

## FACULTY OF JURIDICAL SCIENCES

COURSE: LL.M. 1st Semester

**GROUP:** Constitutional Law

**SUBJECT:** Media Law

SUBJECT CODE: LL.M. 110

NAME OF FACULTY: Ms. Anjali Dixit



# Lecture-2



#### The Media Fans Spirit of Independence

It was in 1822, that social reformer Raja Ram Mohan Roy began the awakening of the Indian public for independence through his publications. Roy is credited with the first vernacular newspapers in Bengali and Persian called Sambad Kaumidi and Mirat-ul-Akhbar, respectively. As a reformist he used his publications to spread awareness about social evils like "Sati" (a barbaric practice where the wife of a deceased man immolates herself on her husband's pyre). Lord William Bentinck, a relatively liberal Governor General at the time, supported Indian efforts at reforms, which resulted in 33 English language and 16 Indian language publications in India by the year 1830. The first Hindi language newspaper was the "Udant Martand" (The Rising Sun), first published in the year 1826 as a weekly by Pandit Jugal Kishore Shukla, a lawyer by profession. As the voice of the native language press was in particular expressive and strong with its views against the British government, a law called the Vernacular Press Act was brought in 1878 to curb the non-English, Indian language press. The Act, issued by the then Viceroy, Lord Lytton, clearly intended to stop the vernacular press from criticising the government's policies. Since the reach of the vernacular press was constantly rising, the Act was intended as a method to stop spreading unrest against the British rule. It was later repealed by Lord Rippon in 1881. Throughout time several newspapers played important roles for India on its way towards independence such as the Indian owned platform the "Tribune". After covering the "Amritsar Massacre" in 1919, it was shut down and its editor, Kali Nath Ray had been sent to jail.

#### The Governments Role in Radio Broadcasting

Radio in India has an interesting origin. In 1923 and 1924 3 Radio Clubs in Bombay, Calcutta and Madras (today Chennai) started their services airing mostly music and talks for a couple of hours a day. Due to financial issues, they had to shut down already in 1927. Under an agreement between the Indian Government and a private company, operating under the name Indian Broadcasting Company Ltd. (IBC) a broadcasting service was set up the same year in Bombay and Calcutta followed by a shutdown of the IBC and the government taking over their assets. Subsequently, the Department of Labour and Industries, under a new name – the Indian State

Broadcasting Corporation, started operations on a trial basis. Since then Radio broadcasting in India has been under the government control. In 1936, the company was renamed All India Radio – AIR – as the state-run radio service. In 1956, the state broadcaster, All India Radio was again renamed "Akashvani" (Voice From The Sky). A year later, AIR launched Vividh Bharati (roughly translated, Variety India) – with film music as its mainstay. Nowadays AIR, as well as private commercial radio stations (FM) and community radio stations make up the radio landscape of India. Although FM-Stations are allowed to air the unaltered news, produced by All India Radio, they are restricted by law to produce news themselves. As of the TRAI Consultation Paper on Issues related to Digital Radio Broadcasting in India, AIR covers, with 420 radio stations, almost 92% of the country and 99.20% of the whole population. That makes radio a particularly strong tool for the government to maintain control over news production and public opinion, especially due to the low literacy rates in rural areas where a major amount of the public might not afford a TV or be able to read a newspaper. This might also explain the heavy regulation that exists in the radio broadcast media which is put in place for 'the safety of the country, national security and public order'.

#### Television

Subheader Television in India began at a very modest note. From a test transmission beginning on 15 September 1959, television grew wings as the years rolled on. Until 1975, only seven Indian cities had access to Doordarshan, the national television service run by the government. In 1982, under Prime Minister Indira Gandhi, colour television arrived in India. But it was not until 1991 that things changed dramatically for the Indian television viewer. With CNN beaming the 1991 Gulf War live into Indian homes, the country got a taste of international television - up, close and personal. Coincidentally, it was the same year when the Indian government opened up the economy and allowed private satellite television channels to beam into India. For the first time, Indian viewers got a chance to watch non-Doordarshan shows, were spoilt for choice and for the first time many television networks including Sun Network, Zee Network and STAR Network became household names. STAR in particular, aired some of the famous English serials from foreign countries and suddenly, India had unrestricted access to these global entertainment properties. A look at the current media scenario overall will give a sense of the magnitude of explosion the sector has seen in India. Today there are 1,18,239 media publications, 38,933 weekly newspapers and magazines, 17,160 daily newspapers, more than 880 satellite television channels, more than 380 news television channels, and 550+ non-news entertainment radio stations. According to the statistics portal Statista, the pay TV penetration in India by cable and satellite was 82% in the year 2018 and is likely to grow to 84% by the year 2023.

#### **Challenges for the Indian Media**

Encouraging throughout the scenario today, Indian media has had to go through some upheavals at different points in its history. In 1975, an embattled Prime Minister of the country, Mrs Indira Gandhi – faced with many charges of corruption and misuse of authority declared Internal Emergency in the country. Fundamental rights were suspended and press freedom was curtailed. Much later, when Mrs. Gandhi's son, Rajiv Gandhi was the Prime Minister, he tried to bring in an Anti-Defamation Law against what was called as "criminal imputation" and "scurrilous writings", effectively discouraging journalists from investigating the government. Gandhi later withdrew the Bill, faced with extraordinary protest from around the country. Even in the current government headed by Narendra Modi, there is an overwhelming feeling that the Press does not get to do its job, and dissent is not taken kindly by the political class.

Despite challenges, Indian media is one of the most enduring features of its democracy. Though faced with challenges repeatedly, the media has tried to play the role of a watchdog, and has, quite often, justified the title of being the fourth pillar of Indian democracy.

### **SELF-TEST QUESTIONS**

S.NO	Question	<b>Option</b> (a)	Option (b)
1.	social reformer Raja Ram Mohan Roy began the awakening of the Indian public for independence through his publications	True	False
2.	Roy is credited with the first vernacular newspapers in Bengali and Persian called Sambad Kaumidi and Mirat-ul-Akhbar, respectively	True	False
3.	Lord William Bentinck, a relatively liberal Governor General at the time, supported Indian efforts at reforms, which resulted in 33 English language and 16 Indian language publications in India by the year 1830.	True	False
4.	The first Hindi language newspaper was the "Udant Martand"	True	False
5.	Vernacular Press Act was brought in 1878 to curb the non-English, Indian language press.	True	False

Answers: 1-(b),2-(a), 3-(a),4-(a),5-(a)