imperial Delhi Durbar, on the other.

The Vernacular Press Act (VPA) was designed to 'better control' the vernacular press and effectively punish and repress seditious writing. The provisions of the Act included the following.

1. The district magistrate was empowered to call upon the printer and publisher of any vernacular newspaper to enter into a bond with the Government undertaking not to cause disaffection against the Government or antipathy between persons of different religions, caste, race through published material; the printer and publisher could also be required to deposit security which could be forfeited if the regulation were contravened, and press equipment could be seized if the offence re-occurred.

2. The magistrate's action was final and no appeal could be made in a court of law.

3. A vernacular newspaper could get exemption from the operation of the Act by submitting proofs to a government censor.

The Act came to be nicknamed "the gagging Act". The worst features of this Act were

- (i) discrimination between English and vernacular press,
- (ii) no right of appeal.

Under VPA, proceedings were instituted against Som Prakash, Bharat Mihir, Dacca Prakash and Samachar. (Incidentally, the Amrita Bazar Patrika turned overnight into an English newspaper to escape the VPA.) Later, the pre-censorship clause was repealed, and a press commissioner was appointed to supply authentic and accurate news to the press. There was strong opposition to the Act and finally Ripon repealed it in 1882.

In 1883, Surendranath Banerjee became the first Indian

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journalist to be imprisoned. In an angry editorial in The Bengalee Banerjee had criticised a judge of Calcutta High Court for being insensitive to the religious sentiments of Bengalis in one of his judgements.

Balgangadhar Tilak is most frequently associated with the nationalist fight for the freedom of press. Tilak had been building up anti-imperialist sentiments among the public through Ganapati festivals (started in 1893), Shivaji festivals (started in 1896) and through his newspapers Kesari and Maharatta. He was among the first to advocate bringing the lower middle classes, the peasants, artisans and workers into the Congress fold. In 1896, he organised an all Maharashtra campaign for boycott of foreign cloth in opposition to imposition of excise duty on cotton. In 1896-97 he initiated a no-tax campaign in Maharashtra, urging farmers to withhold the payment of revenue if their crop had failed. In 1897, plague occurred in Poona. Although Tilak supported government measures to check plague, there was large-scale popular resentment against heartless and harsh methods such as segregation and house searches. The popular unrest resulted in murder of the chairman of the Plague Committee in Poona by the Chapekar brothers. The government policies on tariff, currency and famine were also behind this popular resentment.

The Government had been looking for an opportunity to check this militant trend and hostility in the press. They decided to make Tilak a victim to set an example to the public. Tilak was arrested after the murder of Rand on the basis of the publication of a poem, 'Shivaji's Utterances', in Kesari, and of a speech which Tilak had delivered at the Shivaji festival, justifying Afzal Khan's murder by Shivaji. Tilak's defence of Shivaji's killing of Afzal Khan was portrayed by the prosecution as an incitement to kill British officials. Tilak was held guilty and awarded rigorous imprisonment of eighteen months. Simultaneously several other editors in Bombay presidency were tried and given similar harsh sentences. There were widespread protests against these measures. Overnight Tilak became a national hero and was given the title of 'Lokmanya'

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(respected and honoured by the people)—a new leader who preached with his deeds.

In 1898, the Government amended Section 124A and added another Section 153A which made it a criminal offence for anyone to bring into contempt the Government of India or to create hatred among different classes, that is, vis-a-vis the English in India. This also led to nation-wide protests. During Swadeshi and Boycott Movements and due to rise of militant nationalist trends, several repressive laws were passed.

Newspaper (Incitement to Offences) Act, 1908 Aimed against Extremist nationalist activity, the Act empowered the magistrates to confiscate press property which published objectionable material likely to cause incitement to murder/ acts of violence.

Indian Press Act, 1910 This Act revived the worst features of the VPA—local government was empowered to demand a security at registration from the printer/publisher and forfeit/deregister if it was an offending newspaper, and the printer of a newspaper was required to submit two copies of each issue to local government free of charge.

Tilak as the leader of militant nationalists was tried on charges of sedition and transported to Mandalay (Burma) for six years. This led to countrywide protests. In Bombay, textile workers and railway workshop workers took on the Army in streets and went on strike for days. Lenin hailed this as the entrance of the Indian working class on the political stage.

DURING AND AFTER THE FIRST WORLD WAR, Defence of India Rules were imposed for repression of political agitation and free public criticism during the First World War. In 1921, on the recommendations of a Press Committee chaired by Tej Bahadur Sapru, the Press Acts of 1908 and 1910 were repealed.

Indian Press (Emergency Powers) Act, 1931, This Act gave sweeping powers to provincial governments to suppress propaganda for Civil Disobedience Movement. It was further

amplified in 1932 to include all activities calculated to undermine government authority.

DURING THE SECOND WORLD WAR Under the Defence of India Rules, pre-censorship was imposed and amendments made in Press Emergency Act and Official Secrets Act. At one time, publication of all news related to Congress activity was declared illegal.

AFTER INDEPENDENCE

Press Enquiry Committee, 1947, The Committee was set up to examine press laws in the light of fundamental rights formulated by the Constituent Assembly. It recommended repeal of Indian Emergency Powers Act, 1931, amendments in Press and Registration of Books Act, modifications in Sections 124-A and 156-A of IPC, among others.

Press (Objectionable Matters) Act, 1951, The Act was passed along with amendment to Article 19 (2) of the Constitution. The Act empowered the government to demand and forfeit security for publication of "objectionable matter". Aggrieved owners and printers were given right to demand trial by jury. It remained in force till 1956.

Press Commission under Justice Rajadhyaksha, The commission recommended in 1954 the establishing of All India Press Council, fixing the press-page schedule system for newspapers, banning crossword puzzle competitions, evolving a strict code of advertisements by newspapers, and the desirability of preventing concentration in ownership of Indian newspapers.

Other Acts passed include Delivering of Books and Newspapers (Public Libraries) Act, 1954; Working Journalists (Conditions of Services) and Miscellaneous Provisions Act; 1955; Newspaper (Price and Page) Act, 1956; and Parliamentary Proceedings (Protection of Publications) Act, 1960.