



FACULTY OF JURIDICAL SCIENCES

COURSE: LL.M. 1st Semester

GROUP: Constitutional Law

SUBJECT: Media Law

SUBJECT CODE: LL.M. 110

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Lecture-9



LECTURE 9: Indian Legislations

Indian Legislations Dealing With The Functioning of Press

The Press and Registration of Books Act, 1867 This Act regulates printing presses and newspapers and makes registration with an appointed Authority compulsory for all printing presses.

The Press (Objectionable Matters) Act, 1951 This enactment provides against the printing and publication of incitement to crime and other objectionable matters.

The Newspaper (Prices and Pages) Act, 1956 This statute empowers the Central Government to regulate the price of newspapers in relation to the number of pages and size and also to regulate the allocation of space to be allowed for advertising matter.

Defence of India Act, 1962 This Act came into force during the Emergency proclaimed in 1962. This Act aimed at restricting the Freedom of the Press to a large extent keeping in mind the unrest prevailing in India in lieu of the war against China. The Act empowered the Central Government to issue rules with regard to prohibition of publication or communication prejudicial to the civil defence/military operations, prevention of prejudicial reports and prohibition of printing or publishing any matter in any newspaper.

Delivery of Books and Newspapers (Public Libraries) Act, 1954 According to this Act, the publishers of books and newspapers are required to deliver, free of cost, a copy of every published book to the National Library at Calcutta and one copy each to three other public libraries specified by the Central Government.

The Working Journalists and other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act, 1955 It lays down the minimum standards of service conditions for newspaper employees and journalists.

Civil Defence Act, 1968 - It allows the Government to make rules for the prohibition of printing and publication of any book, newspaper or other document prejudicial to the Civil Defence.

Press Council Act, 1978 Under this Act, the Press Council was reconstituted (after 1976) to maintain and improve the standards of newspaper and news agencies in India. Although on one hand, the Constitution confers the fundamental right of freedom of the press, Article 105 (2) provides certain restrictions on the publications of the proceedings in Parliament.

Broadcast- the broadcast media was under complete monopoly of the Government of India. Private organizations were involved only in commercial advertising and sponsorships of programmes. However, in *Secretary, Ministry of I&B v. CAB*, [(1995) 2 SCC 161] the Supreme Court clearly differed from the aforementioned monopolistic approach and emphasized that, every citizen has a right to telecast and broadcast to the viewers/listeners any important event through electronic media, television or radio and also provided that the Government had no monopoly over such electronic media as such monopolistic power of the Government was not mentioned anywhere in the Constitution or in any other law prevailing in the country.

The Broadcasting Code- adopted by the Fourth Asian Broadcasting Conference in 1962 listing certain cardinal principles to be followed by the electronic media, is of prime importance so far as laws governing broadcast medium are concerned.

Cable Television Networks (Regulation) Act, 1995

basically regulates the operation of Cable Television in the territory of India and regulates the subscription rates and the total number of total subscribers receiving programmes transmitted in the basic tier.

Direct-to-Home Broadcasting Direct-to-Home (DTH) Broadcasting Service, refers to distribution of multi-channel TV programmes in Ku Band by using a satellite system and by providing TV signals directly to the subscribers premises without passing through an intermediary such as a cable operator. The Union Government has decided to permit Direct-to-Home TV service in Ku band in India.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	The Press and Registration of Books Act, 1867 regulates printing presses and newspapers and makes registration with an appointed Authority compulsory for all printing presses.	True	False
2.	The Press (Objectionable Matters) Act, 1951 provides against the printing and publication of incitement to crime and other objectionable matters.	True	False
3.	The freedom of expression and the freedom to receive and impart information are corollary of one another. In fact, there is an overlap between the freedom of expression and the freedom to receive or impart information.	True	False
4.	Defence of India Act, 1962 came into force during the Emergency proclaimed in 1962	True	False
5.	Delivery of Books and Newspapers (Public Libraries) Act, 1954 said that the publishers of books and newspapers are required to deliver, free of cost, a copy of every published book to the National Library at Calcutta and one copy each to three other public libraries specified by the Central Government.	True	False

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