

PRESS COMMISSION REPORT

[Comments and Reactions]



LOK SABHA SECRETARIAT
NEW DELHI
June, 1955

PREFACE

This brochure is a resume of representative press and public comments on the Press Commission Report. For facility of reference important recommendations of the Commission have been divided into 50 broad heads and reactions to them given against each. The endeavour has been to be brief in presentation without excluding any important recommendation or comment thereto whether for or against the particular recommendation.

The Report of the Press Commission is an important document and has been widely discussed in the Indian Press. When it comes up for discussion in the Houses of Parliament, it is hoped, this brochure will prove helpful to the Members of Parliament.

June, 1955.

M. N. KAUL,

Secretary.

CONTENTS

	PAGES
Preface	
List of Abbreviations Used	i-ii
I. INTRODUCTION	1-4
Background to the Press Commission, the Commission is born—its working and Report—interesting facts about, constitution of the Commission, terms of reference, summary of the Report published, recommendations of the Commission, Governmental reactions and assurances.	
II. PRESS COMMISSION REPORT—PRESS AND PUBLIC REACTIONS IN GENERAL	5-12
(A) Editorials.	
(B) Resolutions.	
(C) Miscellaneous.	
III. IMPORTANT RECOMMENDATIONS OF THE COMMISSION—PRESS AND PUBLIC REACTION	
I—Standards of Journalism—code of ethics, Press Council, cess on news-print.	13-20
II—State Trading Corporation.	20-21
III—Working journalists—Recruitment and training, apprentices, refresher courses, Press Institute, conditions of service—minimum wage and D.A., disparity, bonus, retirement, gratuity and provident fund, punishments, promotions, hours of work, holidays, Sundays, leave rules, trade unions, settlement of disputes and application of Industrial Relations Legislation, other facilities and amenities—facility for travel, library, research and reference branch, mofussil correspondents and other reporters, foreign correspondents, free lancers, foreigners' employment.	21-35
IV—Editor's Status and Independence—News policy, policy of the paper, unpopular comment, news coverage.	35-37
V—Newspaper Ownership, Control and Motivation—newspaper a public utility, restraint and regulation essential, tendency towards joint stock companies, missionary spirit and profit motive, exercise of proprietary rights and interference with professional standards, diffusion of ownership, concentration, profit motive and return of capital, multiple editions.	37-44
VI—Sale and Distribution of Newspapers—circulation, concentration and district papers, unfair competition and price-page-schedule, commission to news-agents, free and unsold copies, freight and air transport charges	44-52
VII—Advertisements—advertisement-supplements, quantum of advertisement, Government advertisements and tariff, advertisement in chain papers, market research, pressure from advertisers, code of advertising, objectionable and fraudulent advertisements, Advertising Councils	52-56
VIII—News-Agencies and Feature Syndicates—relationship with the State, objectivity of service, number of agencies, coverage of foreign news, categories of service, tariffs for news service, commercial service, regional news, service for foreign papers, P. T. I., U.P.I., feature services and feature syndicates	56-61

	PAGES
IX—Government and the Press—appreciation of the Press and publicity of individuals and State activities, information directorates, liaison between the Government and the Press, Accreditation Committee, Press Advisory Committee	61-62
X—Press Laws—comprehensive act to regulate the industry, central control, Constitution of India, the Press (Objectionable Matter) Act, the Press (Registration of Books) Act, copy to National Library, Press Registrar, Indian Post Office Act, concession to genuine papers, postal service, cable and wireless charges, Official Secrets Act, Indian Penal Code, yellow journalism and astrological predictions, crossword puzzles, Criminal Procedure Code, Sea Customs Act, contempt of Court, contempt of Legislature and breach of privilege	63-73
IV.—PRESS AND PUBLIC COMMENTS ON THE WORKING JOURNALISTS (INDUSTRIAL DISPUTES) ACT, 1955, MINISTERIAL STATEMENTS AND THE STATEMENT LAID ON THE TABLE OF THE HOUSE.	73-77
APPENDICES—	
1. The Working Journalists (Industrial Disputes) Act I of 1955.	78
2. Statement of the Conclusions reached in respect of recommendations of the Press Commission (Laid on the Table of the Lok Sabha/Rajya Sabha on Wednesday, the 22nd December, 1954.)	79-86
3. Important <i>Obiter Dicta</i> (and some definitions from Press Commission Report).	
Freedom of Expression, Working Journalists, News, Crowd . Judgment, Minimum Wage, Editor, Feature Syndicates.	87-88
4. The List of Organisations, Newspapers, Periodicals and prominent persons whose comments on the Press Commission Report have been cited in the brochure.	89-91
5. Lok Sabha Questions.	92-94
6. Chronology.	95-96
7. Review of the Press Laws of India.	97-112
8. Bibliography.	
Important Indian enactments, Reports and Statements, reference books, select books, select articles, editorials, debates and addresses.	113-122

LIST OF ABBREVIATIONS USED

A.B.P.	Amrit Bazar Patrika.
A.D.W.J.U.	Ambala District Working Journalists' Union
A.I.N.E.C.	All India Newspaper Editors' Conference.
A.P.	Andhra Patrika.
A.T.	Assam Tribune.
B.C.	The Bombay Chronicle.
B.D.P.T.I.	Board of Directors of the Press Trust of India.
C.D.J.A.	Cachar District Journalists' Association.
J.	Chief Justice.
C.M.G.	Civil & Military Gazette.
D.S.	The Delhi Sabha.
E.C.B.U.J.	Executive Committee of Bombay Union of Journalists.
Ed.	Editorial
E.W.	The Economic Weekly.
F.E., C.I.F.W.J.	Federal Executive Council of Indian Federation of Working Journalists.
F.P.J.	Free Press Journal.
G.C.D.C.	General Council of Deccan Suona.
G.P.	Golkonda Patrika.
G.W.J.C.	Gujarat Working Journalists' Conference.
H.C.	High Court.
H.T.	The Hindustan Times.
H.S.	The Hindusthan Standard.
I.E.	Indian Express.
I.N.	Indian Nation.
I.E.N.S.	Indian and Eastern Newspaper Society.
I.F.W.J.	Indian Federation of Working Journalists.
I.L.N.A.	Indian Language Newspapers' Association.
I.S.A.	Indian Society of Advertisers.
I.T.U.C.	Indian Trade Union Congress.
K.P.	Kashmir Post.
K.W.J.U.	Kanpur Working Journalists' Union.
L.V.	Lok Vani.
M.G.	Manchester Guardian.
M.J.A.	Madurai Journalists' Association.
M.P.U.W.J.	Madhya Pradesh Union of Working Journalists.
M.U.J.	Madras Union of Journalists.
N.A.C.M.P.U.W.J.	Nagpur Area Committee of the Madhya Pradesh Union of Working Journalists.
N.B.T.	Nava Bharat Times.
N.H.	National Herald.
N.G.A.	Nowgong Journalists' Association.

(ii)

N J.	Nav Jeevan.
p.	Page.
P.C.R.	Press Commission Report.
pp.	Pages.
P.T.A.	Paper Traders' Association.
R.W.J.U.	Rajasthan Working Journalists' Union.
S.B.	Swatantra Bharat.
S.C.A.I.N.E.C.	Standing Committee of the All India Newspaper Editors' Conference.
S.I.J.F.	Southern India Journalists' Federation.
S.S.	Sunday Standard.
S.T.	Sunday Tribune.
T.I.	Times of India.
U.P.W.J.U.	Uttar Pradesh Working Journalists' Union.
V.A.	Veer Arjun.
W.C.I.N.T.U.C.	Working Committee of the Indian National Trade Union Congress.
W.C.P.S.W.J.A.	Working Committee of Punjab State Working Journalists' Association.
Z.R.	Zamin Ryot.



सत्यमेव जयते

I. INTRODUCTION

During the debate in Parliament on the Constitution (First Amendment) Bill, 1951, the Prime Minister had suggested the appointment of a commission, including representatives of the Press, to examine the state of the Indian Press and its content. In his address delivered to the Parliament on May 16, 1952 the President announced that the Government hoped to appoint in the near future a Commission to consider various matters connected with the Press.

On October 3, 1952. the Press Commission was appointed*, its report was submitted on July 17, 1954** The Press Commission began its actual work on October 11, 1952 and completed it on July 14, 1954. It received 150 preliminary memoranda, examined 414 witnesses, heard amongst others three Chief Ministers of States and three Cabinet Ministers of the Union, held 14 sessions in all, each extending over ten days and an amount of Rs. 6,00,546*** was spent on it from the Government exchequer. The Press Commission headed by Mr. Justice Rajadhyaksha consisted of the following 10 members:

Dr. C. P. Ramaswamy Aiyar,
Acharya Narendra Deva,
Dr. Zakir Hussain,
Dr. V. K. R. V. Rao,
Mr. P. H. Patwardhan,
Mr. T. N. Singh,
Mr. Jaipal Singh,
Mr. A. D. Mani,
Mr. A. R. Bhat and
Mr. M. Chelapathi Rau.

The Commission's terms of reference were to enquire into the state of the Press in India, its present and future lines of development and *inter alia* to examine:

- (1) The control, management and ownership and financial structure of newspapers and news agencies;
- (2) The working of monopolies and chains and their effect on the presentation of accurate news and fair views;

*The appointment of the Press Commission was announced in a *communique* issued by Government of India, Ministry of Information and Broadcasting on the 23rd September, 1952 which followed by their Notification No. 10/1/52-IP, dated the 3rd October, 1952 published in the *Gazette of India*.

**Signed on the 14th July, 1954.

***Dr. Keskar in a written reply to a question in the Lok Sabha on 1st December, 1954.

- (3) The effect of external influences as may have a bearing on the development of healthy journalism;
- (4) Conditions of employment of working journalists, settlement of disputes affecting them and factors which influence the establishment and maintenance of high professional standards;
- (5) Machinery for, (a) ensuring high standards of journalism and (b) liaison between Government and the Press; and
- (6) Freedom of the Press and repeal or amendment of laws not in consonance with it; and to make recommendations thereon.

In December 1952, a comprehensive questionnaire was prepared by the Commission and distributed to Members of Parliament, journalists, State Governments, associations of working journalists and interests connected with the newspaper industry. The Commission also called for financial statements and statistics from newspapers and news agencies. The transcript of oral evidence taken by the Commission and written memoranda submitted to it by newspapers and news agencies ran into 10,000 pages.

The preliminary summary of the important recommendations of the Commission was published by the Government on July 26, 1954 for public information. Set in eight point type, the first part of the Report runs into 538 pages and is said to have been printed in record time. It was submitted in full on August 23, 1954 and was presented to both the Houses of Parliament the same day. Parts II and III of the Report were published on January 9, 1955.

The constitution of an All-India Press Council to be charged with the task of safeguarding the freedom of the Press and helping the Press, to maintain its independence, the formulation of a code of ethics for journalists, the appointment of a Press Registrar to collect and maintain factual information about the Press, the establishment of a State Trading Corporation to deal with the newsprint supply, a price-page schedule for newspapers, making the industry concerned with publication of newspapers and periodicals a Central responsibility, banning of publication of entryforms for prize-competitions in journals and periodicals and a strict limit on and code of advertising are some of the suggestions made by the Commission.

On September 8, 1954, Dr. Keskar indicated in the Lok Sabha that the Press Commission's recommendations might be implemented in stages. Replying to a question whether the Government could give any estimate of time that was likely to be taken for considering and finalising the action on the Report, Dr. Keskar said :

Recommendations of the Commission are varied and cover a very wide field but there are certain recommendations of the Commission which are important, as for example, those affecting working journalists, and, again for example, those affecting the question of the Press Act

It is possible that certain recommendations of the Commission might be considered before certain others. So, it is possible that Government might take up looking into the implementation of certain important recommendations first, while leaving the others to be considered by the bodies concerned.*

On October 12, 1954, Dr. Keskar declared at Bombay that most of the recommendations of the Press Commission would be implemented as far as working journalists were concerned. Again on October 17, Dr. Keskar told some reporters at Bangalore that the Report of the Commission was under the active consideration of the Government and that the Union Government would not necessarily await for the opinions of the State Governments for the implementation of the recommendations. He added "you will see something coming out very soon". On October 18, 1954, the Union Information Minister assured that some recommendations of the Press Commission would be implemented by the end of November 1954.

On November 13, 1954 the Prime Minister stated at a Press Conference that the Government of India were examining the recommendations contained in the Report of the Press Commission and that majority of the recommendations were likely to be accepted by the Government. Again, on November 23, 1954 Dr. Keskar announced in the Lok Sabha:

The Press Commission have made 35 recommendations the implementation of which will require acceptance by Government with a view either to legislative action, administrative orders or executive instructions. In addition, they have also made recommendations which are for implementation primarily by the various sectors of the newspaper industry. Although it is difficult to state in advance how many of the recommendations will be given effect to immediately by Government, every endeavour will be made to signify Government's decision before long on the great majority of the recommendations, especially those which depend for implementation upon acceptance by Government. One such recommendation, *viz.*, of applying the Industrial Disputes Act to working journalists has already been accepted and is being given effect to.

The Minister declared further that he hoped to lay on the Table of the House within a fortnight, a statement giving the position regarding most of the recommendations of the Press Commission. The promised statement** was laid on the Table of the House on December 22, 1954. On January 17, 1955 Dr. Keskar repeated the assurance of an early implementation of the recommendations. The Working Journalists (Industrial Disputes) Bill, 1955 was introduced

*Parliamentary Debates, Lok Sabha, Part I, September 8, 1954, Q. 636.

†Parliamentary Debates, Lok Sabha, Part I, November 23, 1954, Q. 285.

**Appendix 2 of this brochure.

in the Rajya Sabha on February 24, 1955 and became Act I of 1955* on March 12, 1955, when it received the President's assent after being passed by both the Houses of Parliament.

On March 31, 1955 Dr. Keskar referred to two or three further Bills that were likely to be introduced in connection with the implementation of the Press Commission's recommendations. Prime Minister, Nehru also declared on May 31, 1955 that he did not think it was correct to say that the Government considered most of the recommendations of the Press Commission impracticable.



सत्यमेव जयते

*Appendix 1 of this brochure.

II. PRESS COMMISSION REPORT—PRESS AND PUBLIC REACTIONS IN GENERAL

(A) Editorials

It is obvious that every point of view cannot be satisfied with the conclusions reached but it should be satisfied that no argument has been ignored or overlooked. The subject was controversial in every respect. The Commission was appointed in the heat of controversy..

The Press Commission has made the first comprehensive survey of a hitherto uncharted field of enterprise which touching as it does on life at every point, is, in fact, life itself in all its aspects..... It is wise to remember that editors and newspapers will be judged by the verdict they pass on the Press Commission's Report.

—*Tribune*. Ed., 28-7-54.

Whatever the newspaper proprietors, newspaper employees or the Government may think of the report, Parliament will be entitled to apply the basis of public interest for whatever measures it undertakes, to implement Commission's recommendations.

It is, however, not public interest or even the interest of the press at large that is being reflected in the reactions of newspapers and newspaper organisations to the report..... Neither the Government nor the public need be misled into thinking that the reactions of the five or fifteen newspaper owners, with their main and subsidiary publications and with their main and subsidiary editorial megaphones represent the reactions of the Indian press.

—*N.H.*, Ed., 24-8-54.

The recommendations of the Press Commission have not evoked much enthusiasm, nor has it caused any disappointment. In any case, the recommendations of the Commission deserve to be accepted and implemented. This is the first comprehensive step in the history of journalism in this country to bring the profession on a sound and regular basis.

—*I.N.* 3-8-54.

When the Commission was set up, Kashmir, owing to its peculiar constitutional position, was excluded from the field of its enquiry. Conditions have changed and the Indian Constitution has now been made applicable to this State.

It is, therefore, reasonable to demand that the press Commission's recommendations should apply to the press in Jammu and Kashmir also. It is hoped that the Government will consider this question and take suitable steps.

—*Kashmir Post*, Ed., 6-8-54.

The Indian Congress Party may be a little disappointed by the report of the Indian Press Commission Congress is in favour of a more extended control of the Press than the Constitution allows, even after the amendments made three years ago The Commission thinks that the discipline of the Press in what it publishes should be left to the Press itself through the instrumentality of the Press Council. It is a good thing that the Indian Government has not been encouraged to further restrictive legislation or constitutional amendment.

—*Manchester Guardian*, Ed., 19-8-54.

There can be no doubt that the conclusions of the Press Commission are based on facts and figures and an impartial assessment of the evidence collected by the Commission.

The Commission's recommendations hold out the promise of a "new deal" for working journalists but many aspects of the report are bound to raise a controversy, especially the suggestion regarding the price-page system and a Government monopoly over the newsprint supply.

—*F.P.J.*, Ed., 26-7-54

It is gratifying that the Commission has something positive to say about all aspects of the newspaper industry. It is not vague on any issue. Of course it is a foregone conclusion that various interests will not find the findings all to their taste. While in details the Commission is likely to have erred, the main purpose of the enquiry has been to help raise the morale of a free press in the country and to curb some unhealthy tendencies. It is to be hoped that in the disputes over details, the main recommendations will not get lost.

—*F.P.J.*, Ed., 24-8-54.

The Press Commission.....has brought to its task not only industry but great earnestness of purpose. It has made a number of valuable if incidental suggestions, and these will not doubt receive the most careful consideration at the hands of all the parties and interests concerned. But we are constrained to observe that, the Commission's conclusions and recommendations betray a want of perspective in viewing the problems of journalism in this country and a marked inability to make a constructive approach to their solution.

.....Indian journalism is still in rudimentary condition... hardly ripe for so portentous an inquest or likely to benefit by such niggling regulation and bureaucratic control as the Commission proposes.....

.....the Commission, makes recommendations which, if accepted, would have the effect of putting back the hands of the clock for the industry as a whole.

—*The Hindu*, Ed., 24-8-54.

....The recommendations of the Commission will be judged mainly from this point of view: how far will they enable the newspaper industry to grow, both in the sense of increased circulation

for existing papers and increasing the number of newspapers published. This can be brought about only by widening the scope for public service which the newspapers render.

—H.T., Ed., 26-7-54.

....Newspaper-men of good standing will welcome all recommendations of the Press Commission designed to safeguard the freedom of the Press, help it to maintain its independence, and to pursue a code of ethics in keeping with the high responsibility which journalism imposes upon its followers.....What will give India a good, honest, fearless, independent Press will best serve the interests of her people and conduce to the progress of the country generally. The Commission holds that view, and doing so has ensured a ready welcome for its full report.....We do not doubt that it will dissolve many misunderstandings and misconceptions regarding newspapers generally.

—The Mail, Ed., 26-7-1954.

....No other Press Commission, not even the Royal Press Commission in Britain, had done a more exhaustive and painstaking survey. The field it set itself out to cover was immense and largely virgin.

—The Pioneer, Ed., 25-8-1954.

Since the Press Commission's recommendations cover the press industry as a whole, it is necessary that the Government should seek to implement the full report.

—Leader, Ed., 22-2-55.

The Press Commission has made no recommendations about giving a proper place to Indian language journalism particularly Hindi journalism. It is doubtful if the Commission considered the question at all. It has left the Indian journalism alone to steer its way through financial whirlpools. It is apprehended that the legislation based on the recommendations of the Press Commission would make it difficult for the Indian language papers to continue their existence.....A new danger has arisen for the Hindi and Indian language newspapers.

—Aj, Ed., (Hindi Daily), 28-7-54.

The Commission has shown lip sympathy with the small papers, but it has not made an attempt to go deeper into their problems.

—S.B., (Hindi Daily), Ed., 27-7-54.

On the whole impartial commentators would welcome the report..... There should be no haste in legislation and the matter should be seriously considered.

—Vishwamitra (Hindi Daily), Ed., 27-7-54.

The report can be termed as the Magna Carta of the Indian press.

—Nav Jeevan (Hindi Daily), Ed., 27-7-54.

It appears that the Commission regarded a crime to publish and successfully conduct a paper

—*Veer Arjun* (Hindi Daily), Ed., 29-7-54.

The recommendations of the Commission will help the development of newspaper industry and raise the moral and economic standard of the people who are engaged in this profession.

—*San Marg* (Hindi Daily), Ed., 27-7-54.

It is hoped that the Government will give sufficient time for all the interests to study the report and express their views. It is particularly necessary because of the fact that the Commission has not been constituted in keeping with the wide range of its terms of reference and that really experienced journalists who could have proved an asset to the Commission have not been included in it.

—*Swadesamitran* (Tamil Daily), Ed., 31-7-54

The Press Commission has taken pains to raise the status and prestige of journalists. The valuable recommendations of the Commission have been made possible only because the Commission has been manned with really experienced persons who have realised the purpose of the Press

—*Thyaganadu* (Tamil Daily), Ed. 27-7-54.

It is clear from the Press Commission's report that the only one industry which is thriving and flourishing without any protection from the Government but based completely on the popular support alone is the newspaper industry. Yet the Press Commission did not suggest anything to stabilise this industry in its report.....On the whole we have to say that the recommendations of the Press Commission are neither helpful to develop the newspaper industry nor to improve the conditions of service of those who are working in the industry.

—*A.P.* (Telugu Daily), Ed., 28-7-54.

The Commission has made many proposals, but even if they are carried out, the responsibility for the progress of the Press will depend mainly on the owners and the journalists. The Commission has covered well-trodden ground with praiseworthy thoroughness, but much unmapped country is ahead. It is for the adventurous and enterprising minds in the industry and in the trade to carry the task to success.

—*B.C.*, Ed., 23-8-54.

(B) Resolutions

The proprietors of the language newspapers should take the steps for implementing the recommendations of the Press Commission.

—*M.P.U.W.J.*, I.E., 5-10-54.

The Central Government should take immediate steps to implement the recommendations of the Press Commission, particularly those relating to conditions of service, minimum wage, bonus, provident fund, gratuity and leave, reorganisation of the Press Trust of India and the United Press of India and the setting up of an All-India Press Council.

—R.W.J.U., *I.E.*, 11-10-54.

The recommendations of the Press Commission relating to the working journalists are welcome and the Working Committee of the I.N.T.U.C. requests the Government of India to take steps to implement the same.

—W.C.I.N.T.U.C., *Hindu*, 19-10-54.

The recommendations of the Commission are interlinked and they would have to be put into effect as a whole if the goal desired by the Commission is to be achieved. It is hoped that the Government will soon take a decision and implement the recommendations as early as possible.

—Deccan Sabha, *H.S.*, 24-10-54.

Any attempt to implement the recommendations of the Press Commission in a piecemeal manner will spell ruin on small and medium newspapers all over the country.

—I.L.N.A., *F.P.J.*, 29-10-54.

The Government of India should give immediate effect to the recommendations of the Press Commission.

—C.D.J.A., *A.T.*, 7-12-54.

The Association requests the Union Government to implement all the recommendations of the Press Commission in their entirety.

—M.J.A., *Leader*, 8-12-54.

The Government should implement the Press Commission's report without delay. In the opinion of the Council such delay was causing harm to the working journalists.

—F.E.C.I.F.W.J., *N.H.*, 21-2-55.

The Executive Committee of the Bombay Union of Journalists views with great concern the delay caused by the Union Government in implementing the recommendations of the Press Commission particularly in regard to service conditions of working journalists.

—E.C.B.U.J., *H.S.*, 25-5-55.

The recommendations of the Press Commission should be implemented without any further delay.

—A.W.J.U., *Tribune*, 29-1-55.

(The Commission's) recommendations are generally equitable and there should be no objection to their being enforced by legislation.

—S.C., A.I.N.E.C., 22-9-54.

".....the Government of India.....(should) implement its (Press Commission's) recommendations and take immediate measures to see that working journalists did not suffer any victimization in the interim period between the publication and implementation of the Report."

—G.W.J.C., 22-8-54.

The Directors of the P.T.I. consider the recommendations of the Press Commission retrograde and impracticable and request the Government not to implement the same.....

—Board of Directors of P.T.I., 14-10-54.

(C) Miscellaneous

Since the Commission was a body of eminent personalities who had made the recommendations after great deliberations, there was no call on the part of the Government to think of a piecemeal acceptance of the recommendations of the Commission, as suggested in certain quarters.

—A. H. Bhat, President, I.L.N.A., *F.P.J.*, 3-11-54.

It is hoped that the Press Commission's report will not be kept in cold storage but will be implemented as early as possible. The implementation of some of the recommendations of the Press Commission to the exclusion of some others will not solve the problem which faces the working journalists at present. The Government should implement the Rajadhyaksha report in its entirety.

—S. K. Patil, President, B.P.C.C., *F.P.J.*, 1-11-54.

The legislators should help the cause of working journalists by pressing the Government of India to implement the recommendations of the Press Commission at an early date.

—C. Rau, President, I.F.W.J., *H.T.*, 1-11-54.

The Rajadhyaksha report does not recommend a revolution. The Government should accept the recommendations as an award on the different points of view presented.....The Press in general, unfortunately, has not been able to rise above pettiness in dealing with the report so comprehensive and impressively unanimous.....Press has been responsible for the blackout of important findings, resulting in improper or inadequate understanding of the recommendations. But in spite of the mutilation it has suffered, the report is a document which will remain for several years a guide book not only on matters of principle but on facts. It is the point of view of the public that dominates the report.

—C. Rau, President, I.F.W.J., *Hindu*, 1-11-54.

The recommendations of the Press Commission should be implemented immediately.

—S. R. Vasavada, President, I.T.U.C., *Tribune*, 23-11-54.

The Press Commission made certain recommendations born of great understanding and deep insight; we hail the report as the Magna Carta of the working journalists; we also value it as a historic document which has in it the elements of a new constitution for the Press; and we urge its immediate and wholesale implementation for the transformation of the Press in India from a soulless commercial operation or unregulated industry into 'a responsible public concern', subject to control by its own better mind.

—K. I. Dutt, Chief Editor, *Leader*, 3-12-54.

The necessary implementation of the recommendations of the Press Commission report, whether on the organisation of the newspapers, their ownership or wages and working conditions of journalists demanded sincerity on the part of those who were associated with the newspaper production. It is regrettable that the recommendations of the Press Laws Inquiry Committee, published six years ago, remained an item of cold storage even today. This sort of attitude impels me to request the Government to accelerate the implementation of the recommendations of the Press Commission. The publication of the Press Commission Report has been a big step in solving the problems of working journalists. It was a document of great importance in the history of journalism.

—Banarsi Das Chaturvedi, M.P., S.S., 6-3-55.

The majority of the recommendations of the Press Commission, if implemented with some substantial modifications will cripple the newspaper industry and force newspapers to go out of business..... The public at large as well as the Government should appreciate that on this Commission the newspaper industry was not represented, and to that extent the labours of the Commission have not had the advantage of the expert knowledge of those who are engaged in the industry. I may add that to that extent also the report of the Commission is one sided and it is my fervent hope that the Government would not rush through legislation to implement the recommendations of the Press Commission without examining in detail the effects of the recommendations on the economy of the newspapers and the healthy growth of journalism in the country.

—J. C. Jain, Outgoing President, I.E.N.S., *Hindu*, 23-3-55.

Although the report was extremely valuable it lacked, in some places, practical touches.....This was not only our view but also the view of the Government members who were examining it and altering it to suit the purposes.

—N. C. Ghosh, President, I.E.N.S., A.B.P., 28-3-55.

Let me hope that unlike many other reports which moulder on the shelves of the Secretariat for an unconscionably long time before publication, this report at least will fare better and action thereon will be expedited.

—J. B. Kripalani, *H.S.*, 25-7-54.

The Press Commission's report is most comprehensive. The thoroughness with which the Commission, within a short period of two years, had enquired into the state of the press in fourteen major languages deserves appreciation, even if one did not agree with all its recommendations.

—J. P. Chaturvedi, Secretary-General, I.F.W.J., *H.T.*, 22-8-54.

Frankly, the Press Commission's recommendations make my remaining democratic hairs stand on end.

—Odysseus, *Search Light*, 1-9-54

On detailed examination of the report we find that not all its recommendations are workable or even happy. Some are too detailed to be valuable, some others are too idealistic to be realisable. Obviously the Government will have to judge them in the light of developing public criticism.

—Kamal, *Organiser*, 6-9-54.

The delay in the implementation of the Press Commission report is causing doubt in the minds of working journalists regarding the Government's earnestness in the matter. The time has come for the Prime Minister Nehru to intervene and expedite matters.

—J. B. Singh, Vice-President, I.F.W.J., *I.E.*, 21-2-55.

The Commission have done an excellent job as surveyors of the present state of the Press, whether they are well qualified as architects of its future seems doubtful.

I am uncertain of the effect of some recommendations, think others totally unworkable, disagree with others and regard some as damaging.....I would like to remark on the thoroughness with which the Commissioners have done their work and their evident honesty of purpose.....They have brought to light some very murky procedures and, despite their liking for regulation of various sorts, they have stood out firmly against regimented news and sought to ensure the independence (including that sort of independence which comes from better remuneration) of those handling news.....It is strange that, though Governments are constantly complaining about the attitude of the Press, or some of it, and seeking to control it by legislation, they know precious little about it.

—G. A. Johnson, *The Statesman*, 23-8-1954.

III. IMPORTANT RECOMMENDATIONS OF THE COMMISSION— PRESS AND PUBLIC REACTIONS

I. STANDARDS OF JOURNALISM

Standards of journalism, code of ethics, Press Council, cess on newsprint.

Recommendation I*—*Standards of Journalism.*

The status and role of working journalists have undergone change in many directions. Formerly, most of the Indian Press had only one objective and that was political emancipation of the country. Most of the journalists of that era were actuated by fervent patriotism and a feeling that they had a mission to perform and a message to convey. Political independence having been achieved, the emphasis has shifted, and the newspapers are no longer run as a mission, but have become mainly commercial ventures. The moral and intellectual leadership which used to be associated with journalists of former days is not being maintained at the same level. The calibre of persons attached to this profession has not been of the same high standard as in the past.

—p. 482 P.C.R.†

Code of Ethics

All journalists should feel themselves bound by a certain code of ethics which would ensure that they would continually aim at discharging their high responsibility to the society.

—p. 515 P.C.R.

Comments.

The working journalists should do well in paying heed to the Commission's advice that journalism should be pursued as a sacred career with a full sense of responsibility to the public.

—A.T. Ed., 27-7-54.

One of the most demagogic paragraphs in the Report, if I may be excused for using the expression, is that in which it speaks of the Press having fallen, in the short space of seven years since independence from its high state as a mission. Shock therapy is all right, but if the shock kills the patient or puts him in a frame of mind that makes recovery impossible we should not think much of the doctor.

—N. R. Iyer. President S.I.J.F., A.B.P., 20-11-54.

* Numbering, grouping and serial order as given in this brochure have been adopted for purposes of facility and have no reference to those adopted in the Press Commission Report.

† Page numbers to the Press Commission Report.

If newspaper barons, or at least a number of them, have no hesitation now in running their enterprise on purely business lines and piling up profits on that sacrosanct principle, it does not sound exactly reasonable that the men engaged in production, the journalists, should continue to be kept on a starvation wage or exposed perpetually to insecurity on the handy missionary principle.

—*The Economic Weekly*, Ed., 31-7-54.

It is too late in the day to lament that journalism in India, as elsewhere, having emerged as a mission and developed into a profession has within recent years become a branch of commerce but it is never late to resist the trends which have vulgarised a great calling and to root out the evils which have crept into a system that is not of our making.

—K. I. Dutt, Chief Editor, 'Leader' *The Leader*, 3-12-54.

The draft international code of ethics prepared by the U.N. Sub-Committee on Freedom of Information and Press is awaiting final ratification..... much valuable work has been done with regard to the code of ethics and it (S.C.A.—I.N.E.C.) is of the view that in the interests of democratic society and free Press, adoption of an international code, facilitating free flow of information and guaranteeing freedom of expression is a vital necessity.....The Committee cordially supports the proposal of an international professional conference to be organized by the U.N. for the purpose of preparing a final text of the international code of ethics.

S.C., A.I.N.E.C., H.T., 23-9-54.

The Conference (of the Ambala District Working Journalists Union) calls upon all working journalists in the district scrupulously and relentlessly to follow the code of ethics.

—A.D.W.J.U., *Tribune*, 29-1-55

Recommendation II—*The Press Council*

The best way of maintaining professional standards in journalism would be to bring into existence a body of people principally connected with the industry whose responsibility it would be to arbitrate on doubtful points and to censure any one guilty of infraction of the Code. An All-India Press Council with statutory protection and powers should, therefore, be set up and charged with the duties: to safeguard the freedom of the Press, to help the Press to maintain its independence, to ensure high standards of public taste and regulate the conduct of the Press by formulation of a code of journalistic ethics to be followed by all, to keep under review any developments likely to restrict supply and dissemination of views of public interest and importance, to improve the methods of recruitment, education and training for the profession, if necessary for the creation of agencies like the Press Institute, to deal with complaints about the conduct of the Press, to promote technical and other research, to publish annual reports recording its working and performance of the Press, to review the ownership structure etc. etc.

—p. 513, 514, P.C.R.

(ii) The Press Council should consist of persons who will command the general confidence and respect of the profession and should have 25 members plus the chairman who should be nominated by Chief Justice of India and who should be a Judge or an ex-Judge of a High Court. Out of these, 13 or more should be working journalists and others should be drawn from newspaper proprietors, universities, literary bodies, etc.

—p. 514, 515, P.C.R.

(iii) There should be only one Central Press Council until uniform standards have been set up, thereafter, if it is found necessary, regional or state branches may be constituted.

—p. 515, P.C.R.

Comments.

The representation of laymen on the Press Council will be meagre and if this is objectionable the predominant laymen's representation on the Press Commission should have been more open to objection.

—N.H., Ed., 24-8-54.

The Council can, no doubt, perform a useful function, but the question of raising standards is not one of merely bringing the guilty to book. In a more real sense, it is bound up with the creation of working conditions which will draw the best men to the profession of journalism and of better training and recruitment.

—T.I. Ed., 27-7-54.

The type of a statutory council recommended by the Commission appears to be based on the distrust of the profession itself. Unless it is thought that journalists could not take care of themselves, it is difficult to justify the inclusion of non-journalistic elements into the Press Council. Nor is there the least justification for the provision that the Chairman must be a Judge of the High Court. The name of the Chief Justice of India has been unnecessarily dragged into the affair. It is strange that extraneous elements which would not be tolerated either by the Bar Council or the Medical Council should be sought to be foisted on the proposed Press Council.

—Searchlight, Ed., 27-7-54.

The Government of India would do well to give effect to this suggestion instead of forging new fetters on the Press.

—Hitavada, 27-7-54.

The proposed Press Council should be given sufficient power and authority to deal with the erring section of the Press.

—Hitavada, Ed., 29-7-54.

The Commission is on safe ground when it suggests the establishment of a Press Council to protect the rights of the Press and to maintain the highest possible standards of journalism. Equally acceptable is the suggestion that the editor of a newspaper must have unfettered freedom in the day-to-day implementation of an agreed policy.

—*F.P.J.*, Ed., 27-7-54.

The creation of Press Council should in particular be welcomed. It should, if its members are properly selected, command the confidence and respect of the profession. Its composition, as indicated by the Commission, unexceptionable; but it should always be emphasised that nobody should find a place on it who is not connected with journalism or university or a literary body.

—*I.N.*, 3-8-54.

The Press Council goes with other recommendations. Unless the other recommendations are also taken seriously and the structure of the newspaper industry is sufficiently changed, the Press Council will be just another body where vested interests can appear in various guises as proprietors, editors or journalists It is hoped that while the Council would consist of a majority of members of the profession, it would particularly represent practising journalists as a whole and that their strength would not be less than the combined strength of the proprietors and editors.

—*M. Chelapathi Rau*, President of the Indian Federation of Working Journalists, *Statesman*, 17-8-54.

The Society accepts the recommendation of the Press Commission for the constitution of a Press Council with statutory powers to protect publication of its decisions against legal action, but beyond giving its views on issues raised before them, no penal sanctions should be provided for in the view of the Society, that is the only way to establish a synthesis between responsibility and freedom. As for the composition of the Press Council, the Society accepts the recommendation that the Chairman of the Council be nominated by the Chief Justice of the Supreme Court with judicial experience and recommends the distribution of seats in the Press Council to be in the proportion of 30 per cent. for the proprietary interest, 40 per cent. for journalists of not less than 10 year's standing and the remaining 30 per cent. representing responsible sections of the public.

—*I.E.N.S.*, *Statesman*, 14-10-54.

The Federation, while welcoming the proposals made for setting up a Press Council, regrets that the constitution, functions and duties proposed for the Council are such as to prevent it from evolving as an institution by which the industry as a whole could adequately govern itself and ensure that total freedom from external control which is the *sine qua non* of a free press. The Federation is opposed in particular to giving as much as fifty per cent. of the representation to non-journalists and to the pernicious principle of selecting the representatives of the first Council by nomination by the Chairman from out of

panels set up by "all-India organisations connected with the industry." It would emphasise that State Councils as well as a Central Council should be set up from the very beginning and the primary responsibility for safeguarding emoluments, conditions of service and fair treatment of working journalists should be vested in the State Councils and the Central Council should confine itself mainly to all-India problems concerning the Press.

—S.I.J.F., *Hindu*, 11-10-54.

...the Press Council, which the Press Commission has recommended, is "a step in the right direction".

—General Council, Delhi Sabha, *H.S.*, 24-10-54.

The Federation is convinced that professional members of the Council should be chosen exclusively from a panel submitted by the Federation and that the constitution of the Press Council is an integral part of a larger scheme of reorganization of the industry and its constitution would be futile unless effect is given to the other recommendations of the Commission.

—I.F.W.J., *H.T.*, 2-11-54.

I have no doubt in my mind that a Press Council properly constituted and presided over by a person of eminence can create a body of opinion on the standards to be observed by journalists and the right conduct to be followed by them. I have no doubt that it would become almost impossible for any journalist to go counter to the Council's opinion with impunity.

—M.C. Chagla, C.J., Bombay H.C., *Hindu*, 1-11-54.

Both the IENS and the AINEC have humiliated themselves by according their support to the recommendation for the institution of a Press Council on the lines mentioned by the august members who, in all conscience, exceeded the number of God's Ten Commandments and Woodrow Wilson's fourteen points. Nobody disputes the need for a Press Council. But one constituted on the basis of the Commission's recommendation is calculated to bring the profession of journalism into disrepute and expose it to the charge that it is the handmaiden of outside authority. There can be no excuse for the suggestion that the Press Council should be presided over by the Chief Justice of India..... The kind of speech delivered, for instance, by the eminent Chief Justice of Bombay who inaugurated the other day a meeting of the Federation of Working Journalists ought to serve as a serious warning against the temptation to drag the Judiciary down from the high pedestal which is its inherent right to occupy and enjoy.... Nor is there any justification for the inclusion of non-journalistic elements into the proposed Press Council. Is it contended that the profession is not competent to safeguard its traditions and formulate rules and regulations for its own conduct. ... If a Press Council composed entirely of newspapermen to uphold their professional standards is considered an impossible or impracticable proposition, then the proper thing would be to give up the idea of the constitution of a Press Council. ... It is not to be denied that Parliament is competent to introduce legislation on the lines recommended by the Press

Commission. But if it does, it will soon discover that it has prescribed remedies which are more dangerous than the ailment. The British Press Council is composed exclusively of journalists and newspaper editors. It is doing excellent work.

—*Searchlight*, Ed., 2-11-54

... the Commission has... preferred to suggest the setting up of a shadow council. And that suits our trade unionists admirably since they are anxious to have a council which would serve as a suitable battleground for ideological battles.

—N. R. Iyer, President, S.I.J.F., A.B.P., 20-11-54

To judge the Press Council in advance would perhaps be uncharitable, but it would be a great pity if such a body, created in the name of self-restraint, were to turn out to be an engine of vexatious interference. We are certain that nothing could have been further from the Press Commission's wishes.

—*Pioneer*, Ed., 24-12-54.

... the mere formation of the Council is of no particular urgency, since it would be of little effect unless other reforms preceded or came with it. The Council would be in the nature of a show window which could faithfully reflect the richness within, but it could also be a screen which covered internal disorder. The Government does not seem to have made up its mind even about the finances for the Council.

—*B.C.*, Ed., 24-12-54.

It is hoped that the Government would accept the other important recommendation of the Commission relating to the constitution of the Press Council. This recommendation is absolutely fundamental. There is a great deal of controversy, now raging round this recommendation.

—C.P.R. Ayyar, Member of the Press Commission, *T.I.*, 13-2-55.

The Press Council.....should consist of representatives of managements and working journalists in equal numbers, and should be presided over by an impartial person, not less in rank than a judge of the Supreme Court.

—*M.U.J.*, *I.E.*, 1-2-55.

.....the Press Commission in India has, like its earlier counterpart in Britain, pleaded for the setting up of a Press Council. There is, however, a striking difference. While the Press Council in Britain is a voluntary body and hence in their opinion, suffers from the handicap of having no sanction behind its decision or no legal authority, the projected Press Council in India will be brought into existence by statute.

—*Leader*, Ed., 25-8-54.

It is doubtful whether the composition of the Press Council would enable it to fulfil the objects for which it is intended.

—*Hindustan* (Hindi, Daily) Ed., 27-7-54

The proposal for the establishment of Press Council is extremely important.

—N.B.T. (Delhi—Hindi daily), Ed., 28-7-54.

We see no hope in the proposed Press Council.....(it) will be occupied by precisely the most reactionary elements against which the rest of the Press needs protection before anyone else can gain entrance into (it).

—*Swatantra*, Ed., 4-9-54.

The proposal for the formation of the Press Council is welcome.

—*Swadesamitran*, (Tamil daily) Ed., 26-7-54.

The only government that an industry of this unique character can bear is self-government. In such machinery as may be set up in this behalf, the working journalist should have equal voice with the owner (whoever he may be—a single man, a joint stock company, a Board of Trustees or even a Committee of employees). And self-government must be effective over the whole field of the Press.....Only by establishing an authority of this kind and not by delegating a few secondary matters to a Press Council weakened by the presence of non-journalists and lacking inner coherence, we may hope satisfactorily to solve the problem of a Free Press in a society which tends progressively to attenuate liberty in the name of equality.

—N. R. Iyer, President, S.I.J.F., *Hindu*, 12-1-55.

This session of the A.-I.N.E.C. welcomes in principle the constitution of a statutory Press Council largely composed of journalists charged with the responsibility of ensuring the maintenance of journalistic standards as the best means of providing for self-regulation in the profession of journalism.

—A.-I.N.E.C., *H.T.*, 15-8-54.

If the choice is made carefully, I am certain that the Press Council would have an excellent start. I trust that the Press as a whole would give its co-operation, encouragement and sympathy to the Press Council. They should not regard it as an imposition on the profession but a body constituted on the fairly unanimous demand of journalist organizations in the country.

—A. D. Mani, President, A.-I.N.E.C., *Statesman*, 14-8-54.

In this it (the Press Commission) follows the British precedents where a Press Council was formed for similar reasons and with like duties. The influence of the British Press Council has been exerted indirectly but convincingly.....its findings have met with wide approval. That is because it is wisely constituted of men and women highly respected in the newspaper production field, and has shown moderation and sound judgment in its decisions.

—*The Mail*, Ed., 26-7-54.

The Commission, in their recommendations for constitution of the proposed Press Council, show marked distrust of the ability of the Press (whether proprietors, editors or other journalists) to control its own affairs.

—G. A. Johnson, Editor, 'The Statesman', *Statesman*, 23-8-54.

Recommendation III.

Cess on Newsprint

A cess of Rs. 10 should be levied on the consumption of newsprint to meet the expenditure of the Press Council.

—p. 515, P.C.R.

Comments.

The Society is opposed to the levy of a cess of Rs. 10 per ton on newsprint to meet the expenses of the Press Council and feels that it will be in the fitness of things that the expenses for a Council thus constituted are borne by the Government.

—I.E.N.S., *Statesman*, 14-10-54.

While agreeing to the fact that the important raw material required for the newspaper industry is newsprint alone, the Press Commission instead of making the suggestion to make it available cheaply recommended the enhancement of cost through a levy of a special cess. This is amazing.....The Government will get an income of Rs. 6 lakhs only at the rate of Rs. 10 per ton. But this levying of cess will definitely be an additional burden upon the Indian newspapers.

—*Andhra Patrika* (Telugu Daily), Ed., 28-7-54.

The Federation calls upon the Government to proceed with the implementation of the Press Commission's recommendations regarding the levy of a cess to finance the working of the Press Council and the Press Institute.

—I.F.W.J., *H.T.*, 2-11-54.

II. STATE TRADING CORPORATION

Recommendation IV.

State Trading Corporation

The prospects of sale of the newsprint produced in India would be problematic in view of the factors that tend to increase its cost of production. A State Trading Corporation should, therefore, take over the entire output of the mills on fair basis, and sell it along with imported newsprint, at equated prices.

—p. 471, P.C.R.

Comments

The Society is not impressed by the proposal for the establishment of a State Trading Corporation for purchase and distribution of newsprint. Newspapers are not economically well placed to subsidize the newsprint industry in the country. The mechanics of finance, storage, distribution and wastage will come to increase the cost and operate to the disadvantage of newspapers apart from killing the individual right to decide what and wherefrom to purchase. Considering all these facts the proposition for launching a State Trading Corporation seems to be impracticable.

—I.E.N.S., *Statesman*, 14-10-54.

The Federation calls upon the Government to proceed with the implementation of the Press Commission's recommendations regarding the bringing into existence of a State Trading Corporation for dealing in newsprint.

—I.F.W.J., *H.T.*, 2-11-54.

It will be disadvantageous to all concerned, if the State controlled trading in this commodity.....such a step will be practically impossible, since no way has been suggested as to how the State Corporation will compel the newspapers to buy their requirements of newsprint from their own stock.

Another very important fact to be considered, "is that if the State takes to trading in newsprint then the large number of dealers who are depending on newsprint for their bread and butter, will not be able to stand on their own legs and will naturally have to dispense with their staff and that will create unemployment.

—Memorandum to the Ministry of I. & B. by the Paper Traders Association, *F.P.J.*, 5-11-54.

During war time a similar arrangement was in vogue. That turned out to be very profitable to big papers and small papers in the field comparatively suffered greater loss. Some newspaper concerns indulged in newsprint business also during those days. From this past experience it should have occurred to the Press Commission that State trading in newsprint will not help anybody.

—*Andhra Patrika* (Telugu Daily), Ed., 28-7-54.

III. WORKING JOURNALISTS

Recruitment and training, apprentices, refresher courses, Press Institute, conditions of service—minimum wage and D.A., disparity, bonus, retirement, gratuity and provident fund, punishments, promotions, hours of work, holidays, Sundays, leave rules, trade unions, settlement of disputes and application of Industrial Relations Legislation, other facilities and amenities—facility for travel, library, research and reference branch, mofussil correspondents and other reporters, foreign correspondents, free lancers, foreigners' employment.

Recommendation V.

(i) *Recruitment and Training*.—In view of the importance of their work, the profession must be manned by men of high intellectual and moral qualities. Journalism has become a highly specialised profession and to handle it adequately, a person must be well-read, must have ability to size up a situation and to arrive quickly at the correct conclusions and have the capacity to stand the stress and strain of the work involved. Improvement is immediately called for in the manner in which recruitment is made. Whenever vacancies arise, they should be advertised and selection should be made on the recommendation of the editor, assisted by a small selection committee.

pp. 483-484, P.C.R.

(ii) *Apprentices*.—It is on the whole undesirable to recruit apprentices unless there is a reasonable chance of their being absorbed on the staff of the paper at the end of a specified period of satisfactory training. In no case should the period exceed two years nor should free service be taken from these apprentices as a measure of economy.

—p. 485-P.C.R.

(iii) *Refresher Courses*.—The Institute of Journalism would be the proper authority for conducting refresher courses for those who are already engaged in the profession.

—p. 485-P.C.R.

(iv) *Press Institute*.—A Press Institute should be established, if necessary, for improving the methods of recruitment, education, training for the profession and for carrying on research on the contents and performance of the Press. The Institute should also publish an annual report on the manner in which the Indian newspapers have discharged their responsibilities.

pp. 496-509-514, P.C.R.

Comments

The Society feels that the suggestions of the Press Commission regarding...method of recruitment, introduction of apprenticeship schemes, refresher courses,... are matters which can best be disposed of at unit level in consultation with professional organizations.

—I.E.N.S., *Statesman*, 14.10.54.

This session views with distaste recent attempts to institute award for journalistic achievements. This work falls appropriately within the purview of the Press Institute which has been recommended by the Commission.

—I.F.W.J., *H.T.*, 4-11-54.

The best training in journalism is in a newspaper office itself and there can be no substitute for it.....It would be better for the Universities to wait till the Press Council comes into existence rather than start courses in haste throwing out graduates in journalism only to swell the ranks of the unemployed.

—*Pioneer*, Ed., 25-1-55.

Conditions of Service

Recommendation VI

(i) *Minimum Wage and Dearness allowance.*—There should be uniformity, as far as possible, in the conditions of service of working journalists serving in the same area or locality. The case of standardisation of designations and fixation of scales of pay as also the matter of D.A. should be left by the Commission for mutual negotiations between the employers and the employees. A suitable machinery for settlement of disputes by mutual agreement or adjudication, should also be provided. The wages and conditions of service of journalists should be such as to attract talent. In view of the influential position that a journalist occupies, it is essential that there should be a certain minimum wage paid to him. If a newspaper cannot afford to pay a minimum wage to the employee which will enable him to live decently and with dignity, the newspaper has no business to exist. A large scale unemployment, as a result of this, is not anticipated. A classification of areas on the basis of population is recommended. The areas may be class IA, IB, II and III. Rs. 125 should be the minimum basic wages in each case. D.A. for class III Rs. 25 and for the rest Rs. 50, in class IB an additional city allowance of Rs. 25 and in class IA of Rs. 50 should be guaranteed. If there is a substantial rise in the cost of living, the D.A. should be increased appropriately. The minima should be applicable to all working journalists whether graduates or holders of equivalent qualifications, including University diploma in journalism or those who have put in five years service, whether working in a daily, a bi-weekly or tri-weekly newspaper or in a news agency. Later on, the Govt. may extend these recommendations to other categories of commercial periodicals.

—pp. 487-489, P.C.R.

(ii) *Disparity.*—There should be no disparity in respect of the minimum wage between the employees of English newspapers and those in the Indian language newspapers.

—p. 489, P.C.R.

Comments.

It must be admitted that the emoluments recommended for the employment of working journalists are fair and err on the side of moderation. The Commission might have easily been more generous. The hard-worked journalist is entitled to be assured of a certain minimum wage and other amenities which would make life worth living.

—*Searchlight*, Ed., 27-7-54.

The minimum wage that has been recommended is admittedly modest. But even this modest requirement cannot be met by the overwhelming majority of papers in the land, more than 90 per cent. of which are believed to be uneconomic units.

—*Pioneer*, Ed., 27-7-54.

What is most striking in these recommendations is the attention paid by the Commission to the conditions of working

journalists. In the interests of the newspaper employees the Commission have recommended the fixation of minimum wages and dearness allowance.

—A.T., Ed., 27-7-54.

The Commission's recommendations for improving the lot of the working journalist should be welcomed because it is the first attempt made on an all-India plan.

—I.E., E.D., 4-8-54.

When a minimum is suggested it is only for the lowest units in the industry as a whole and does not mean that the minimum should prevail in every concern, however big or prosperous. "Neither proprietors nor working journalists should forget that on this minimum should be based a satisfactory structure of salary scales".

—M. Chelapathi Rau President, I.F.W.J., *Statesman*, 17-8-54.

Working journalists...were not satisfied with the report on matters like minimum wages and salary scales.....A contended newspaper staff was the biggest investment for any newspaper proprietor and a little change in attitude would bring cordial relations in the industry.

—J. P. Chaturvedi, Secretary General. I.F.W.J., H.T., 22-8-54.

The Committee deplores the efforts being made by some newspaper proprietors to create some differences between the journalists working in English and Indian language papers.

—W.C.-P.S.W.J.A., *Tribune*, 12-9-54.

The recommendation of the Press Commission regarding minimum wage is impracticable in the case of several units in the industry.

—I.E.N.S., *Statesman*, 14-10-54

The Federation suggests that, while the minimum wage recommended by the Commission may be rather more than what many of the smaller papers are paying, it is definitely less than what some big papers are now paying and that in any case the big papers, which ought to set the tone of the press, can definitely pay more and the Federation urges that ability to pay should be taken into account as a primary factor in fixing minimum wage so as to avoid the possibility of the big papers paying less than they can, while small papers, finding it impossible to pay, might be faced with the alternative of shutting down and causing considerable unemployment in a sector of the profession where it can cause considerable hardship.

The Committee feels that it is not possible to agree to any minimum wage to the employees. ... The minimum wage in the Indian language newspapers will have to be lower than the one in the English newspapers it feels and suggests: Class III minimum salary Rs. 75; Class II Rs. 125; Class I "B" Rs. 125 and Class I "A" Rs. 150.

—I.L.N.A., H.S., 29-10-54.

The Federation ... is particularly disappointed at ... the failure to give full effect to the Federation's modest and reasonable demands with regard to minimum wages, scales of pay and classification of areas.

—I.F.W.J., *H.T.*, 2-11-54.

The report of the Commission ... merely suggests the fixing of a minimum wage by legislation. This is in line with the policy followed in other democratic countries..... The principle of a minimum wage can scarcely be challenged now but to go beyond that and fix scales of pay for everybody who carries the label "journalist", irrespective of qualifications, aptitudes, abilities, experience and capacity for work is indefensible. To expect the Government to undertake such legislation is asking for the moon.

—B.C., *Ed.*, 3-12-54.

In the light of the economic policy enunciated by the Prime Minister it is only proper that the working journalist must be assured of a living wage.

—F.P.J., *Ed.*, 23-12-54.

Minimum scales of pay which the Commission has recommended are overdue in the interests of social justice but their specific performance by employers must depend, in the last resort, on their ability to pay.

—Pioneer, *Ed.*, 24-12-54.

The Government should bring forward immediate legislation fixing minimum wage.

—M.U.J., *Hindu*, 31-1-55.

It is necessary that the nature and turnover of the work also should be decided. Then only regular scales would be adopted for payment of salaries. It would also be fair if wages are fixed according to the quality of work. Neither the Press Commission nor the Pay Commission have given due consideration to the principle of wages according to work.

—Andhra Patrika, *Ed.*, 28-7-54.

We have no doubt that the Commission's proposals in regard to minimum wage and amenities generally will receive the utmost consideration possible at the hands of responsible newspapers. But we can see no reason why the machinery of the Press Council, the establishment of which the Commission proposes, should not be availed of to promote agreement between employers and employees on these questions.

—Hindu, 24-8-54.

It is inevitable in a matter of this character that there will be differences of opinion about the applicability of these scales in certain areas in their entirety at this stage.

—A D Mani, President, A.I.N.E.C., *Statesman*, 14-8-54.

The recommendations regarding wages, will weigh heavily on language papers, while the Commission has made no recommendation for the increase in their revenues.

—*Aj* (Hindi Daily), Ed., 28-7-54.

The recommendations regarding minimum wages etc. will make it difficult for papers with poor resources to survive and will result in a great loss to the country.

—*Vishwamitra* (Hindi daily) Ed., 27-7-54.

While agreeing with the recommendation for minimum salary, it is thought that many newspapers may feel difficulty in implementing them.

—*N.B.T.*, Ed., 28-7-54.

The recommendations regarding wages will satisfy those who had undue expectations; but the question is how far they will be practicable.

—*Swadesamitran* (Tamil daily), Ed., 26-7-54.

In certain backward areas and certain languages, the newspaper industry is not well developed and the enforcement of minimum wages in particular in these cases may lead to closure of newspapers depriving the public of services to which they are entitled.

—*A.I.N.E.C.*, *H.T.*, 23-9-54.

The proposals affecting journalists' minimum pay seem reasonable, though, if implemented, they will add considerably to some newspapers' costs and perhaps cause others to close down.

—*G. A. Johnson*, Editor *Statesman*, *Statesman*, 23-8-54.

Most Indian journalists actually earn so little that one wonders at Press Conferences how they keep body and soul together.

—*M.G.*, 28-7-54.

The Commission has erred grievously in failing to recommend salary scales for reasons which will not hold water. The principle that minimum wages should vary with the population of the centre of publication has been borrowed by the Commission from the English practice without understanding is *raison d'être*. The population strength of the different centres of publication is merely a convenient differential for estimating the relative circulation of the different classes of newspapers. This rule of thumb method is inapplicable to Indian conditions where newspapers depend mainly on the clientele living in the districts.

—*N. R. Iyer*, President *S.I.J.F.*, *H.T.*, 17-11-54.

The principle is that on the one hand wages and conditions on the better class papers, even if they are far better than on the others, are not everywhere adequate; on the other hand it is not every small paper that is existing today that can afford to pay the basic minimum wage, the Commission has proposed.

—*Hindu*, Ed., 24-8-54.

Recommendation VII

(i) *Bonus*.—The gross profits of a unit should be ascertained in a normal way by deducting the expenditure from the income. A provision should then be made for payment of taxes, for depreciation at the rate allowable under the Income Tax Act and for a return at the rate of $\frac{1}{2}$ per cent. more than the bank rate or 4 per cent. whichever is higher, on the invested capital. The balance should be regarded as clear profit. This should be divided into three parts. One-third should be available for payment of bonus.

—pp. 490-491, P.C.R.

(ii) *Retirement, Gratuity and Provident Fund*.—Provident fund-cum-gratuity is the best way for providing for retirement benefit. The Employees' Provident Funds Act (1952) should be made applicable to the contributory provident fund recommended for journalists. The employees contribution to the fund should also be utilised for effecting insurances for their life. On the termination of service by retirement or for other reasons, gratuity should be paid on the basis of 15 days pay for every year of service or part thereof in excess of six months calculated on the average emoluments during the last year of service.

—pp. 492-493, P.C.R.

Comments

The Society feels that the suggestions of the Press Commission regarding ... merit bonus and the insurance scheme to employees are matters which can best be disposed of at unit level in consultation with professional organisations.

The Society is in favour of newspapers providing for provident fund to their employees but it may not be feasible at present for a number of newspapers on financial grounds to be subjected to the provisions of the Employees' Provident Fund Act.

—I.E.N.S., *Statesman*, 14-10-54.

The Federation regrets that the Commission should not have considered the question of pension benefits at all, since neither gratuity nor provident fund, each by itself or both together, can be regarded as sufficient protection against the vicissitudes that are common to the average middle class family. It urges that the scheme of pension-cum-provident fund-cum-gratuity, which the S.I.J.F. proposed for acceptance by the Press Commission, would alone meet the requirements and should therefore be sympathetically considered.

—S.I.J.F., *Hindu*, 11-10-54.

The Federation is particularly disappointed at ... the inadequacy of the provisions for retirement benefits which are hardly distinguishable from retrenchment benefits under the Industrial Disputes Act.

—I.F.W.J., *H.T.*, 2-11-54.

The principle of gratuity recommended by the Press Commission as a necessary retirement benefit for working journalists should be accepted and newspapers in the country which do not already have such a provision should make provision from now on for payment of gratuity. If in future the Government enforce the payment of gratuity by legislation on various industries, the Standing Committee suggests that such legislation should also be extended to the newspaper industry.

—S.C.A.I.N.E.C., *H.T.*, 22-9-54.

Recommendation VIII

(i) *Punishments*.—The authority competent to impose punishment should normally be the authority empowered to make appointments, acting on the advice of the editor on the editorial side and manager on the managerial side. The employee concerned should be given a charge-sheet and afforded reasonable opportunity to defend himself.

—p. 486, P.C.R.

(ii) *Promotions*.—Promotions should be made by the appointing authority on the advice of the editor or the manager as the case may be. The system of the payment of a special merit bonus is better than the giving of special increments as a recognition of exceptional merit.

—p. 492, P.C.R.

Comments.

The Society feels that the suggestions of the Press Commission regarding ... promotions ... are matters which can best be disposed of at unit level in consultation with professional organisations.

—I.E.N.S., *Statesman*, 14-10-54.

Recommendation IX

(i) *Hours of Work*.—For day shifts the hours of work should be 42 in a six-day week including the daily recess period of one hour. For night shifts there should be 36 hours in a six-day week with daily recess of half an hour. There need be no special night shift allowance. No person should be employed on the night shift continuously for more than one week at a time or for more than one week in any period of fourteen days.

—p. 491, P.C.R.

(ii) *Holidays*.—The total number of holidays for newspapers should not exceed 10 in number. For attendance on holidays, compensatory leave should be given on days on the choice of the employee.

—p. 491, P.C.R.

(iii) *Sunday*.—Professional bodies should be consulted and if they are of the opinion, after balancing the advantages and drawbacks of six-day newspaper, that Sunday should be declared as a compulsory day of rest, a provision should be included in the enactment for the industry.

—p. 491, P.C.R.

(iv) *Leave Rules*.—All newspapers should draw up a set of leave rules applicable to their staff and give a copy thereof to each employee at the time of his appointment. Journalists should have casual, earned and sick leave on the lines of rules applicable to Government servants. The leave rules should be uniform for employees on the managerial and editorial sides.

—p. 492, P.C.R.

Comments.

The terms and conditions of employment governing leave rules, Sunday rest.....as recommended by the Press Commission are beyond the means of many newspapers now struggling for existence It would be wise, therefore, in the circumstances to leave it to individual newspapers to adjust and accommodate.

—I.E.N.S., *Statesman*, 14-10-54.

The Committee is unable to accept the recommendations of the Commission with regard to the hours of work of working journalists. It is of the view that for the day shifts the hours of work should be 42 and for night shifts 36 in a week of six working days excluding the recess period of one hour.

—I.L.N.A., *H.S.*, 29-10-54.

It was not practicable to have Sunday as a compulsory day of rest for those working in the newspaper industry. Prescribing of a compulsory day of rest on Sundays would lead, in the Committee's opinion, to the banning in effect of publication of a daily newspaper on the seventh day of the week which will not be desirable.

—A.I.N.E.C., *H.T.*, 22-9-54.

Recommendation X

(i) *Trade Unions*.—In order to bring about a betterment in the existing conditions of working journalists, it may be necessary that they should organise themselves as Trade Unions under the Indian Trade Union Act of 1926 and we see no reason why such organisations should interfere with journalistic efficiency. In view of the number of people who sincerely believe in keeping out of trade unionism on the score of the special characteristics of their profession, the two kinds of organisations should be allowed to co-exist.

—p. 493; P.C.R.

(ii) *Settlement of Disputes and Application of Industrial Relations Legislation*.—The new Industrial Relations Bill should provide a suitable machinery for resolving of disputes between the employers and employees in the newspaper industry. 'Employee' should

be made to include the working journalist and member of the managerial staff also. The Industrial Relations Legislation should be made applicable to all newspaper employees. Some of the conciliation officers appointed, should be persons having journalistic experience.

Comments:

It is hardly fair to the thousands of journalists to have them all classed as so many industrial workers....

—*F.P.J.*; Ed.; 4-1-55.

....the State Government should enforce the Factories' Act in the offices of newspapers and news agencies.

—*A.D.W.J.*, *H.T.*, 28-1-55.

The late Rajadhyaksha and myself were...originally very much against what might be called regimentation of working journalists into a trade union organisation but we found that unless the working journalists were adequately and fairly protected, there was no possibility of ending that sense of complete frustration which seemed to have enveloped the minds of working journalists.

—*Dr. Ramaswami Ayyar*, *T.I.* 13-2-55.

The executive committee of the Southern India Journalists' Federation reiterates its demand for a separate Bill to regulate service conditions of journalists and managements in the country.

The way to do justice to working journalists is not to include them among the category of workmen by a perfunctory amendment of the present industrial law.

—*S.I.J.F.*, *I.E.*, 24-2-55.

To ask for workman status or to consent to it is to ignore the very character of journalism, at any rate in its higher reaches. This is an occupation which has to do with ideas and the presentation of ideas. A journalist has to be a thinker and artist combined. These functions do not admit of valuation on a time basis. They demand the absorption of the whole of one's time. The trade union mentality in the Press is not faithful to the higher objectives of the journalistic craft and is merely a reaction to the crudities practised by the baser type of newspaper employers.

—*Swatantra*, 4-9-54.

It isgood that while the Commission has looked with approval on trade unionism as such, it has not only not spoken against the other form of association, but actually blessed it and gone so far as to declare that the two can exist side by side. Also, the Commission has wisely argued against the development of a 'closed shop' attitude by trade unions.

—*E.W.*, Ed., 31-7-54.

It is common ground that the existing Industrial Disputes Act can be invoked on behalf of a non-trade unionist and the right to represent aggrieved parties is not confined to trade unions but is available to any member of the industry. Why, then, cannot that right be vested in professional organisations? The Industrial Disputes Act was intended to promote industrial peace, and not to build up trade union strength; hence its benefits, such as they are, cannot be allowed to be treated as the jealous preserve of trade unionists.

—N. R. Iyer, President S.I.J.F., *Hindu*, 22-3-55.

There has lately been much debate whether journalists should be classed as "workmen". The Commission have hit on the more genteel solution of including them in proposed legislation as a class of "employees".

—G. A. Johnson, *Statesman*, 23-8-54.

The Commission's panacea of trade unionism can only lead to further inroads on the autonomy and the integrity of a great profession.

—N. R. Iyer, President S.I.J.F., *Hindu*, 12-1-55.

The definition of the word 'employee' in the proposed legislation should be wide enough to include within its purview working journalists as well as employees on the managerial side, or a provision may be inserted in the proposed Newspapers and Periodicals Act making the new industrial disputes legislation applicable to newspaper employees.... The opposition to trade unionism is confined only to a few upper grade employees who do not relish social change and for whom the least resistance to proprietorial tyranny and any disturbance of profit-making would amount to a revolution.

—N.H., Ed., 19-3-55.

Opinion among journalists in India is divided, and it is significant that some journalists here have not felt it beneath their dignity to join a general trade union, sharing membership with labourers. In Great Britain it has been left to journalists to make their own choice whether to join the professional organisation or a trade union, both are available. And the Commission wisely sees no reason why the two kinds of organisations should not exist here side by side.

Mail, Ed., 26-7-54.

When the Commission says that it sees no valid ground in opposing trade unionism for journalism its august members are treading on soft ground. Thinking sections amongst working journalists would be bound to resent their classification with workmen in the ordinarily accepted sense of the term. Trade unionism would involve many a humiliating procedure....

This part of the recommendation is calculated even if only unwittingly, to bring the profession of journalism into contempt. It looks as if the Commission hurriedly interpolated

this recommendation into their report without giving it serious thought.

—*Searchlight*, Ed., 27-7-54.

The Society feels that it is not in the interests of newspapers that they are classified as employees within the definition of the Industrial Relations Bill. If, however, working journalists want the Industrial Disputes Act to be made applicable to them, the Society has no objection to the same. The Industrial Disputes Act imposes certain obligations which may act to their detriment. The Society disapproves professional trade unions being affiliated and/or controlled by trade union organizations run and/or supported by political parties in the country. The Society approves that the right of collective bargaining be conceded to professional organizations which do not register as trade unions under the Industrial Disputes Act.

—I.E.N.S., *Statesman*, 14-10-54.

The Federation regrets that the Commission should not have seen the necessity to provide for effective safeguards for professional organisations in its recommendations for the application of the proposed Industrial Relations legislation to working journalists; the Federation urges that if it is decided to bring working journalists within the scope of the proposed legislation, the S.I.J.F. and other professional organisations should be entitled to act as bargaining agents on behalf of their membership.

—S.I.J.F., *Hindu*, 11-10-54.

The Federation welcomes the proposal to extend to working journalists the benefit of the machinery for settlement of disputes. This could be achieved by including working journalists in the definition of "employee" or "workman" in the proposed Industrial Relations Bill or by specific provision in the proposed Newspapers and Periodicals Bill or by an appropriate ordinance whichever can be secured earliest;

the proposal to recognise unions of journalists as bargaining agents. The Federation reiterates that the right of collective bargaining is the exclusive right of a trade union, and the suggestion made in certain quarters that such a right should be conferred on mixed organizations of employees and employers or on "professional organizations" not registered as trade unions, is inconsistent with the basic principles of trade unionism and collective bargaining, and should on no account be countenanced.

—I.F.W.J., *H.T.*, 2-11-54.

The vested interests were opposed to the journalists constituting themselves into a trade union and to labour laws being applied to them. "But one must not forget that even journalists are human and have human needs. No one can give his best unless he works in decent living and working conditions.... There is no reason why trade unionism among journalists, which would give them a better bargaining power, should deprive them

of their missionary zeal or make them forget that they were practising a profession and that profession was one of the noblest in the world.

—M. C. Chagla, C.J., *Hindu*, 1-11-54.

The definition of "worker" in the proposed amendment to the Industrial Disputes Act should be so drafted as to include working journalists also. If this was done, the working journalists would have the satisfaction at least of getting justice from an industrial tribunal.

—S. R. Vasavada, President, I.T.U.C., *Tribune*, 23-11-54.

What the Commission recommended, and the Government seems likely to accept, is to recognise registered units of regional unions as bargaining agents and to extent to journalists the benefits of the machinery for settlement of disputes which is available to other industries under the Industrial Disputes Act. This will give the corporate body of journalists an instrument they can use for their collective welfare.

—B.C., Ed., 3-12-54.

Other Facilities and Amentities

Recommendation XI

(i) *Facilities for travel.*—In order to enable journalists to perform their duties efficiently, the newspapers should, by turn, give facilities to the members of their staff to pay visits to the different parts of the country and to obtain first-hand knowledge of local conditions. Wherever practicable, bigger papers should send members of their staff to foreign countries and if possible there should be constant exchange between those serving in India and those serving as foreign correspondents in different countries.

—p. 485, P.C.R.

(ii) Libraries, Research & Reference sections, rest rooms, cooling arrangements, transport during unusual hours and insurance to cover hazardous assignments should be provided to all journalists.

—p. 492, P.C.R.

Recommendation XII

(i) *Mofussil correspondents and other Reporters.*—The reporters and staff correspondents should be fully indemnified by the newspapers in respect of their out-of-pocket expenses in the shape of transport, postage, telephone and telegraph charges etc. In respect of part-time correspondents, it is not possible to prescribe what the retainer fee should be. It depends upon the capacity and the status of the paper and also upon the nature and the difficulties involved at the stations where mofussil correspondents are posted. Nor is it possible to prescribe what the rate on the lineage basis should be. Irrespective of the use that may be made of the material, the mofussil correspondents should be paid their out-of-pocket

expenses. Where information is particularly asked for and supplied, it should be paid for, irrespective of how much of it is actually used by the paper. Where a mofussil correspondent is employed originally for one paper, and then the proprietor starts another paper in the same group, it is only fair that the basis of his remuneration should be refixed. The same individual should not act as a mofussil correspondent for two or more newspapers. In any event, the fact that a correspondent is serving two or more newspapers simultaneously should be made known to all the papers concerned. The practice which prevails in some places of relating the rate of payment to the number of copies sold in the area assigned to a mofussil correspondent should be stopped.

—p. 489-490, P.C.R.

(ii) *Foreign Correspondents*.—Full time foreign correspondents of Indian newspapers should receive a definite remuneration regularly paid and they should be given facilities to visit India at least once in three years. They should have the same provident fund and gratuity benefits as are applicable to those serving in India. Foreign correspondents should not perform the duties of a business representative of the paper, although this may be inevitable in a few cases.

—p. 490, P.C.R.

(iii) *Freelancers*.—Freelance journalists should, when sending their contributions, indicate whether they want to be paid if the material is printed and if so, at what rate. That should be the basis of the agreement if the material is in fact printed.

—p. 490, P.C.R.

(iv) *Foreigners' Employment*.—It is generally undesirable to employ non-Indians in managerial or editorial posts but there should be no legal or administrative bar. As a general rule, it is desirable to appoint only Indians as foreign correspondents of Indian newspapers.

—p. 490, P.C.R.

Comments:

The Society feels that the suggestions of the Press Commission regarding facilities for travel, payment to correspondents, free lance journalists, and insurance scheme to employees are matters which can best be disposed of at unit level in consultation with professional organizations.

—I.E.N.S., *Statesman*, 14-10-54.

One of the most unsatisfactory features of the Report is its almost complete neglect of the plight of mofussil correspondents, who constitute the bulk of working journalists in the country, even as they are the most unprotected and illpaid section of this hard-working class.

In a small sub-section of the report covering a page and a half, the Commission described the plight of mofussil men, other than staff correspondents, fairly enough. But when it comes

to proposing remedies it throws up its hand in a gesture of helplessness which is not altogether convincing. It says it cannot prescribe what the correspondents' retainer should be.

This statement is surprising, to say the least. The Commission did not bother about the capacity and status of the papers when it came to fixing minimum wages for staff men.

—N. R. Iyer, President, S.I.J.F., A.B.P., 20-11-54.

All provisions regarding service conditions and other facilities recommended for working journalists should be extended to mofussil correspondents and newspapers.

—M.J.A., *Leader*, 28-12-54.

IV. EDITOR'S STATUS AND INDEPENDENCE

NEWS POLICY, POLICY OF THE PAPER, UNPOPULAR COMMENT, NEWS COVERAGE.

Recommendation XIII

There has been a general decline in the status and independence of the editor, and this decline is noticeable particularly in respect of the daily newspapers.

(i) *News Policy*.—The only effective remedy against biased write-ups is adequate and competent editorial control. The contract of employment should secure to the editor absolute freedom in the fair and objective presentation of news. Junior journalists should not be penalised for the political views that they hold but, the editor should see that news is not 'slanted' either in reporting or editing.

It should be the responsibility of the editor to decide finally what items of news should go into the paper. The owner should not be in a position to order a blacking out of any item unless its publication would offend against the law. The future of the Press depends upon the independence of the editor.

—p. 508, P.C.R.

(ii) *Policy of the Paper*.—When a proprietor chooses his editor, he should also delegate to him a measure of individual authority which would enable him to carry out his policy and resist any attempt to divert it in antisocial directions. Before he takes up his routine, the editor should be enjoined to follow the general policy of the paper. The agreement regarding policy should be included in the contract or letter of employment. If a difference of opinion arises later, it should be determined by the Press Council.

—p. 508, P.C.R.

(iii) *Unpopular Comment*.—An editor should not hesitate to give his comments in public interest, whether popular or unpopular. There is no significance in Press being free if it is not at the same time independent. It should also seek to educate and influence the public, in the right direction.

—p. 510, P.C.R.

(iv) *News Coverage*.—Taking all the papers as a whole the space devoted to the international affairs is very high. Whatever the reasons, the Indian language newspapers should observe a fairer balance in the selection of subjects for comment instead of following closely the pattern of English papers.

—p. 496, P.C.R.

Comments:

The Commission's proposals designed to secure the independence of editors within such a general framework of policy as is agreed upon at the beginning of their term of service, though motivated by the highest considerations, are fraught with practical difficulties.

—T.I., Ed., 27-7-54.

Acceptable is the suggestion that the editor of a newspaper must have unfettered freedom in the day-to-day implementation of an agreed policy.

—F.P.J., Ed., 27-7-54.

Responsibility without power had been the bane of Indian journalism in the post-war era and if the recommendations of the Press Commission are carried out in this respect they should do something to rectify this intolerable position so far as the editor is concerned.

—K. Rama Rao, H.S., 7-9-54.

A contract form of service for editors which will ensure their independence is necessary in the interests of the profession. The Committee will be prepared to suggest a model contract form of service for consideration by the profession.

The Standing Committee notes paras 673 and 938 of the Commission's report and expresses the view that the matter should be left to the discretion of editors.

—S.C.—A.I.N.E.C., *Statesman*, 15-10-54.

The Commission also stood up for editorial freedom. A paper whose editor is not in complete possession of his soul is a soulless paper while such an editor is a liability to the profession. I have known cases where editorial abdication was self-wrought ruin. It is my firm conviction that unbending editors cannot be manufactured even by press councils and that their strength lies in their readiness to part company if their honour is at stake. No press can be free if its vote is that of a megaphone or if the editor is no more than a mere echo.

—K. I. Dutt, Chief Editor, 'Leader', *Leader*, 3-12-54.

The Press Commission has done well in stressing the need to rehabilitate the newspaper editor, who has of late become the victim of considerable political and party machinations.

—F.P.J., Ed., 4-1-55.

Nowadays the editors of newspapers are not enjoying any freedom of expression because of undue pressure from the proprietors. So it is necessary that the editors should have special powers in this direction. It is also advisable to come to a definite understanding at the time of employment itself.

—*Golkonda Patrika* (Telugu daily) Ed., 28-7-54.

The Conference welcomes in principle the recommendations of the Press Commission regarding the desirability of a contract form of service for editors, which will ensure their independence and protect them from arbitrary interference on the part of proprietors.

—A.I.N.E.C., H.T., 15-8-54.

Editors' position needs to be strengthened on account of the intrusion of the gentlemen of big finance into the newspaper industry. Nothing has been so pathetic as the spectacle of highly educated men, who are capable of making contributions to the knowledge of contemporary affairs, being used as hired playthings of capricious men of finance. We should all like this state of affairs to end and we should like to see the emergence of the independent editor who would have full powers to determine the character and contents of a newspaper. ...No contract, however carefully framed and rightly enforced, could supply independence where it was absent. Independence must be there first in the editor himself.

—A. D. Mani, President, A.I.N.E.C., *Statesman*, 14-8-54.

While the Society has no doubt that in the interests of the freedom of the Press and the proprietor running a newspaper, the relationship between the proprietor and the editor whom he employs should be well defined and harmonious, as has been observed by the Press Commission, the proprietor of the paper is ultimately the authority for laying down the policy of the newspaper. As it is impossible at any time to lay down a definite policy of a paper for all time to come, this subject cannot form part of a contract between the proprietors and the editors. ...This is a matter on which healthy conventions should in the normal course be allowed to develop.

The allocation of space for news between foreign and internal is entirely within the discretion of the newspaper editor. ... A rigid formula to this end is not calculated to serve readership interest.

The conclusions regarding editorial comments, drawn in paragraphs 673 and 938 of the Press Commission Report seem to be inaccurate and based on incomplete data. In the circumstances no action is called for.

—I.E.N.S., *Statesman*, 14-10-54.

V. NEWSPAPER OWNERSHIP, CONTROL AND MOTIVATION

Newspaper a public utility, restraint and regulation essential, tendency towards Joint Stock Companies, missionary spirit

and profit motive, exercise of proprietary rights and interference with professional standards, diffusion of ownership, concentration, profit motive and return of capital, multiple editions.

Recommendation XIV

(i) *Newspaper a public utility, restraint and regulation essential.*—The newspaper is essentially a public utility and whatever may be the precise form of ownership, the exercise of ownership rights may have to be subject to some measure of restraint and regulation.

—p. 497, P.C.R.

(ii) *Tendency towards Joint Stock Companies.*—In recent years there has been a growing tendency for the conversion into Joint Stock companies of what had earlier been individually owned or family concerns. There has been also a tendency towards increase of the number of papers under the control of each individual concern.

—p. 497, P.C.R.

(iii) *Missionary spirit and profit motive.*—There was formerly a widespread prevalence of the idealistic and missionary spirit while today there is a greater emphasis on the profit motive. There are, however, some papers which have managed to retain their traditions irrespective of changes in the form of ownership. Unfortunately these are not numerous enough to provide a solid core for the future expansion of the Press in this country.

—p. 497, P.C.R.

(iv) *Exercise of proprietary rights and interference with professional standards.*—Interference with professional standards is most objectionable when it arises from financial and economic interests of the proprietor. The safeguard in such matters would be for the paper to publish periodically a complete statement of the names of the proprietors and responsible executives on the newspapers so that the public could judge for themselves the extent to which the views expressed in the paper may have to be rejected as being possibly biased.

—p. 497, P.C.R.

Comments

The Society is not opposed to the periodical publication of the names of owners of newspapers.

—I.E.N.S., *Statesman*, 14-10-54.

The Federation welcomes the Commission's recommendations for the reorganization of the ownership, structure, management and finance of the newspaper industry. The Federation is satisfied that these recommendations are designed to curb the growth of monopolies and to democratize the Press.

—I.F.W.J., *H.T.*, 2-11-54.

The periodic publication of the names of proprietors and top executives in a newspaper which the Commission has recommended and the Government have approved will not in itself be a corrective to the bias in the presentation of news and views....Under Indian conditions, such a provision by law would only mean a kind of compulsory publicity for proprietors, and it may not be welcome at least for some.

—*Pioneer*, Ed., 24-12-54.

Whatever the form of ownership of a newspaper or a news agency might be, the Press was ultimately in the hands of the working journalists to make or mar.

—J. Natrajan, Editor 'Tribune', H.T., 20-1-55.

The newspaper of today, either in India, Britain or America, manufactures a product which it sells to the public in the hope that so many readers will like it, that other business men can be induced to rent space in its columns to announce their wares. ...The Commission, not without justification, refers to the newspaper as a public utility concern with high moral obligations....Moral codes, whether for individuals or corporations, are socially determined and differ in different societies at any given time and in the same society at different periods. It is, therefore, irrational to expect the newspaper to adhere to any other standards than those which other business observe.

—*Pioneer*, Ed., 25-8-54

The Press Commission is of the opinion that the newspapers are essential public utility concerns. We have to agree this is a correct impression, though it looks as though the Report of the Press Commission is not at all prepared in accordance with this opinion. There is no protection that the Government can offer to the newspaper industry.

—*Andhra Patrika*, (Telugu daily), Ed., 28-7-54.

Recommendations about ownership are revolutionary.Here is obviously much cause for debate and sharp disagreement.

—G. A. Johnson, *Statesman*, 23-8-54.

We must, with all respect, contest the Commissions unsupported conclusion that the conduct of newspapers is no longer a mission It is true that journalism is no longer a camp-follower in a subject nation's crusade for freedom. It has grown and developed, however inadequately It is slowly becoming professionalised, even while on the economic side it is fitting itself, as it must if it is to survive, into the general industrial structure. It has no need to be ashamed of the progress from amateurish and often inadequate idealism to responsible professionalism.

—*Hindu*, Ed., 24-8-54.

In no country outside the iron curtain or the dictatorship of Latin America, would be tolerated for a moment the kind of government interference with the freedom of the Press which the Commission has seen fit to recommend.

—N. R. Iyer, President, S.I.J.F., *H.T.*, 9-11-54.

Recommendation XV

Diffusion of Ownership

It would be ideal if the proprietor of a newspaper has no other interests, but since it would not be a practical possibility, the remedy lies in diffusion of effective control or diffusion of ownership among a large number of persons so that the chances of any dominant interest among the group of owners could be eliminated or cancelled mutually. One method of providing diffusion of control without making any change in ownership of the paper would be to transfer the management to a public Trust. Effective diffusion of ownership of newspaper, with aim of diffusion of control can be secured best if shares are gradually distributed among the employees and to a small extent to the public, both in existing undertakings and in those to be started in future.

—p. 498, P.C.R.

Comments

In advocating the creation of newspaper trusts, the Commissioners might have been guided by the most laudable of motives. But thereby they have allowed themselves to betray their ignorance of the conditions under which newspapers are being run. Save perhaps for half a dozen newspaper units in the whole of the country.

—*Searchlight*, Ed., 27-7-54.

I submit to the Press Commission that the vested interests of a minister, a government department, or a public corporation, are far more difficult to expose, or to resist, than those of an individual newspaper proprietor or board of company directors. A minister or a department can mobilise the whole government machinery, the whole authority of the cabinet, or, if need be, the prestige of the Prime Minister himself, to isolate, stifle, or discredit, a correspondent or a commentator who persists in reporting awkward facts or in taking a critical editorial line.

Odysseus, *Searchlight*, Ed., 1-9-54.

In the case of newspapers diffused ownership will not give sufficient play to establish a credit structure for the paper to stabilize itself. In the circumstance, it would be wise to leave the question of form of ownership to the discretion of the owners of these institutions and not to impose any condition based on an idealistic approach which may not be feasible in practice.

—I.E.N.S., *Statesman*, 14-10-54.

The Commission has not proposed expropriation of the Taluqdars of the Press, with or without compensation, but the

principle of private ownership admittedly recognised by the Commission must go with the restraint recommended by the Commission. Even if anybody can claim under the fundamental right of freedom of expression the right to start newspapers and shape the mind of the public, public interest should not be left to the mercies of the Thugs and Pindaris of the Press.

—M. Chalapathi Rau, President, I.F.W.J., *Hindu*, 1-11-54.

.....there were already various and varying forms of trust ownership in the country and it was possible to have a good newspaper from the point of view of the reader as well as of the working journalist under other forms of ownership. The history of the newspaper industry showed that while many newspapers conceived in the best public interest had to close down, perverse ownership which had disregarded public interest, had also suffered. There was much to be said for the fourth estate, not leaning too heavily or exclusively on any of the other three.

—J. Natarajan, Editor 'Tribune', *H.T.*, 20-1-55.

Diffusion of control is a contradiction in terms and will no more work on the managerial than on the editorial side. The British Royal Commission grasped the central truth of the industry when it pointed out that, while such developments as the formation of trusts were welcome, no cut and dry formula for determining the best form of ownership could be discovered.

—*Hindu*, Ed., 24-8-54.

In the interest of maintaining the competitive aspect of the industry and giving freedom of expression to the various sections of the community, it is not possible for the Committee to recommend a standardized form of ownership for the industry. In the Committee's opinion among forms of ownership, the trust form appears to be desirable in certain circumstances provided trust deeds are carefully drawn up.....In order to secure the participation of employees in ownership of the industry, newspaper proprietors, following the recent commercial practice should associate employees with ownership by giving shares in their concerns to senior members of the staff (limited to their period or their service of employment) who have put in devoted and loyal service and who can be expected to preserve the traditions of their journals..... All changes in ownership should come as a result of voluntary initiative or negotiation and no legislation should be attempted to enforce any particular form of ownership of the newspaper industry.

—A.I.N.E.C., *H.T.*, 23-9-54.

Recommendation XVI

Concentration

Out of a total of three hundred and thirty dailies, five owners control twenty-nine papers and 31.2 per cent. of the circulation, while fifteen owners control fifty-four newspapers and 50.1 per cent. of the circulation. There can, therefore, be no denying the fact that

there already exists in the Indian newspaper industry a considerable degree of concentration. We feel that there is a danger that this tendency might further develop in the future. We are of the opinion that it would not be desirable in the interest of freedom of choice, that this tendency should be accentuated.

—p. 501, P.C.R.

Comments

The picture of the Indian Press, as it emerges from the report which is as judiciously worded a judgment should cause great concern The fact that the shrinkage in the number of newspaper owners is not the product of evil design but is largely attributable to economic and technological influences, does not lessen the implications of the trend according to the Commission. I may point out what the Commission has not cared to point out as perhaps, being too obvious, that the five of 15 owners control not only a high percentage of the circulation but the management and operation of almost every sector of the industry. They are in a monopolistic position in regard to newsprint, advertisements, financial resources, banking facilities, and relations with the Government in their representative capacity.

—M. Chalapathi Rau, President, I.F.W.J., A.B.P., 1-11-54.

The concerning of the newspaper reading public by a few large newspapers or the concentration of the control of the Press in a few hands is one of the most disquieting problems of democracy.

—K. I. Dutt, Chief Editor, 'Leader', *The Leader*, 3-12-54.

Conditions in the matter of concentration of ownership etc., are far worse in a country like Britain. And yet the British Royal Commission decided that any kind of State control, direct or indirect, with a view to correcting these excesses would be far worse than the disease.

—*Hindu*, Ed., 24-8-54.

Recommendation XVII

Profit Motive and Return on Capital

The first return on capital might be limited in the case of every newspaper to a figure of $\frac{1}{2}$ per cent. above the bank rate or 4 per cent. whichever is higher, irrespective of whether that paper has adopted a system of gradual diffusion of ownership among its employees or not.

—p. 499, P.C.R.

There must be a provision for regular ploughing back of a substantial part of the profits into the industry itself in the interest of normal and healthy development of the Press.

—p. 460, P.C.R.

Comments

The return on capital and the profit sharing scheme suggested by the Press Commission raises a wider issue applicable to all industries and considering the hazardous nature of this particular industry it would be wise to delay action until uniform standards are prescribed for other units of industry.

—I.E.N.S., *Statesman*, 14-10-54.

The Federation agrees that the profit motive should not have free play in this industry.

I.F.W.J., *H.T.*, 2-11-54.

No reason has been advanced why there should not be a limitation on profits in an industry which pretends to be a public utility service and takes pride in the postal and many other concessions it gets out of public interest..... The right to property is regarded as an immutable law, which is extended to manipulation of the means of information and public opinion.

—M. Chalapathi Rau, President, I.F.W.J., *Hindu*, 1-11-54.

Apply brakes on the profit motive by all means but this should not be done in a manner prejudicial to the growth of the industry itself. It is unrealistic to expect newspaper owners to run their newspapers as hundred per cent. public utility concerns with one per cent. or less return.

—*Pioneer*, Ed., 25-8-54.

Profit limited to 4½ per cent. is not very drastic, it would appear.

—G. A. Johnson, *Statesman*, 23-8-54.

On the percentage of return on capital invested in the newspaper industry and the manner in which the profits of the industry should be allocated and the bonus distributed, the Standing Committee records its opinion that there should be no discrimination between the newspaper industry and other industries.

—S.C.A.I.N.E.C., *H.T.*, 22-9-54.

The limiting of return to 4 per cent. of the capital would prevent the profit seekers from invading this field.

—Proprietor, *Vishwamitra*, (Hindi daily) *Vishwamitra*, 27-7-54.

Nobody would be ready to invest capital in a newspaper for a return of only 4 to 5 per cent. and, therefore, no newspapers would be started.

—*Vir Arjun*, (Hindi daily), Ed., 29-7-54.

Recommendation XVIII

Multiple editions

Wherever possible every paper should be constituted as a separate unit so that its profits and losses are definitely ascertainable

and both the proprietor and the employees know where they stand. In the case of multiple editions, each unit should be separated from the others in the matter of accounts. Where a chain consists of a number of groups, each group should be separated from the other. Whenever the management find it inconvenient to divide a group into its component units, the revenue accounts should be kept in respect of production of each of the papers.

—p. 464, P.C.R

Comments

The recommendation for separation of the accounts of multiple units has been intended as much in the interest of the soundness of each unit as in the interest of the Government receiving the taxes that are due and to check capricious diversion to the kind of forlorn adventure which ended in a colossal closure of newspapers in Calcutta. The recommendations as a whole, if implemented, will put an end to adventurism which has led to so much unsteadiness and insecurity.

—M. Chalapathi Rau, President, I.F.W.J., *Hindu*, 1-11-54.

At present the loss of many papers is being paid by a prosperous member of the chain. As a result of the recommendations, these editions would be stopped..... The Commission is living in the air and has not taken the trouble of stepping down to reality.

—*Vir Arjun* (Hindi daily), Ed., 31-7-54.

The recommendations of the Press Commission that separate papers belonging to the same management should be treated as separate units will also help small papers if implemented properly.

—*Golkonda Patrika* (Telugu daily), Ed., 28-7-54.

VI. SALE AND DISTRIBUTION OF NEWSPAPERS

CIRCULATION, CONCENTRATION AND DISTRICT PAPERS, UNFAIR COMPETITION AND PRICE PAGE SCHEDULE, COMMISSION TO NEWS AGENTS, FREE AND UNSOLD COPIES, FREIGHT AND AIR TRANSPORT CHARGES.

Recommendation XLX

Circulation, Concentration and District Papers

More than half the circulation of the papers is concentrated in the major towns and capitals of States and the penetration into rural areas is very small. Even the production of newspapers is primarily confined to the metropolitan towns and major cities. The Commission feel that the number of newspapers in the country should be greatly increased and that more newspapers should come up in the district towns.

—pp. 18, 19, 26 & 457, P.C.R.

Comments

The Commission reflects the unanimous will of the people when it pleads for more newspapers in the country particularly in the districts, in furtherance of the campaign of public enlightenment which, in the final analysis, is the most secure basis for any democratic country.

—F.P.J., Ed., 27-7-54.

Government's acceptance of the need to encourage the growth of more newspapers can only mean acceptance on paper. The more urgent need is to keep the present ones going. The industry must be able to walk before it can run.

—Pioneer, Ed., 24-12-54.

It is agreed that very few papers are published from rural areas and their number should increase. The reason for this is illiteracy and the absence of reading habit as well as the peculiar mental make up of our countrymen. At the same time there are very few papers which devote themselves entirely to local affairs.

—Lok Vani (Hindi daily), Ed., 30-7-54.

The Commission have defined the central need of the present time, so far as the Press is concerned, with remarkable simplicity: "We need a large increase in the number of newspapers." But how this desired goal is to be reached, they have failed to pursue with zeal.

—Swatantra, Ed., 4-9-54.

Recommendation XX

Unfair competition and price-page schedule

(i) Measures should be adopted to reduce the differences due to economic advantages or other causes and to enable new comers to start with a fair chance of achieving success. To fix a minimum price at which papers of a particular size can be sold would be the most effective measure to bring about this end.

—p. 464, P.C.R.

(ii) After the withdrawal of the Price-Page Control Order in 1952, there has been a marked tendency to increase the number of pages and use it as a means of competition. Enforcement of a price-page-schedule is necessary to check this tendency.

—p. 462, P.C.R.

(iii) The Act to regulate the newspaper industry should empower the Government to issue price-page-schedule from time to time in consultation with the people concerned.

—pp. 75, 76, 465, P.C.R.

(iv) Greater dependence on advertisement revenue exposes a paper to pressure from advertisers. Any step that may help newspapers to be less dependent on advertisement revenue would be welcome. A price-page schedule would be one such measure.

—p. 461, P.C.R.

Comments

With their eyes turned wistfully towards the pre-war days when 16-page papers could be had for an anna, both the industry and the reading public cannot but feel that the Commission's recommendation for the reintroduction of price-page schedule is a step backward and not forward. The public is being asked to reconcile itself indefinitely to paying two annas for a eight-page paper.

—H.T. Ed., 26-7-54.

The Commission's proposal to reintroduce a price-range schedule is welcome inasmuch as it will eliminate price-cutting competition and divert the energies of smaller papers to the improvement of quality. But more positive measures of help are needed for district newspapers if they are to flourish.

—T.I., Ed., 27-7-54.

The Commission's suggestion for the resurrection of the price-page schedule in the newspaper industry strikes us as something absolutely incomprehensible. It defeats the basic objective of democracy and the concept of healthy competition in the industry..... Is the Commission envisaging a major emergency, for a prolonged period, in its recommendations in respect of the price-page schedule?..... It is difficult to see how the Press Commission, which specifically discourages the profit motive in the newspaper industry, should impose restrictions on healthy competition which will be as much in the interests of the newspapers as of the readers. The recommendation regarding price-page schedule for newspapers has no relevance to existing conditions. The imposition of such a system has no justification, except in a major national emergency..... It virtually amounts to a super-tax on information and enlightenment. And it is bound to have a stifling effect on democracy in India.

—F.P.J., Ed., 27-7-54.

The worst that can happen to newspaper circulations (a continuous increase in which is rightly desired not only by the Commission but by the Press and the public) is an attempt, voluntarily or by outside compulsion, to fix an arbitrary price schedule for all newspapers throughout the country in disregard of the wide differences in conditions arising from varying internal economies and widely differing economic conditions of the respective areas of circulation in a vast country like India.

.....the Commission's notion that an "equitable" redistribution of circulations can be effected as between the well-established papers and their "weaker" rivals by artificial aids

like a price-page schedule is entirely misconceived..... They were wrongly advised on this matter and it is a pity.....

.....A price-page schedule at this juncture would do irreparable harm to the newspaper industry no less than to the reading public and should therefore not be attempted.

—*Hindu*, Ed., 3-9-54.

The price-page schedules were earlier introduced in times of short supply of newsprint. The suggestion of introducing the price-page schedule now is to reduce competition amongst newspapers and protect small newspapers. This would be tantamount to asking the readers to subsidize the newspaper industry by asking them to pay higher price for less news. This is not in public interest in a country out to establish democratic tradition.

—*I.E.N.S.*, *Statesman*, 14-10-54.

The Committee has all along held that in order to make the competition among newspapers more even and to lessen the present dependence of newspapers on revenue from advertisements, the introduction of a statutory price-page schedule as a long-term measure was a necessity.

—*I.L.N.A.*, *F.P.J.*, 29-10-54.

Any regimentation of newspaper size and costs will result in the stagnation of the press at the existing situation. It will only make the rich newspapers richer and the poor newspapers poorer.

.....price-page schedule will certainly not aid the development of a progressive, independent language press.

—*F.P.J.*, Ed., 4-11-54.

The price-page schedule, proposed by the Commission is unique, as it would do away with a number of malpractices now current in the English press in India. The Government should accept the price-page schedule as only by the acceptance of this recommendation could the language press be able to carry out the financial implications of the Report of the Commission.

—S. L. Shah, Bombay's Minister for Labour and Health, *F.P.J.*, 3-11-54.

The Federation supports the principle of price-page schedule.

—*I.F.W.J.*, *H.T.*, 2-11-54.

The principle of the price-page schedule seems to have been either little understood or completely misrepresented. It can be understood better if freshness of approach is possible and the approach is not trammelled by considerations of self-interest.

.....I am not afraid of asking the reader to subsidize the Press, as it would be better than the Press being subsidized by any other element.

.....It is misleading to bring in the reader and oppose the price-page schedule in his name. If the reader is able to understand the unfairness of the competition and the unbalance that results from making the sources of information depend upon advertisements. I am sure that the reader would go without the benefit of the huge holdalls of waste paper which go by the name of newspapers, mostly palimpsests of Government press notes, depending more on stenography than on editing. The Press should rather be subsidised by the reader, who is interested in the purity of the supply of news but gets only pollution, rather than by anybody else.

—M. C. Rau, President, I.F.W.J., *Hindu*, 1-11-54.

The Commission favours a price-page schedule, ostensibly to give a leg up to the smaller papers. But the working of that device during war time showed how it can be manipulated so as to discriminate, contrary to the public interest.

—N. R. Iyer, President, S.I.J.F., *A.B.P.*, 20-11-54.

The Society apprehends that scheme of price-page schedule may lead to a scramble for advertising space in the leading newspapers which at present offer more pages than allowed under the scheme.

—I.S.A., *I.E.*, 7-12-54.

Price-page schedule is one of the most important recommendations of the Commission as on the implementation of this vital recommendation depends the enforcement of measures to ensure fair scales of pay, provident fund and retirement benefits for journalists.

Before Government enforces a price-page schedule, we would suggest that they should explore the possibility of enforcing a schedule by voluntary agreement with the proprietors for a period of one year so that at the end of the period they may have an opportunity of judging for themselves whether the results justify the extension of the schedule or its abandonment.

—*Hitavada*, Ed., 27-12-54.

To ask for an arbitrary price-page schedule is to seek shackles to which no editor would willingly submit. Compulsory fixing of newspaper prices and pages was a feature of the war days when newsprint was scarce, and the more unscrupulous proprietors indulged in blackmarket deals, by depriving the reader of his legitimate dues and defrauding the State by presenting inflated circulation figures.

.....The hue and cry raised by some for the price-page schedule does not speak very highly of the press or its mentors in this country.

—*F.P.J.*, Ed., 4-11-55.

The enforcement of a price-page schedule "is fundamental to the implementation of the recommendations of the Press Commission regarding improvement of working conditions of journalists.

—S.C.-A.I.N.E.C., *H.T.*, 14-2-55.

The Government must consult all the different interests concerned before taking any action, and must evolve a schedule which even if not acceptable to everybody is fair to all, subject to the consideration that the interests of the small and medium papers, which the proposal is intended to promote, are kept clearly in view.

—B.C., *Ed.*, 16-2-55.

Government should implement at an early date the recommendation of the Press Commission for the statutory introduction of a price-page schedule as the operation of such a schedule would bring about improvement in the economic condition of the newspaper industry. The introduction of a price-page schedule was indispensable for the growth of smaller papers.

—A. R. Bhat, President, I.L.N.A., *Tribune*, 12-2-55.

The introduction of a price-page schedule is vital for the existence and growth of medium and small newspapers on which depends the very growth of democracy. In order that the papers may continue to exist and new ones may come into existence, it is necessary that unhealthy cut-throat competition is put a stop to.

—*Leader*, *Ed.*, 20-2-55.

The price-page schedule would prevent the papers from giving more reading matter at a cheap price. The only way to increase circulation is to give maximum possible reading matter at a minimum price.

—*Pradeep* (Hindi daily), *Ed.*, 30-7-54.

We can speak with 10 years' experience regarding the price-page schedule. This was introduced during the last war with the object of rationing news-print. In the present circumstances, it only amounts to giving a bonus to the paper at the expense of the reader. If this control is re-introduced it might lead to unexpected anomalies. At any rate, it is not conducive to the development of democracy.

—*Swadesamitran* (Telugu daily), *Ed.*, 26-7-54.

The Committee welcomes the recommendation of the Press Commission with regard to the advisability of a price-page schedule being accepted by the newspaper industry in order to give wider opportunity for more newspapers being published and for eliminating uneconomic competition.

It, however, wishes to subject schemes for a price-page schedule to a close examination before pronouncing its opinion on which particular schedule should be accepted by the industry.

—S.C.-A.I.N.E.C., *H.T.*, 29-9-54.

The recommendation urging the statutory introduction of a price-page schedule for creating a fair field of competition and enabling small and medium size newspapers to better the working conditions of journalists is the most vital one.

.....Price-page schedules were statutorily introduced both during and after the war. No legal difficulty stands in the way of their introduction and operation. Then again, the operation of price-page schedule did bring about an improvement in the economic condition of the newspaper industry.

Page restrictions are at present in operation in Britain and China.

—A. R. Bhat, President, I.L.N.A., *T.I.*, 26-12-54.

Though the recommendations of the Press Commission to reduce competition are commendable there are many practical difficulties in implementation. Many undesirable methods are practised to negate the page-price schedule.

—*Andhra Patrika*, (Telugu daily), Ed., 28-7-54.

The system of fixing the page-price schedule will definitely help the small newspapers.

—*Golkonda Patrika*, (Telugu daily), Ed., 28-7-54.

The restoration of the price-page schedule must have the effect of pegging prices at a level which would make any expansion of circulation exceedingly difficult, if not impossible...

The arguments advanced by the Commission in favour of the schedule, a war-time expedient, are typical of the *a priori* considerations which have influenced many of its crucial recommendations. ...Any attempt by arbitrary price restrictions, to prevent the normal expansion of revenues and circulation of such papers, on the supposition that this will help smaller papers, existing and prospective, can only result in stunting the growth of the Press as a whole without benefiting the weaker sections—and it might bring total disaster in recession.

—*Hindu*, Ed., 24-8-54.

The suggestion for price-page schedule is salutary for two reasons. First, it hopes to reduce the present excessive concentration of advertisements in some newspapers at the expense of others. Second, it reduces the danger of newspapers being influenced by advertisers, as the system helps them to be less dependent on advertisement revenue.

—B. C. Ed., 23-8-54.

My study of the Brazilian, American and British Press has further convinced me that the introduction of a price-page schedule would lessen the dependence of newspapers on advertisement revenue than at present, and would prove beneficial both to the economy of the industry and the country.

—A. R. Bhat, President, I.L.N.A., *H.S.*, 3-1-55.

One of the recommendations of the Commission which should be considered more thoroughly before acceptance concerns the price-page schedule for newspapers.....

The third and final part of the Press Commission's report gives interesting details of a sample survey conducted by the Commission in rural and urban areas. This survey reveals that there is a real need for newspapers priced lower than the current newspapers are; another need is better distribution arrangement for newspapers, especially in the countryside. It is not clear how these needs can be met through the price-page schedule which, in the final analysis, helps to make the rich papers richer and the poorer papers poorer.

—F.P.J., Comment, 10-1-55.

Recommendation XXI

(i) *Commission to News Agents*.—The range of Commission paid to news agents should be narrowed down, say, between 25 and 33-1/3 per cent. Any payment of commission above this rate as well as offer of other inducement to news agents or allowing them to sell the newspapers at reduced prices should be considered unfair practices and should be stopped.

—p. 461, P.C.R.

(ii) *Free and unsold copies*.—Free distribution should be limited and all copies to be distributed free should be marked "free" before being handed over to the news agent. Terms in respect of returns of unsold copies should be standardised.

—p. 462, P.C.R.

(iii) *Freight and Air Transport Charge*.—Expenditure incurred on the freight charges or on air transport should be subject to an upper limit and those exceeding 15% should be passed on to the consumer as a surcharge.

—p. 462, P.C.R.

Comments

The terms and conditions of sale and distribution is not a fit subject for legislative control. The Society is already seized with matters connected therewith and will be taking suitable action to set healthy standards.

—I.E.N.S., *Statesman*, 14-10-54.

While it is desirable that unfair practices like payment of excessive commission, distribution of free copies beyond a certain stage and the like should be discouraged by voluntary agreement among newspapers, the Committee is not in favour of any legislative restriction on these practices. In the opinion of the Committee, questions like what should be regarded as excessive commission, large allowances for unsold returns, the stage at which distribution of free copies would become an unfair practice, should be left to appropriate newspapers organizations for decision.

—S.C.—A.I.N.E.C., *Statesman*, 15-10-54.

The Federation supports the provisions designed to end price cutting and other similar unfair and restrictive practices.

—I.F.W.J., *H.T.*, 2-11-54.

VII. ADVERTISEMENTS

Advertisement supplements, quantum of advertisement, Govt. advertisements and tariff, advertisement in chain papers, market research, pressure from advertisers, code of advertising, objectionable and fraudulent advertisement, advertising councils.

Recommendation XXII

Advertisement Supplements

The worst instances of the printing of publicity material in the reading matter columns occur in the case of "supplements" which are brought out from time to time to celebrate anniversaries, occasions, or events and, in some cases with not even that justification. Supplements of the commercial type should be discouraged.

—pp. 468 & 503, P.C.R.

Comments.

As regards the publication of advertisement supplements, the Society agrees that supplements of the commercial type relating to one advertiser may be discouraged.

—I.E.N.S., *Statesman*, 14-10-54.

Welcoming the Press Commission's suggestion regarding the newspaper supplements, the society said they rarely offer better advertising value than the normal edition of the newspaper... The society disfavoured sponsored supplements.

—I.S.A., *I.E.*, 7-12-54.

Recommendation XXIII

Quantum of advertisement

The quantum of advertisement in a week's issue of a newspaper should not exceed 40 per cent of the total area.

—p. 465, P.C.R.

Comments.

Under the postal regulations the amount of advertising space allowed for registration is 50 per cent. and no good reason has been adduced for interfering with this proposal.

—I.E.N.S., *Statesman*, 14-10-54.

Recommendation XXIV

Government Advertisements and Advertisement Tariff

Our examination of the advertisement tariff has shown that the rates per mille of Indian language papers are lower than those of English language papers. The readership survey carried out

by us indicated a high degree of multiple readership specially in rural areas. Weeklies and monthlies should command higher rates than the dailies. Advertisers should consider the circulation, standing, class of readership, area of coverage, etc. in the selection of media for advertisements. The existence of combined rates in respect of a multiple unit publications is an exploitation of the advertisers and should be discarded in favour of separate rates for each different centre. There are some papers in which the Government advertisements form an important source of revenue and the influence of Government on such papers would, therefore, be greater. A large majority of district and mofussil papers appear to have been ignored by Government as well as by local authorities when placing advertisements. The Governments should check periodically the circulation of the papers to whom they entrust advertisements. Multiple readership assumes greater importance in connection with the Government advertisements which are not concerned with the purchasing power of each reader. Introduction of the principle of rotation in display advertisements would benefit some of the district and mofussil papers which do not receive advertisements when allotments are limited. Government would be justified in claiming special consideration in respect of the rates charged, and can insist that the rates should follow a particular pattern without reference to language or location of the paper. A telescopic maximum rate subject to an overall ceiling is suggested which will facilitate the distribution of advertisements over a number of newspapers and periodicals. Government should take the lead in breaking up the practice of charging combined rates for multiple unit publications. It will also be necessary for the States to examine the utility of advertising in papers published outside the State.

—pp. 465, 466, 467, P.C.R.

Comments.

The Society views with grave concern the recommendations of the Press Commission to impose an advertisement tariff unrelated to the economy of newspapers and the demand for separate rates for multiple publications which the Government should insist on enforcing with the commercial advertisers to follow. The rate structure ruling in India has a definite bearing on the economy of newspapers and any hasty or unwarranted interference far from serving the purpose intended would seriously hamper newspaper enterprise. The Government is not justified in claiming concessions not extended to commercial advertisers who, the Press Commission itself concedes, provide 93 per cent. of the revenue.

—I.E.N.S., *Statesman*, 14-10-54.

The Federation supports the principle that government advertisements should be distributed on an equitable basis among newspapers: (a) Taking into consideration such factors as circulation, standing, class of leadership, area of coverage and multiplicity of leadership; (b) treating newspapers as separate units; and (c) in accordance with the principles of telescopic maximum rate.

—I.F.W.J., *H.T.*, 2-11-54.

The society notes with complete satisfaction the opinion of the Commission that the existence of a combined rate in respect of a multiple-unit publications is an exploitation of the advertisers and should be discarded in favour of separate rates for each different centre and that the Government should take the lead in breaking up the practice of charging combined rates for multiple-unit publications.

—I.S.A., I.E., 7-12-54.

The break of the practice of charging combined rates for advertisements.....is justified and is in line with the views expressed by leading advertisers.

—*Pioneer*, Ed., 24-12-54.

Smaller newspapers will suffer if advertisements tariffs are regulated.

—B.C., Ed., 16-2-55.

A larger circulation of a newspaper should not be the sole criterion for its receiving Government advertisements. District papers should receive Government advertisements irrespective of the fact whether they had a big circulation or not. This would give the smaller papers the necessary financial encouragement.

—T.R. Deogirakar, M.P., President M.P.C.C., *Tribune*, 12-2-55.

In the view of the Committee, the advertisement tariff should be allowed to be determined by normal play of forces in the commercial field. In the view of the Committee there should be no discrimination exercised in favour of the Government in regard to advertisement rates, and the Government and private advertisers should be placed on the same footing.

—S.C.-A.I.N.E.C., H.T., 22-9-54.

The recommendations regarding the distribution of Government advertisements are welcome. We shall like to know whether it would apply to advertisements of Public Service Commission also.

—Aj (Hindi daily), Ed., 28-7-54.

Recommendation XXV

Market Research

Market research should be undertaken by the Advertising Agencies' Associations. This will not only put the advertising tariffs on a more rational basis but would increase the effectiveness of advertisements.

—p. 466, P.C.R.

Recommendation XXVI

Pressure from Advertisers

Any attempts at the exercise of pressure from advertisers should be reported to the Press Council who can recommend the disaccreditation of the advertising agent found guilty.

—p. 502, P.C.R.

It is essential that all advertisers and advertising agencies rigidly adhere to the convention that any news material should be sent only to the editor and not to the advertisement manager. The practice of reviewing in the financial notes, the balance sheets and annual reports of companies may continue but the concession should be extended even to firms that do not advertise in the paper.

—p. 502, P.C.R.

Recommendation XXVII

(i) *Code of Advertising*.—A code of advertising should be adopted which all newspapers would be compelled to follow and which would be binding also on the Associations of Advertising Agencies and Advertisers.

—pp. 468, 469, P.C.R.

(ii) Secret payments or other inducements to the media men in the advertising agencies to make them increase the allotment for a particular paper is highly objectionable and combined action should be taken to put a stop to it.

—p. 467, P.C.R.

(iii) *Objectionable and Fraudulent Advertisements*.—Publication of fraudulent advertisements should be made punishable with fine or imprisonment. Advertisements of pornographic publications must be stopped. In the case of cinema advertisements the United States practice of prior approval by a Board should be followed.

—pp. 468, 469, P.C.R.

(iv) *Advertising Council*.—An Advertising Council may be created and should consist of newspapers, advertising agencies, advertisers, and Government representatives to advise on the ethics of advertising and to organise market research and to carry on readership survey.

—p. 468, P.C.R.

Comments.

Any reasonable steps that the Government may be disposed to take for tightening the law in respect of objectionable advertisements has the full sympathy and support of the Society.

It is not fair to impose any penalty on newspapers for *bona fide* publication of advertisements which may turn out to be false.

The Society approves the suggestion of the Press Commission for the creation of an Advertising Council consisting of newspapers, advertising agents, advertisers and Government representatives to advise on the ethics of advertising and to organize market research and readership survey.

—I.E.N.S., *Statesman*, 14-10-54.

The Committee favours the adoption of a code for advertisements and creation of an advertising council.

—I.L.N.A., *H.S.*, 29-10-54.

The Indian Society of Advertisers (ISA), representing leading national advertisers in India, has decided to form an advertisement Council as recommended by the Press Commission. The Society announced yesterday that it had taken steps for the formation of the council in association with other bodies representing the newspapers and advertising agencies and allied organisations. The I.S.A. had already prepared a draft ethical code of advertising which, when adopted, will be binding on the advertisers, agencies and newspapers.

Steps were also being taken to convene an early meeting of the representatives of the different groups for the purpose of taking preliminary steps necessary for the formation of an Advertising Council.

—Bombay, Dec. 6, *I.E.*, 7-12-54.

The Committee is of the view that in the matter of setting up of an Advertising Council, the Government should consult organizations of journalists, like the A.I.N.E.C. as editors have a point of view to present on the ethics of advertising, and their participation in the work of the Advertising Council would be of value to the advertising profession. The Committee trusts that the Government would associate A.I.N.E.C. in their setting up of an Advertising Council.

—S.C.A.I.N.E.C., *H.T.*, 14-2-55.

The Advertising Council must be formed on a voluntary basis free from governmental influence in the selection of personnel and in the prescribing of the scope of its activities.

—J. C. Jain, President, I.E.N.S., *Hindu*, 23-3-55.

The Press Commission has made very good recommendations regarding advertisements, but it is not proper to throw the entire blame on the papers for publishing wrong and obscene advertisements. Advertising agencies also should be made responsible in the matter. There are many bogus institutions which cheat the papers and the public alike.

—*Golkonda Patrika* (Telugu daily) Ed., 28-7-54.

The Commission rightly want action to prevent publication of some types of advertisements, particularly those which appeal dangerously to the gullible, or which are crudely worded or obscene or contrary to the public interest.

—G. A. Johnson, *Statesman*, 23-8-54.

VIII. NEWS AGENCIES AND FEATURE SYNDICATES

Relationship with the State, objectivity of service, number of agencies, coverage of foreign news, categories of service, tariffs for news service, commercial service, regional news, service for foreign papers, P.T.I., U.P.I., feature service and feature syndicates.

Recommendation XXVIII

(i) *Relationship with the State.*

News Agencies should not be State-owned or State-controlled; it is essential if Indian agencies are to function satisfactorily that

any assistance from the State should have no strings attached, and the State should not have any voice in the control of the agency either editorially or administratively.

—p. 475, P.C.R.

(ii) *Objectivity of Service*

Service provided by the news agencies should be objective, comprehensive and accurate. As purveyors of news, the news agencies should not only keep themselves free from bias and follow strictly the principles of integrity, objectivity and comprehensiveness in the coverage of news but it should also be apparent to the newspapers and the public. News agencies should eschew any comment in their services. Where published, the source of the comment should be indicated.

—p. 474, P.C.R.

(iii) *Number of Agencies.*

It is necessary to have more than one news agency functioning efficiently in the country.

—p. 474, P.C.R.

(iv) *Coverage of Foreign News.*

It is essential for any news agency in India to develop its coverage of foreign news by installing its own correspondents at the major foreign capitals and using their dispatches to supplement and correct the services of news agencies. But there should be no restriction on foreign news from whatever source it comes. It should be entirely at the discretion of the editors to accept or reject the news agency material.

—p. 474-475, P.C.R.

Comments.

We welcome the Commission's recommendation that news agencies should not be State-owned or State-controlled..... If it be right that the dissemination of news should be factually accurate, that in the presentation of news there should be no question of favouring a particular policy or trimming the news to suit that policy.....No Government should be able to dictate to the Press what news shall and shall not be published.

—Mail, Ed., 26-7-54.

Recommendation XXIX.

(i) *Categories of Service.*

There should be three categories of service to newspapers, the full service (present 'A') a brief service (present 'C') and a summary service (former I.N.A. but based on A.I.R. bulletins). P.T.I. should provide a summary service of international, national and regional news based primarily on the A.I.R. bulletins to meet the needs of district newspapers.

—p. 476, P.C.R.

(ii) *Tariffs for news Services.*

Tariff for these three services should be so devised as to allocate the cost of news collection and distribution to the subscribers in an equitable manner and according to the use made of the service. They should consist of a fixed charge in respect of cost to the organisation for distribution of services, and a royalty dependent upon the circulation of the subscribing newspapers.

—p. 476, P.C.R.

(iii) *Commercial Services.*

News agencies should not place too much reliance on income from commercial services. Improper use of these facilities by subscribers must be prevented.

—p. 476, P.C.R.

Comments.

A news agency which depends so much upon increased AIR subscription and has not been able to manage its affairs competently or fairly, will not be in a worse position under the public corporation than it is now.

—N.H., Ed., 24-8-1954.

The Commission's recommendations in regard to the revision of news agency tariffs based on fixed rental plus royalty per copy sold.....must also be implemented if small and medium size newspapers are to shoulder the burden of the minimum wage and other amenities to working journalists. It is true that the Commission's recommendations in regard to services and tariffs concern news agencies and their subscribers, but they are an integral part of the scheme for their reorganisation. The Government would not be following the spirit of the recommendations of the Press Commission if they consider the revision of charges payable by All India Radio separately.

—I.L.N.A., T.I., 26-12-54.

The Committee expresses its approval of the scheme of news-agency tariffs as proposed by the Press Commission. In its view the scheme of rates as proposed would go a long way in helping the development of strong, independent Indian language newspaper units in mofussil centres. In this connection, the Committee welcomes the removal of distinction between scheduled and non-scheduled centres which is at present being observed and is working to the detriment of newspapers in non-scheduled centres and the formulation of a subscription schedule based on circulation.

—I.L.N.A., H.S., 29-10-54.

Recommendation XXX(i) *Regional News.*

Regional news occupies less space than national news, and if account is taken also of the fact that there are at least half-a-dozen distinct and different regions in the country, with their own special interests not merely in political and financial affairs, but also in

social, culture and scientific matters, the position of regional news becomes even more noticeable. The total quantity of Indian news will have to be increased very greatly. A substantial increase in output will have to be achieved by more extensive collection from additional centres not at present covered, and also by more detailed reporting of each event. For an effective coverage of social, cultural and scientific matters of a region besides local political news, it is essential that the total lineage or regional news be expanded. News agencies should extend their efforts in the field of regional news in order to reduce the handicaps that stand in the way of the growth of small newspapers.

—p. 475, P.C.R.

(ii) *Service for Foreign Papers.*

Indian news agencies should also provide a service of Indian news for the use of newspapers in foreign countries.

—p. 478, P.C.R.

Comments.

These are positive and practical suggestions.....If the industry is not to continue in a vacuum it must give a new direction to its news coverage.

—B.C., Ed., 23-8-54.

Recommendation XXXI

P.T.I.

The existing organisation should be transferred to a public corporation established by an act of Parliament or operating under a charter from the president and managed by a Board of Trustees. No individual having personal interest in the revenue and expenditure of the Press Trust of India should be connected with the management. No trustee should concern himself with the day-to-day management of the corporation.

—p. 477, P.C.R.

Comments.

The Press Commission's recommendations *vis-a-vis* the P.T.I. must soon be implemented.

—N.A.C. of M.P.U.W.J., *Statesman*, 27-9-54.

The Federation endorses the view of the Commission that the recommendations with regard to the reorganization of the P.T.I. should be implemented in full and that no financial assistance should be given to it till such reorganization is effected.

—I.F.W.J., *H.T.*, 2-11-54.

Without going into recent controversies, I would appeal to the P.T.I. Board to accept the Commission's recommendations with grace and reorganise the major news agency of the country on the lines suggested. The development of the Press in our economic conditions depends upon news agency services to such an extent that the recommendations on news agencies are among the more important of the recommendations and should be implemented early.

—M. C. Rau, President I.F.W.J., *Hindu*, 1-11-54.

Of vital importance is the recommendation of the Press Commission regarding the bringing into existence of a public corporation to take over the Press Trust of India.

—K. I. Dutt, Chief Editor, *Leader*, 3-12-54.

The Press Commission has made it clear beyond any doubt that its recommendations regarding the increase in subscription from All India Radio and other concessions should all be taken together along with the recommendation for the reconstitution of the 'Press Trust of India' as a public corporation managed by a board of trustees and not separately.

—A. R. Bhat, President I.L.N.A., *T.I.*, 26-12-54.

The Press Commission's generalised observations on the Press Trust of India could hardly be said to carry the impress of study; facts were torn out of context, conclusions built on conjectures and allegations which had been disproved as untrue had been incorporated in its report.....The keynote of the Commission's report bearing on the P.T.I. was suspicion..... Allegations made before the Commission—even malicious allegations—of maladministration, nepotism and the like applied to the pre-independence period and its legacy during the period of transition.....There is not the slightest reason to doubt the integrity of the P.T.I., either in its news service or in the sphere of administration.

—Dr. N. B. Parulekar, Chairman, P.T.I., *T.I.*, 22-12-54.

The new P.T.I. as proposed would be controlled by trustees, half of whom, and probably the chairman too, would be unconnected with the newspaper industry.....Other recommendations concerning the agencies, the P.T.I. in particular, though presumably designed to benefit the small newspapers, seem likely to make the larger, at present supplying the bulk of its finances, doubt whether it is worth continuing so expensive a service. Present shareholders too may not regard proposals affecting them with much pleasure. Nor may the Government, asked in various ways to pay more and charge less, rejoice over the prospect of making a substantial loan to a concern over which it too, happily, will have no control. (I should perhaps add that I am a director of P.T.I.)

—G. A. Johnson, *Statesman*, 23-8-54.

The Press Trust of India must be made independent of administrative control by any newspaper magnate.

—*Swatantra*, *Sidelights*, 28-8-54.

Recommendation XXXII.

U.P.I.

U.P.I. should have only one class of service covering the international, national and regional news. The management should be entrusted to a Board of Trustees with representation of subscribing newspapers and U.P.I. staff.

—pp. 477, 478, P.C.R.

Comments.

The Federation also endorses the recommendations of the Commission that the United Press of India should be converted into a public trust with representation for its employees and for subscribing newspapers on its board of trustees. The Federation urges that the U.P.I. management should take immediate steps in this direction and expresses the hope that in that event the Government of India will give the U.P.I. financial assistance on easy terms to enable it to get over its present difficulties and expand and improve its service.

—I.F.W.J., *H.T.*, 2-11-54.

Recommendation XXXIII

Feature Service and Feature Syndicates

It seems a pity that no major Indian news agency has developed a feature service. Indian syndicates should also increase the range of their subjects. Indian publishers object to syndicated material. There is much scope, however, for syndicated material in various Indian languages. Some of the foreign cartoon-strips supplied by syndicates are likely to create a deplorable psychology among children. The Press should encourage utilisation of Indian humour art in comic strips and cartoons. The Indian syndicates should exert and obtain good articles from competent Indian writers on subjects of current interest.

—pp. 478, 479, P.C.R.

IX.—GOVERNMENT AND THE PRESS

APPRECIATION OF THE PRESS AND PUBLICITY OF INDIVIDUALS AND STATE ACTIVITIES, INFORMATION DIRECTORATES, LIAISON BETWEEN THE GOVERNMENT AND THE PRESS, ACCREDITATION COMMITTEE, PRESS ADVISORY COMMITTEE.

Recommendation XXXIV.

(i) *Appreciation of the Press and Publicity of individuals and State Activities.*

There is a proper appreciation of the function of the Press in Government circles. There is, however, an excessive tendency to consider the Press as a means of publicity for certain activities of the State or for certain individuals, and insufficient importance is attached to the functioning of the Press as a reporter and interpreter for the people.

—p. 479, P.C.R.

(ii) *Information Directorates.*

The Information Directorates of the Government should follow the procedure of supplying in advance copies of full reports to editors to avoid suspicion of unfair summaries particularly in cases where the administration is directly concerned.

A scrutiny of the collections of photographs, Press releases, and Government periodicals shows a tendency to ignore the fundamental achievements or objectives and to spot-light the dignitaries,

to emphasize the persons and not what they have done. The Information Directorates and the Government publications should eschew such a stultifying tendency.

The distribution of Government advertisements should be taken away from the Information Directorates and entrusted to some other Directorate of the State Governments.

—pp. 479, 480, P.C.R.

(iii) *Liaison between the Government and the Press.*

It is the essential right of reporter correspondents to have access to the original source of news; even when a Press note by the Government has been issued, it should be the duty of the correspondent to supplement the release by a clarification of such other points as he feels necessary for a proper appreciation of the subject. It is essential that access of correspondents to the source of the news at authoritative level should be unrestricted and correspondents should also make the fullest use of such access. Press correspondents should have the right to meet Ministers, Chief Secretaries, Secretaries of Government and Heads of District Administration. Better facilities should be placed by the Government of India, at the disposal of the Press at Delhi and dispatches sent by foreign correspondents should not be scrutinised as it would amount to censorship which is not at all desirable.

—pp. 479, 480, P.C.R.

(iv) *Accreditation Committee.*

An Accreditation Committee in consultation with different organizations of newspapers should be formed to consider modifications in the rules, in respect of accreditation of correspondents, laid down by the Central Government. In case of the State Governments also, local committees should be set up.

—p. 479, P.C.R.

(v) *Press Advisory Committee*

In a democratic set-up there is no necessity for machinery like the Press Advisory Committees for advising the Government on the administration of Press Laws or for Press Consultative Committees to regulate the relationship between the Press and the Government.

—p. 479, P.C.R.

Comments.

Suggestions like those liaison between Governments and the Press, could be adopted without difficulty.

—G. A. Johnson, *Statesman*, 23-8-54.

The relations between Government and newspapers are vital for the growth of democracy.....It is a grave omission on the part of the Commission that its recommendations and observations on the relations between the Press and the State have not been such as to be helpful in fostering mutual realisation that rules of accreditation and the enactment and enforcing of Press Laws are involved.

—S.T., Ed. 29-8-54

X.—PRESS LAWS

Comprehensive Act to regulate the industry, Central Control, Constitution of India, The Press (Objectionable Matter) Act, the Press (Registration of Books) Act, copy to National Library, Press Registrar, Indian Post Office Act, Concession to genuine papers, Postal service, cable and wireless charges Official Secrets Act, Indian Penal Code, yellow journalism and astrological predictions, crossword puzzles Criminal Procedure Code, Sea Customs Act, Contempt of Court, contempt of Legislature and breach of privilege.

Recommendation XXXV.

Comprehensive Act to regulate industry.

The Newspaper and periodical industry should be brought under control of the Union Government. A comprehensive Act should be passed to regulate the industry. Other new enactments would be needed: to establish a Press Council, a State trading corporation to handle newsprint a public corporation to take over the P.T.I. and to define the powers, privileges and immunities of legislatures. Amendment of certain existing enactments would also be needed.

—p. 494, P.C.R.

Comments.

This is a tall order and it is not surprising that since some of the Commission's proposals became generally known, many voices have been raised against hasty implementation. The damage done might be irreparable.

—G. A. Johnson, *Statesman*, 23-8-54.

Let it be clearly understood that to overlegislate is to barter away what is left of the freedom of the Press.

—*Pioneer*, Ed., 25-8-54.

Some of the other recommendations of the Press Commission do envisage legislation or regulation, and they seem unnecessarily fussy.....The Commission has an exaggerated idea of the extent to which it is possible to make newspapers good by Act of Parliament.

—*Manchester Guardian*, Ed, 19-8-54.

There are enough restrictions over the Press at present and if the Government tries to snatch away even that iota of freedom from the Press, it will lead to great discontent and agitation.

—*Zamin Ryot*, (Telugu daily), Short Comments, 23-7-54

The Federation also urges that the unanimous recommendations of the Commission for amending, modifying and repealing various Press laws should be implemented forthwith.

—I.F.W.J., *H.T.*, 4-11-54.

Recommendation XXXVI

Central Control

The newspaper industry is one which should come within the administrative control of the Central Government in view of the national importance of the industry and the fact that it recognises no State boundaries.

—P. 494, P.C.R.

Comments


The Society welcomes the suggestions of the Press Commission to make the newspaper industry a Central subject.

—I.F.W.J., *Statesman*,
14.10.54.

The most important recommendation is for making the Press a Central responsibility. It would enable the Government of India to take suitable steps when such occasions arise.

—N.B.T., (Hindi daily),
Ed., 28.7.54.

Recommendation XXXVII

Constitution of India


Although the control over the Press must be subjective or professional, some legal restriction is inherent in the concept of the freedom of the Press. Article 19(2) of the Constitution as it stands at present is not inconsistent with the concept of the freedom of the Press atleast in so far as it relates to public order and incitement to an offence. The words "Public order" should be preferred to the words "for the prevention of disorder". The words "in the interest of friendly relations with foreign States" are of a very wide connotation and may conceivably be relied upon for supporting any legislation even restricting legitimate criticisms of the foreign policy of the Government. The Constitution must leave it to the wisdom of Parliament to define the precise scope of reasonable restrictions on freedom of speech and expression and to the impartiality of the Supreme Court to pronounce upon the reasonableness of those restrictions. Legislation should be confined in its operation to cases of systematic diffusion of deliberately false or distorted reports undermining relations with foreign States. The legislatures are expected to exercise with discrimination and circumspection the right of placing such restrictions.

P. 518, 519, P.C.R.

Comments

The Federation urges: Article 19(2) of the Constitution should be amended on the lines suggested in the note of dissent* on the Press laws added by four members of the Press Commission.

—I.F.W.J., H.T. 4.11.54

*Pages 441-454 of the Report of the Press Commission, Part I.

The Congress party may be a little disappointed by the report of the Indian Press Commission. It is in favour of a more extended control of the Press than the Constitution allows, even after the amendments made three years ago. The Congress Working Committee expected that the Commission would share its views. The Press Commission has not done so....It is a good thing that the Indian Government has not been encouraged to further restrictive legislation or Constitutional amendment.

—*Manchester Guardian*,
Ed., 19.8.54.

Recommendation XXXVIII

The Press Objectionable Matter Act

The Act should be maintained on the statute book for the present. The Press Council should have internal control over the Press and should see that the units of the Press publishing objectionable matter are effectively pulled up and publicly censured. As the Press Council rose in strength and prestige, the necessity of having to resort to measures like the Press (Objectionable Matter) Act, will disappear. Therefore, the special provisions relating to the Press should remain as a separate Act and not form part of the permanent law of the land. The system of trial by jury under the Act should continue. Journalists like Members of any other jury, have to learn to assume responsibility. The safeguard imposed by the legislature of consulting the highest law officer before taking action under Section 11 is a salutary one and should be retained. There is no necessity for imposing a minimum on the amounts for which security should be taken. The suggestions of State Governments for tightening up the law in these respects should not be accepted.

P. 522, P.C.R.

Comments.

The Federation is in complete agreement with the note of dissent on the Press laws added by four members of the Press Commission. The Federation urges: The Press Objectionable Matters Act should be allowed to lapse.

—I.F.W.J., H.T. 4.11.54

Recommendation XXXIX

(i) *The Press Registration of Books Act*—Section 5(1) of the Act making it necessary that the name of the editor must appear on every copy of a newspaper, should be retained. But whenever editor is away the name of the acting editor should be printed. It should be made obligatory for a publisher to start publishing a paper within a specified period of the declaration and to publish a specified number of minimum issues during a prescribed period, failing which declaration should lapse.

—P. 523, P.C.R.

(ii) *Copy to National Library*.—One copy of each paper, book or periodical should be filed with the National Library of India. One Library at least should have all the important newspapers and

periodicals published in India, and therefore, it is necessary that a provision should be made to that effect in the Act. The whole administration of the Press and Registration of Books Act should be overhauled. There must be a radical change in the administration of the Act in various States.

—pp. 523, 524, P.C.R.

Recommendation XXXX

Press Registrar

There should be a Press Registrar for each State who will be responsible for the primary collection and compilation of the statistics. It should be incumbent on each newspaper and periodical to file certain statements regarding the circulation of the paper, employees, consumption of raw materials, changes in control ownership or management etc. with the Press Registrar so that the public may get, from authentic source authentic statistics about the industry. The Press Registrar of India should exercise supervisory jurisdiction over the Press Registrars appointed for each State. It should be obligatory for all newspapers, periodicals, advertising agencies and news agencies to register themselves with the Press Registrar. The Central Registrar should also bring out an annual report on working conditions in the industry and giving such other details as may be prescribed.

—pp. 458, 524, P.C.R.

Comments.

In suggesting the appointment of press registrars, the commission has dealt with the prime need for comprehensive and authentic statistics, which cannot be left to an industry which has been precariously balanced on fraud, false circulation figures and a disorganized, disconnected role inconsistent with responsibility.

—N.H., Ed., 24.8.54

The recommendation for the appointment of a Press Registrar is an important recommendation. . . . If Press Registrars are appointed "I am sure that the fraud on which the newspaper industry is so largely based will end and that itself will be a revolution"

—M. Chelapathi Rau,
President I.F.W.J., *Statesman*,
17.8.54

The Society is not opposed to the creation of a machinery for the collection of statistics about newspaper industry and their publishing the same. The powers of the Press authority should, however, be confined to the above functions only.

—I.E.N.S., *Statesman*,
14.10 54.

The Federation notes the various suggestions made by the Commission to promote the growth of a healthy, vigorous and independent Press, and in particular welcomes: the proposal to

appoint a Press Registrar. The Federation feels that his functions should be different from and larger than those exercised by the Registrar of Joint Stock Companies.

—I.F.W.J., *H.T.*, 2.11.54.

The appointment of Press Registrars, not with little power as suggested by the Newspaper Society, but with the powers and responsibilities outlined by the Commission, should help in the improvement of financial standards, the maintenance of correct statistics and accurate surveying of the working of the Press.

—M. Chelapathi Rau,
President, I.F.W.J., *Hindu*,
1.11.54.

Of vital importance is the recommendation of the Press Commission regarding the appointment of Press Registrars both at the Centre and in the States.

—K. I. Dutt, Chief Editor,
Leader, 3.12.54.

We see no hope in the proposed Press Council or Registrar's office. These will be occupied by precisely the most reactionary elements against which the rest of the Press needs protection before anyone else can gain entrance into them.

—*Swatantra*, Ed., 4.9.54.

The proposals for the formation of a Press Registrar are welcome.

—*Swadesamitran*, (Tamil daily)
Ed., 26.7.54.

The Standing Committee welcomes the proposals of the Press Commission relating to the appointment of a Press Registrar... The Press Registrar and his deputies in various States should be under the Central Government and not State Governments... The powers of the Press Registrar in respect of his duties shall in no case exceed the powers of registrars of joint stock companies under the Indian Companies Act.

—S.C.—A.I.N.E.C., *H. T.*,
22.9.54.

Recommendation XXXXI

Indian Post Office Act

(i) *Concessions to Genuine Papers*.—The concession which registered newspapers enjoy should be given only to genuine newspapers.

—p. 524, P.C.R.

(ii) *Postal Service*.—The postage concession which is granted for surface transport of manuscripts and reports for publication should be extended to air transmission in respect of material addressed to registered newspapers.

—p. 472, P.C.R.

(iii) *Cable and Wireless Charges*.—News agency messages from abroad are received by cables or wireless. News agencies in India

pay the P & T Department a charge based on the monthly wordage handled. It is essential that the tariff should be revised and charges substantially reduced.

A substantial reduction in international telegraph charges is also essential for the development of the Press and news agencies in this country.

—p. 473, P.C.R.

Recommendation XXXXII

Official Secrets Act

Merely because a circular is marked secret or confidential, it should not attract the provisions of the Act, if the publication thereof is in public interest, and no question of national emergency and interest of the State as such arises.

—p. 524, P.C.R.

Recommendation XXXXIII

The Indian Penal Code

Section 124(A) in so far as it penalises mere exciting or attempting to excite feelings of hatred, contempt or disaffection towards Government without exciting or attempting to excite disturbance of public order, it is *ultra vires* of the Constitution even under the amended Article 19(2). Expression of dissatisfaction and mobilisation of public opinion against the Government is normal to democracy. This Section should therefore be repealed. A new Section 121 B may be inserted to make punishable expressions inciting to alter the system of Government by violence, with or without foreign aid.

Section 153(A) should have an explanation added to the effect that it does not amount to an offence to advocate change in the social or economic order, provided that any such advocacy is not intended to or likely to lead to disorder or to the commission of offences.

Section 295(A) should be brought indisputably within the provisions of the Constitution by limiting its operation to those cases where there is intention to cause violence or knowledge of likelihood of violence ensuing.

—p. 525, P.C.R.

Recommendation XXXXIV

Yellow Journalism and Astrological Predictions

To promote the sales of newspapers and periodicals, publishers and editors adopt many undesirable practices, the most common being the use of sensational headings. The spread of the habit of publishing astrological predictions is equally harmful in so far as it produces an unsettling effect on the minds of readers. Sometimes, the predictions extend to political events of great significance. In such cases the Government should take action against such publications. In the case of scurrilous attacks, as in the case of indecent writing, provision for prosecution under I.P.C. should be supplemented by other remedies. Some legislation in the form of a provision for taking security is necessary to deal with the section

of the press that seeks to flourish on black mail, sensationalism, obscenity, vilification of persons in authority, ferreting out of official secrets and publishing spicy political scandals. The real cure for such manifestation of irresponsibility is, however, subjective and organisational.

—pp. 511, 513, 521, 522, P.C.R.

Comments

Old stalwarts will, however, heave a sigh of relief that the Commission has put its foot down on yellow journalism which it will be hoped, Government would do everything in their power to suppress in the interests of healthy and ordered public life.

—*Searchlight*, Ed., 27.7.54.

The Committee is of opinion that professional organisations should by voluntary agreement discourage publication of astrological predictions in newspapers. The Committee is not in favour of any legislative action in the matter.

—S.C.-A.I.N.E.C., *Statesman*, 15.10.54.

Some newspapers in the Commission's opinion are partisan, timid, arbitrary. Their timidity, it should be pointed out, is largely responsible for the growth and continuance of the "yellow Press". Unless the law becomes a little more kindly to the Press (and the Commission would in some ways like to make it harsher) newspapers which have money to lose are likely to remain "timed."

—G. A. Johnson, *Statesman*, 23.8.54.

Yellow Press flourishes because Authority seems to have no respect for the respectable Press. It only dreads the "Yellow Press" and acts on its exposures.

—*I.E.*, 23.8.54

Recommendation XXXXV

Crossward Puzzles

The publication of entry forms of prize competitions in newspapers and periodicals is an unjournalistic activity and there should be a provision in the Act regulating the printing and publication of newspapers and periodicals, banning the printing of any form of entry to competition or prize schemes. Rs. 500 should be the maximum award permissible in a month.

—p. 462, P.C.R.

Comments

Reliance on exaggerated prize competitions to increase circulation is unhealthy and undesirable.

—*B.C. Ed.*, 23-8-54.

Though it was not among their terms of reference, the Press Commission have, almost in a meddlesome spirit, made a reference to crosswords and similar competitions.The Commission seems to have overlooked the fact that it was not incumbent upon any purchaser of the concerned newspaper to fill in those entry forms. The mere publication of the entry forms cannot be called "an unjournalistic activity", as so termed by the Report. After all, it should be open to any one to promote or expand his business in the best possible way.In the context of this constitutional position, the Press Commission should not have tried to put obstructions in the way of an enterprise that has received legal sanction and subjected such valid business to the omnibus castigation of "unjournalistic activity".Viewed dispassionately from every consideration, the recommendations of the Commission not only ignored the constitutional provisions but the decisions of our courts of justice. The Commission themselves admit that they have overshot the limit of their brief, but then the damage that their recommendations on crosswords might cause if implemented, would be irreparable, with the result that the very reliefs that are sought to be given to newspapermen would become economically impracticable.Leading promoters of such competitions feel that it would be advisable for the Government of India to invite them and hear their views on the subject and then bring about any legislative measure governing the conduct of prize competitions in the country.

—Promoter's Appeal, *Advertisement in Hindu*, 27-11-54.

Crossword competitions with money prizes should be taxed heavily if they are not banned absolutely.

—*Swatantra*, 28-8-54

The Society agrees with the views of the Press Commission in para 185 of their report regarding banning by legislation of word puzzle competitions for which an entrance fee is charged and where the winners are awarded substantial money prizes.

—*I.E.N.S., Statesman* 14-10-54.

The Committee is in favour of legislative ban on the offer of prize schemes and free insurance and similar inducements to circulation by newspapers.

—*S.C.I.I.N.E.C., Statesman*, 15-10-54.

The circumstances in which these competitions are being run today make their continuance a danger to healthy journalism..... What was, at best an innocent pastime and at the worst a mild indulgence has become a craze. In the hands of unscrupulous exploiters it threatens to subvert all standards of journalism.The matter has already been before the Central Government for two years. Its indecision has prevented even the State Government from taking any effective and concerted action. The competition in declaring higher and higher prizes, meanwhile, continues to grow more fierce. The situation calls for an immediate ban on competitions with entry fees.Such competitions as are run as an intellectual recreation, without entry fees and with only token prizes, can and should be allowed to continue.

—*T.I., Ed.*, 26-10-54.

With regard to crossword and other competitions, the Committee agreed with the recommendation of the Commission, but was of the view that a mere ban on such competitions, for which an entry fee was charged and where the winners were awarded substantial money prizes by newspapers, was not enough.

—I.L.N.A., H.S., 29-10-54.

The Federation welcomes the recommendations of the Commission on the crossword and other prize competitions. The Federation calls for immediate legislative action to make the conducting of such competitions a penal offence.

—I.F.W.J., H.T., 2-11-54.

Apprehending or anticipating the likely attitude of the Press Commission, bigger newspaper units have already taken steps to nullify the proposed law which, if enacted, can harm the smaller newspapers but leave the bigger ones unhurt. Crossword competitions in bigger units are no longer,—not even in name and in law,—a part and parcel of the activity of the particular units. Private companies have been formed to take charge of these competitions which benefit the proprietor who advertises the competitions in this paper, apparently paying a price for the space consumed by him. The smaller units will be the only ones to be caught within the meshes of the contemplated legal enactment. The unanimous resolution passed by the Indian and Eastern Newspaper Society agreeing with the Commission for a legal ban on crossword puzzle competitions strikes one as a huge joke.

—*Searchlight*, Ed., 2-11-54.

The Commission has rightly expressed itself against Crossword Competitions as an unjournalistic activity. Their immediate banning by the Centre is obviously indicated.

—Kamal, *Organizer*, 6-9-54.

Recommendation XXXXVI सत्यमेव जयते

(i) *Criminal Procedure Code*.—Sections 99A to 99G enable the Government to forfeit every copy of a newspaper or a book containing matter falling under Sections 124A, 153A and 295A of I.P.C. The reference to Section 124A of I.P.C. should be deleted from Section 99A of Cr. P.C. The rest of the Section may remain because the reference to Sections 153A and 295A I.P.C. would be construed as reference to the amended Sections, if the recommendation is accepted.

It was not the intention of the framers of the Code to apply Section 144 Cr. P.C. to the Press. If necessary the Government may promote separate legislation or seek amendment of that Section. When an order is issued prohibiting assembly of more than a certain number of persons the authority concerned should grant, in the order itself, special exemption to *bona fide* reporters. They should be asked to bear distinctive badges.

—pp. 525, 526, P.C.R.

(ii) *Sea Customs Act*.—Section 19 should be amended to limit its operation, in the case of newspapers and periodicals, to such

matter as is liable to be forfeited under Section 99-A Cr. P. C. it would be anomalous to ban the production of that type of literature in this country, but to permit its import.

—p. 527, P.C.R.

The Association views with deep concern the proposed amendments to the Cr. P.C. relating to the clauses curtailing the freedom of the Press, records its most emphatic protest against these "reactionary provisions" and demands that they should be scrapped.

—C.D.J.A., A.T., 7-12-54.

It is highly encouraging to find that the Commission have differed from the view of Justice Mukharji who in his report on the Calcutta police assault on Press reporters held that the reporters as such could not claim exemption from the operation of an order under Section 144.

—A.T., Ed., 27-7-54.

Recommendation XXXXVII

Defamation.

A third proviso should be added to Section 198 Cr. P.C. to the effect that when the person aggrieved under Chapter XXI of the Indian Penal Code is a public servant within the meaning of S. 21 of I.P.C. by reason of allegations made in respect of his public duties, the magistrate with jurisdiction may take cognisance of the offence upon a complaint made in writing by some other public servant to whom he is subordinate. It should be obligatory on the magistrate to order a police investigation or a magisterial inquiry. A proviso should be added to section 202 of the Cr. P.C. that where the complaint is in respect of defamation of a public servant in the discharge of his duties, a magistrate shall make the inquiry or investigation into the complaint. It would be desirable by an administrative order, to direct that such complaint should be filled in the court of a District Magistrate.

—p. 533, P.C.R.

The scheme of the Criminal Procedure Code in regard to defamation should not be disturbed, and defamation should continue to be an offence against an individual, and there should be no discrimination in procedure as between a public servant and a private citizen.

—I.F.W.J., H.T., 4-11-54.

Recommendation XXXXVIII

Contempt of Court

No change is called for either in the procedure or practice of the contempt of court jurisdiction exercised by the High Courts.

—p. 582, P.C.R.

Recommendation XXXXIX

Contempt of Legislature & Breach of Privilege

The Parliament and the State Legislatures should define by legislation the precise powers, privileges and immunities of the House of

Commons which they possess in regard to contempt and the procedure for enforcing them, in consonance with the Constitution. No culpability should be attached to the publication of the proceedings of the Legislature before the order of the Presiding Officer expunging them reaches the newspaper office. Such intentional and unavoidable transgression of Chair's rulings should not be regarded as a breach of the privilege of the House. Where a question or motion sent to the Presiding Officer has been disallowed, a bare mention to that effect, without comment, should not be treated as contempt of Legislature.

Contempt proceedings should be resorted to only in extreme cases. The Legislatures should respect the freedom of expression exercised by the Press within legally permissible limits. Legislatures should be very cautious in exercising their powers, privileges and immunities.

Reflections on Members, even where individuals are not named, may be so framed as to bring into disrepute the body to which they belong and such reflections have therefore been treated as reflections on the House itself. If the publication was intended to bring to light matters which were true, so that an end might be put to them, then however, discreditable the fact, such publication for such a high purpose would continue to be a defence.

—pp. 529, 530, 531, P.C.R.

Comments.

I appeal to the Chairman of the Speaker's Conference to take an early opportunity of convening a conference of representatives of newspapers' professional organizations where I and my colleagues can informally discuss the difficulties of the Press and reach a general agreement on matters which should be definitely regarded as privileges of the Legislature not capable of infringement by the Press or any other party. On the basis of the discussions at the conference, a code defining the privileges of the Legislature can be drawn up for ratification by the legislative authority of the country.

—A. D. Mani, President A.I.N.E.C., *Statesman*, 14-8-54.

IV. PRESS AND PUBLIC COMMENTS ON THE WORKING JOURNALISTS (INDUSTRIAL DISPUTES) ACT 1955,* MINISTERIAL STATEMENTS**, AND THE STATEMENT*** LAID ON THE TABLE OF THE HOUSE.

The definition of "worker" in the proposed amendment to the Industrial Disputes Act should be so drafted as to include working journalists also. If this was done, the working journalists would have the satisfaction at least of getting justice from an Industrial Tribunal.

—S. R. Vasavada, President, I.T.U.C., *Tribune*, 23-11-54.

*Appendix I of this brochure.

**Please see introduction.

***Appendix 2 of this brochure.

The Association expresses its grateful appreciation to the Prime Minister, Shri Nehru, for his declaration that a vast majority of the recommendations of the Press Commission would be accepted.

—N.G.A., A.T., 7-12-54.

That the Government has seen fit to extend to the members of the Fourth Estate the benefits of the Industrial Disputes Act, shows that the Government has at last decided to make a positive approach to the entire question instead of erstwhile emotional quibbling which did nothing more than describing the then imaginary intellectual aura around the impecunious journalists.

—F.P.J., Ed., 23-12-54.

Government's decision to implement without delay that part of the Press Commission's recommendations which advocates and defends legislation to define a "working journalist" as a work man within the meaning of the Industrial Disputes Act is hardly likely to enhance the dignity of a learned profession, its votaries, if they are to enjoy the doubtful benefits of this concession, would have to report themselves to the time keeper of the factory just as other employees in a press. But this aspect of the issue need not weigh with the Government when it is only too true that a vociferous section of the profession itself is willing and ready to cut the nose to spite face.

—Searchlight, Ed., 24-12-54.

I am glad that the Government has said that the Report will be given the consideration and respect due to it and that it will consult all the interests concerned before taking any action. But if consultation means giving any interests encouragement to delay or defeat the implementation of the recommendations, I am afraid the unanimity in the Commission will have been useless and in vain.

—M. C. Rau, President, I.F.W.J., *Statesman*, 17-8-54.

The decision of the Government of India to introduce legislation for regulating crossword puzzles and similar competitions run by journals will be warmly welcomed by the general public.

—H.T., Ed. 18-5-55.

Welcoming the Government's decision to amend the definition of "workmen" in the Industrial Disputes Act so as to include working journalists, the Conference feels that mere application of the Act would not bring about the desired degree of amity between the profession and the industry.

—M.U.J., *Hindu*, 31-1-55.

There is a strange restlessness in the Fourth Estate, the heralds of the dawn having gone into hybernation. The well-meaning Dr. Keskar is yet to show his hand though the tongue has been quite active. Too much of thinking is apt to paralyse movement..... Delhi must stop dilly-dallying—and act. Have Dr. Keskar's "very early" and "soon" no time limit ?

—Leader, Ed., 2-2-55.

The first of the measures introduced by the Government of India in Parliament in implementation of the recommendations of the Press Commission has been passed by the Rajya Sabha.....The

claim that the amendment relaxes the exclusion of the managerial staff is not borne out in effect because in the original draft the exclusion of managerial staff is absolute and unqualified.....It does not—refer to the managerial staff but to such members of the editorial staff of newspapers as may exercise managerial, administrative or supervisory functions. The managerial staff is thus completely left out of the immediate protection contemplated whatever may be the Government's later intentions. This is contrary to the Press Commission's recommendations.....Dr. Keskar's reply that "persons most concerned prefer it this way", suggests, somewhat belatedly, we venture to point out, that we might, after all, have done without a Press Commission. If the persons referred to as "most concerned" are the constituents of the All-India Federation of Working Journalists, it will not be long before they find out how little they have been satisfied with for themselves and for employees in the industry as a whole, after the Press Commission's long and arduous labours took place the newspaper industry on a sound footing.

—S.T., Ed., 6-3-55.

The Conference feels that if the benefits of the new Bill are not given retrospective effect then many working journalists whose cases are still pending at some stage will not be able to avail of these benefits.

—U.P.W.J.U., H.S., 8-3-55.

The Commission had made recommendations relating to the press industry as a whole. It is, therefore, regrettable that the Government should have taken decisions only on certain specific recommendations so far.

—A. R. Bhat, President, I.L.N.A., *Tribune*, 12-2-55.

The passage of the Bill to extend the Industrial Disputes Act to working journalists through the Rajya Sabha was a welcome indication of the Government's intention.

—Banarsi Das Chaturvedi, M.P., S.S., 6-3-55.

I wish to express the gratitude of working journalists all over the country to Parliament and to the Government for implementing the Press Commission's recommendations and extending the benefits of the Industrial Disputes Act to working journalists. The benefits of this Act are available to any workman or a body of workmen (whether organised as a trade union or on an *ad hoc* basis or not organised at all).

—J. P. Chaturvedi, Secretary-General, I.F.W.J., *Hindu*, 21-3-55.

The fact that Government is making the Industrial Disputes Act applicable to journalists does not absolve it from the responsibility of implementing the recommendations of the Press Commission. The recommendations relating to improving the conditions of journalists and to improving the standard of the profession in particular need to be implemented. The new Bill is of course a step in the right

direction and one that was long overdue. It will enable journalists to take their cases before the Industrial Tribunals.

—*F.P.J.*, 26-2-55.

The classification of working journalists as "workmen" under the Industrial Disputes Act by a Bill unanimously adopted by the Upper House of the Indian Parliament would ensure better working conditions for those engaged in the journalistic profession. The reform was long overdue and part of the Press Commission's recommendations.

—*C.M.G.*, Ed., 4-3-55.

The leading journalists of Jodhpur at an emergency meeting expressed satisfaction at the passing of Working Journalists Bill. The meeting congratulated the working journalists of India on their struggle and unity in this behalf. The meeting passed a vote of thanks to the Members of the Rajya Sabha for taking so much interest in the conditions of working journalists that the Bill was adopted within a record time of two hours after it was moved by Dr. Keskar.

—News-item, "S.S.", 6-3-55.

The perfunctory extension of the existing Industrial Disputes Act to working journalists by the recent Bill not only ignores the specific recommendations of the Press Commission but goes counter to it by discriminating by implication and in effect against professional organisations in favour of trade unions.

.....If the Government were so anxious to respect the wishes of those journalists who wanted to organise themselves in trade unions, why should they have shown such scant consideration to the wishes of those who favoured the professional type of organisation for reasons which commended themselves to the Press Commission as legitimate and worthy of respect? The least Dr. Keshkar could have done was to accord a parity of treatment along with trade unions to professional organisations of journalists, as recommended by the Press Commission and urged by the principal organisation of journalistic employees which has strongly espoused this view-point.

—*Hindu*, Ed., 13-3-55.

A meeting of the Executive of the Ambala District Working Journalists' Union passed a resolution congratulating Dr. Keskar on his taking early steps to safeguard the interests of working journalists by getting Working Journalists (Industrial Disputes) Act passed by Parliament. The Union highly appreciated the fine gesture of the Information Minister.

—News-item, *Tribune*, 18-3-55.

It was a proud day for the working journalists all over India when, on March 10, the Lok Sabha passed the Working Journalists (Industrial Disputes) Bill, 1955. It was also a proud day for the Indian Federation of Working Journalists and its President Mr. M. C. Rau, who had fought a long-drawn out bitter battle with the newspaper magnates on the one hand and an indifferent Government on the other.

—*New Age*, 20-3-55.

It did not matter to journalists what they were called, whether they were called workmen or gods. If their work was creative, it would not cease to be creative by their being brought within the definition....If there had to be machinery for settlement of disputes, separate machinery for each category of 'workmen' did not seem necessary. Working journalists could make use of the general labour machinery...The suggestion made from South Indian quarters that the machinery of the Industrial Disputes Act should apply to associations which are not trade unions has been rightly rejected by the Government as opposed to the basis of trade unionism. If the suggestion is extended, there could be no trade union movement.

—*National Herald*, Ed., 4-3-55.



APPENDIX 1

THE WORKING JOURNALISTS (INDUSTRIAL DISPUTES) ACT I OF 1955

Be it enacted by Parliament in the Sixth Year of the Republic of India. as follows:—

1. This Act may be called the Working Journalists (Industrial Disputes) Act, 1955.

2. In this Act,—

(a) 'newspaper' has the meaning assigned to it in the Press and Registration of Books Act, 1867;

(b) 'working journalists' means a person whose principal avocation is that of a **journalist and who is employed as such** in, or in relation to, any establishment for the production or publication of a newspaper or in, or in relation to, any news agency or syndicate supplying material for publication in any newspaper, and includes an editor, a leader-writer, news editor, sub-editor, feature-writer, copy-tester, reporter, correspondent, cartoonist, news-photographer and proof-reader, but does not include any such person who—

(i) is employed mainly in a managerial or administrative capacity, or

(ii) being employed in a supervisory capacity, exercises, either by the nature of the duties attached to the office or by reason of the powers vested in him, functions mainly of a managerial nature.

3. The provisions of the Industrial Disputes Act, 1947, shall apply to, or in relation to, working journalists as they apply to, or in relation to, workmen within the meaning of that Act.

APPENDIX 2.

STATEMENT OF THE CONCLUSIONS REACHED IN RESPECT OF RECOMMENDATIONS OF THE PRESS COMMISSION.

(Laid on the Table of the Lok Sabha/Rajya Sabha on Wednesday the 22nd December 1954)

The statement covers only certain major recommendations whose examination has progressed to some extent. Other recommendations addressed to Government and different sectors of the industry, not included here, will be covered in a later statement.

[In each case the gist of the Press Commission's recommendation is given below in the first para and the conclusions reached by the Government in the second indented para.]

1. More than half the circulation of the papers is concentrated in the major towns and capitals of States and the penetration into rural areas is very small. Even the production of newspapers is primarily confined to the metropolitan towns and major cities. The Commission feel that the number of newspapers in the country should be greatly increased and that more newspapers should come up in the district towns.

Government agree that conditions for starting and running newspapers should be such as to encourage the growth of more newspapers, particularly in the district towns, and would be glad to promote measures which would provide such an environment in a democratic manner.

2. The Commission recommend that as a measure to reduce the differences due to economic advantages or other causes and to enable newcomers to start with a fair chance of achieving success, a minimum price should be fixed at which papers of a particular size can be sold. The price-page schedule should prescribe not only the maximum number of pages that could be sold at a particular price, but also the minimum number that must be offered. The quantum of advertisement in a week's issue of a newspaper should not exceed 40 per cent of the total area.

The legal and economic aspects of the recommendations are under examination. The economic aspects are inter-linked with the recommendations concerning the improvement of service conditions of working journalists.

LEGISLATIVE CONTROL

3. The Commission recommend that the publication of newspapers and periodicals should be made a Central responsibility, by

suitable amendment of the Industries (Development and Regulation) Act of 1951.

The necessity for legislative enactment in this regard and the form that it should take are under examination.

SEPARATE ACCOUNTS FOR EACH PAPER

4. The Commission recommend that, wherever possible, every paper should be constituted as a separate unit so that its profits and losses are definitely ascertainable and both the proprietor and the employees know where they stand. In the case of multiple editions, each unit should be separated from the others in the matter of accounts. Where a chain consists of a number of groups, each group should be separated from the other. Wherever the management find it inconvenient to divide a group into its component units, the revenue accounts should be maintained separately and cost accounts should be kept in respect of production of each of the papers.

Government accept the advantages of the system of maintaining separately the accounts of each unit of a chain newspaper.

RESTRICTIVE PRACTICES

5. There are certain practices connected with large-scale operation which the Commission consider unfair and undesirable. They recommend that provision should be made in the contemplated legislation to put a stop to such restrictive practices.

The need for eliminating such restrictive practices in the newspaper industry is accepted. Consideration is being given to the manner of implementing this recommendation, along with other legislative measures under contemplation.

OBJECTIONABLE ADVERTISEMENTS

6. The Commission recommend to the associations of publishers the adoption of a strict code of advertising which all members would be compelled to follow and which would be binding also on the Associations of Advertising Agencies and Advertisers. They say that though the present enactments of the States and the Centre serve a useful purpose, they fall short in some respects of what the country needs. They also suggest that the Act for the regulation of the Press as an industry should include a section which makes it an offence, punishable with fine or with imprisonment, the issue of fraudulent advertisements for publication.

The need for adoption of a strict code of advertising has been brought to the notice of newspaper organisations some of whom are already observing a certain degree of selection. Government hope that the recommendation of the Commission in this regard will be implemented by the newspaper industry with the help of an Advertising Council as proposed by the Commission.

As regards objectionable advertisements, some legislation has already been enacted in connection with advertisements pertaining to drugs and remedies, and the Ministry of Health have now issued draft rules. Measures in regard to fraudulent advertisements in general are under consideration.

PRESS REGISTRARS

7. The Commission recommend the appointment of a Press Registrar for the country, who would be the officer responsible under the Collection of Statistics Act for the compilation of facts and figures relating to the industry. It should be made incumbent on each newspaper and periodical to file certain returns with the Registrar. The statements filed in the first instance should include details of the capital structure of the paper and names of the responsible staff. Periodic returns should be filed regarding employees, consumption of material, changes in ownership and management and circulation. The Registrar should bring out an annual report on the working of the Press on its organisational side, including working conditions in the industry, and concentration of ownership.

Government accept the need for accurate statistics of ownership, circulation and readership of newspapers; the amendment of the existing Press & Registration of Books Act in a suitable manner and the creation of appropriate machinery for the purpose are under examination.

NEWSPRINT

8. While newsprint is an essential raw material for the production of daily and weekly newspapers, India is at present entirely dependent on foreign countries for supplies. The present demand is estimated at 60,000 tons a year. A mill for the manufacture of newsprint had been established near Chandni in Madhya Pradesh and it expects to go into production early in the course of 1955. The production of the mill is expected to be 100 tons a day though it might be sometime before this figure of output is reached. The prospects of sale of Indian-made newsprint would be affected by the factors that tend to increase its cost of production. The Commission, therefore, recommend that a State Trading Corporation entrusted with a monopoly of imports, should take over the entire output of the Indian mills on a fair basis, and sell it, along with imported newsprint, at equated prices.

The recommendation is in conformity with the policy of Government to secure adequate supplies of newsprint for the newspaper industry in India at reasonable prices and to secure a more equitable share of world production. Government will consider the recommendation of the Commission in regard to a State Trading Corporation after actual experience has been gained of the cost and volume of production of the indigenous industry.

NEWS AGENCIES

9. The Commission refer to two major news agencies operating in this country and a third which has still to develop, and say that

however objective a news agency strives to be, there are certain drawbacks which arise from a monopoly and which could be obviated only by a competitive service available freely to all users.

Government agree that it might be better to have, if possible, more than one news agency functioning efficiently.

SERVICES AND TARIFFS

The Commission have examined the services at present provided by the news agencies and have suggested certain changes in their character and content. They have also recommended new schedules of charges for these services, which, they expect will result in a more equitable division of operating costs over large and small newspapers. A revision has also been suggested of the basis for calculating the charges payable by All India Radio for the use of the agency services.

The bulk of the recommendations of the Commission in this regard is addressed to news agencies and to newspapers who subscribe to the agency services. The revision of charges payable by All India Radio, is under discussion with the news agencies.

MANAGEMENT AND CONTROL

11. The Commission have recommended that in the interests of greater efficiency and smoother operation; certain changes may be brought about in the management of the news agencies. In the case of the P.T.I., they have suggested a public corporation based on the existing organisation but controlled by a Board of Trustees whose Chairman would be appointed by the Chief Justice of India. In the case of the U.P.I., no change has been suggested in the form of the organisation, but here too the management is to be by a Board of Trustees. In both cases, the Commission have recommended that the Board should include a Trustee to represent the employees. The Commission trust that their recommendations would appeal to shareholders and that they would agree to the transfer as suggested by the Commission.

The Commission have addressed these recommendations to the shareholders and managements of the two news agencies concerned and Government trust that they will receive their serious consideration. Government will be glad to consider any scheme put forward by them for changes in their constitution. Government would prefer to treat both news agencies on the same footing in this matter.

GOVERNMENT AND THE PRESS

Press Accreditation

12. The Commission recommend the formation of Accreditation Committees at the Centre and the States, in consultation with different organisations of newspapermen. These Committees should advise on the accreditation of correspondents and the provision of facilities for the Press.

Government agree with this recommendation and have brought it to the notice of State Governments.

13. The Commission consider that there is no necessity for machinery for advising Government on the administration of Press Laws, and say that the continued existence of the present advisory and consultative committees is not recommended.

The views have been brought to the notice of State Governments and the question is being further pursued in consultation with them

PLACING OF ADVERTISEMENTS

14. (a) Referring to Government as advertisers, the Commission say that though the volume of Government advertisements is less than 7 per cent of the total advertisements through newspapers and periodicals, the importance attached to it by the Press is great. (b) Government should place advertisements having regard to the following consideration: (1) circulation of the paper and the rates charged by that paper; and (2) readership designed to be reached for the purpose of the particular advertisement.

(c) Advertisements should be distributed to as many suitable papers as satisfy the above criteria.

(d) They add that they look forward to the adoption of the same principles by private advertisers also.

These principles are already being observed in respect of advertisements issued by the Government of India. The recommendations of the Commission have been brought to the notice of State Governments for adoption.

ADVERTISEMENT TARIFFS

15. (a) Government should assess the rates not with reference to the total circulation of the paper, but with reference to the circulation in the area which they intend to reach. (b) They feel that Government would be justified in claiming special consideration in respect of the rates charged, and can insist that the rates should follow a particular pattern without reference to language or location of the paper. They have suggested a telescopic rate subject to an overall ceiling, which should be treated as the maximum. (c) They also recommend that Government should take the lead in breaking up the practice of charging combined rates for multiple unit publications.

Government agree with the principles underlying these recommendations and have already taken action regarding part of these recommendations.

DESPATCHES FROM CORRESPONDENTS

16. The Commission have considered a suggestion put to them that despatches sent by cable or wireless by foreign correspondents located in India should be scrutinised in the first instance by some responsible authority and permitted to go out only if considered unobjectionable and the Commission have rejected the suggestion

as it would amount to censorship which they do not at all consider desirable.

This view is in conformity with the practice of the Government of India.

PRINTING MACHINERY

17. The Commission have recommended measures for encouraging the manufacture in India of printing machinery.

The recommendations have been accepted by Government and are being followed up.

DECLARATION OF OWNERSHIP

18. The Commission recommend, the periodical publication, in the paper, of a complete statement of the names of the proprietors and responsible executives on the newspaper, so that the public could judge for themselves the extent to which the views expressed in the paper may have to be rejected as being possibly biased.

Government agree with the principle enunciated by the Commission and propose to take appropriate action.

CONCENTRATION OF OWNERSHIP

19. The Commission found that there already exists, in the Indian newspaper industry, a considerable degree of concentration, and feel that there is a danger that this tendency might further develop in the future. They are of the opinion that it would not be desirable, in the interest of freedom of choice, that this tendency should be accentuated.

MONOPOLIES

The Commission are of the definite view that diversity of opinion should be promoted in the interest of free discussion of public affairs, and have indicated what, in their opinion might be regarded as constituting monopoly. They recommend that the Press Registrar should keep a close watch on the circulation of newspapers and if he comes to the conclusion that in a particular area or in a language a monopoly has developed, he should bring it to the attention of the Press Council, who should conduct an investigation into the existence of the monopoly, whether it has acted against public interest, whether undesirable practices have been resorted to for eliminating competition, and what measures, if any, are necessary to deal with the situation.

In the Commission's view, an investigation of this character, besides helping the Council to come to definite conclusions on the subject, will serve to educate public opinion on the monopoly. They anticipate that the publication of the findings of the Press Council would have the direct effect of breaking the monopoly by drawing public attention to it.

Government are in agreement with this recommendation and agree that it should be one of the responsibilities of the proposed Press Council to keep this aspect of the newspaper industry under constant review.

SERVICE CONDITIONS OF WORKING JOURNALISTS

20. The Commission recommend that the definition of the word 'employee' in the proposed legislation should be wide enough to include within its purview the working journalists as well as employees on the managerial side, or alternatively a provision may be inserted in the proposed Newspapers and Periodicals Act making the new industrial relations legislation applicable to newspaper employees.

The provisions regarding notice period, bonus, minimum wages, leave, provident fund and gratuity should be embodied in the legislation which the Commission have proposed for the regulation of the newspaper industry.

Other matters such as classification of employees, hours of work, shift working, suspension or dismissal for mis-conduct, etc., are to be dealt with under standing orders when the new legislation governing industrial relations comes into force.

The principle of extending to working journalists the provisions of the Industrial Disputes Act for the time being in force has already been accepted and a draft Bill will be placed before Parliament very soon.

Recommendations in respect of other service conditions are under active consideration.

PRESS COUNCIL

21. The Commission have arrived at the conclusion that the best way of maintaining professional standards in journalism would be to bring into existence a body of people principally connected with the industry whose responsibility it would be to censure any one guilty of infraction of ethics of the profession. The regulation of the conduct of the Press in the matter of such objectionable writing as is not legally punishable, should be the responsibility of the Press Council, which will also have the responsibility of fostering the development of the Press and protecting it from external pressure. In order to be effective, a Council of this character should be given statutory protection in respect of its actions.

The Commission recommend that an all-India Press Council should be set up by the statute.

The Press Council should consist of men who will command the general confidence and respect of the profession and should have 25 members excluding the Chairman who should be a person who is or has been a Judge of a High Court and should be nominated by the Chief Justice of India. Out of these, 13 or more should be working journalists including working editors, and the others should be drawn from newspaper proprietors, Universities, literary bodies, etc. The professional members will be of at least 10 years standing in the profession.

The underlying principle, of a body consisting predominantly of representatives of the industry undertaking the responsibility for selfregulation is accepted by Government. The composition and financing of such a Council are under active consideration.

PRIVILEGE AND CONTEMPT OF LEGISLATURE

22. The Commission consider it desirable that both Parliament and State Legislatures should define by legislation, as contemplated in Articles 105 and 194 of the Constitution, the precise powers, privileges and immunities they possess in regard to contempt and the procedure for enforcing them.

These recommendations have been brought to the notice of various legislatures, which are sovereign bodies, for deciding their course of action.

Note:

The Commission have suggested certain changes in the general laws of the land bearing upon the freedom of the Press. The recommendation concerning defamation of public servants and ministers has already been dealt with in the amendments to the Criminal Procedure Code. The revision of other laws is under examination.



सत्यमेव जयते

APPENDIX 3

IMPORTANT OBITER DICTA

(And some definitions from Press Commission Report)

Freedom of Expression :

The proper functioning of democracy requires that every individual should have equal opportunity, in so far as this can be achieved, to put forward his opinion.

* * * * *

Democratic society lives and grows by accepting ideas, by experimenting with them, and where necessary, rejecting them. It is necessary, therefore, that as many as possible of these ideas which its members hold are freely put before the public. The right of free expression is derived from the responsibility for the common good. Freedom of the Press does not mean freedom from responsibility for its exercise. Democratic freedom in India, and the freedom of the Press, can have meaning only if this background is properly understood.

* * * * *

The expression "freedom of the Press" should be understood as meaning freedom to hold opinions, to receive and to impart information through the printed word, without any interference from any public authority. The concept of freedom with responsibility should not be pushed to a point where the emphasis on responsibility becomes in effect the negation of freedom itself.

* * * * *

The tender plant of democracy can flourish only in an atmosphere where there is a free interchange of views and ideas which one not only has a moral right but a moral duty to express. The Press is *par excellence*, the vehicle through which such opinion can become articulate.

Working Journalist:

Only those whose professed avocation and the principal means of livelihood is journalism should be regarded as working journalists.

* * * * *

News:

When a journalist says that a certain event is "news", he means only that something that has happened will attract the interest of the readers, the criteria being recency in time, proximity, novelty, human interest and also an element of conflict.

* * * * *

Crowd-Judgement:

Crowds have been right but they have also been wrong. A newspaper should also seek to educate and influence the public, there is no significance in the Press being free if it is not at the same time independent.

* * * * *

Minimum Wage

A minimum wage must provide not merely for the bare subsistence of living but for the efficiency of the worker. For this purpose it must also provide for some measure of education, medical requirements, and amenities.

* * * * *

Editor:

An editor is one who is charged with, and exercises the responsibility for editing and supervising the contents of the paper and devotes his attention primarily to the discharge of such responsibility.

* * * * *

The future of the Press depends on the independence of the editor.

* * * * *

Feature Syndicate

The term "Feature Syndicate" is applied to an organisation which supplies newspapers and periodicals with articles, photographs, comic strips, cartoons or other editorial matter and which derive their principal source of income from these activities.

APPENDIX 4

LIST OF ORGANISATIONS, NEWSPAPERS, PERIODICALS AND
PROMINENT PERSONS WHOSE COMMENTS ON THE
PRESS COMMISSION REPORT HAVE BEEN CITED
IN THE BROCHURE.

Newspapers and Periodicals

Assam Tribune
The Leader
Amrit Bazar Patrika
Tribune
The Hindustan Times
The Economic Weekly
National Herald
Times of India
Searchlight
Hitavada
Free Press Journal
Indian Nation
The Statesman
The Hindu
The Hindusthan Standard
The Pioneer
The Bombay Chronical
Indian Express
Hindustan (Hindi Daily)
Navabharat Times (Hindi Daily)
Swatantra
Swadesamitran (Tamil Daily)
The Mail
Andhra Patrika (Telegu Daily)
Aj (Hindi Daily)
Vishwamitra (Hindi Daily)
Manchester Guardian
Golkonda Patrika (Telegu Daily)
Veer Arjun (Hindi Daily)
Lok Vani (Hindi Daily)
Pradeep (Hindi Daily)
Sunday Tribune



Zamin Ryot (Telegu Daily)
 Organizer
 Kashmir Post
 Swatantra Bharat (Hindi Daily)
 Nav Jeevan (Hindi Daily)
 San Marg (Hindi Daily)
 Thyaganadu (Tamil Daily)
 Sunday Standard
 New Age

Organisations

All India Newspaper Editors' Conference
 Southern India Journalists' Federation
 Ambala District Working Journalists' Union
 Indian Federation of Working Journalists
 Indian and Eastern Newspaper Society
 The Delhi Sabha
 Indian Language Newspapers Association
 Madras Union of Journalists
 Paper Traders' Association
 Standing Committee of the All India Newspaper Editors' Conference
 Indian Trade Union Congress
 Indian Society of Advertisers
 Madhya Pradesh Union of Working Journalists
 Board of Directors of the Press Trust of India
 Working Committee of the Indian National Trade Union Congress.
 Deccan Sabha
 Gujerat Working Journalists' Conference
 Rajasthan Working Journalists' Union
 General Council of Deccan Sabha
 Cachar District Journalists' Association
 Madurai Journalists' Association
 Kanpur Working Journalists' Union
 Working Committee of Punjab State Working Journalists' Association
 U. P. Working Journalists' Union
 Federal Executive Council of Indian Federation of Working Journalists
 Executive Committee of Bombay Union of Journalists
 Nagpur Area Committee of the Madhya Pradesh Union of Working Journalists

Individuals

Prime Minister Jawaharlal Nehru
 Dr. B. V. Keskar, Minister for Information and Broadcasting
 S. K. Patil, President, Bombay Pradesh Congress Committee
 N. Raghunatha Iyer, President, S. I. J. F.
 K. Ishwara Dutt, Chief Editor, *The Leader*
 M. Chelapathi Rao, President of I.F.W.J.
 M. C. Chagla, Chief Justice, Bombay High Court
 C. P. Ramaswami Iyer, Member of the Press Commission
 G. A. Johnson, Editor, *The Statesman*
 A. R. Bhat, President, I. L. N. A.
 A. D. Mani, President, A. I. N. E. C.
 J. P. Chaturvedi, Secretary-General, I. F. W. J.
 S. R. Vasavada, President, I. T. U. C.
 K. Rama Rao
 J. Natarajan, Editor, Tribune. Ex-member, Press Commission
 The Proprietor, Vishwamitra
 S. L. Shah, Minister for Labour and Health, Bombay
 T. R. Deogirakar, M. P., President, M. P. C. C.
 J. C. Jain, President, I. E. N. S.
 Dr. N. B. Parulekar, Chairman, Press Trust of India
 Banarsi Das Chaturvedi, M. P.
 J. B. Kripalani, Chairman, Praja Socialist Party of India
 N. C. Ghosh, President I. E. N. S.

ODYSSEUS

J. B. Singh, Vice-President, I. F. W. J.

APPENDIX 5
LOK SABHA QUESTIONS

Starred Question No. 636

(The 8th September 1954)

RECOMMEDATIONS OF THE PRESS COMMISSION

***636.** { **Shri Sadhan Gupta:**
 { **Shri T. B. Vittal Rao:**
 { **Shri K. K. Basu:**

Will the Minister of Information and Broadcasting be pleased to state the action that Government propose to take on the recommendations of the Press Commission?

ANSWER

Dr. B. V. Keskar (Minister for Information and Broadcasting)

Printed copies of the Report of the Press Commission became available about the middle of August. The Report is under examination by the Ministries concerned of the Government of India and by various State Governments. The views of bodies and associations concerned are also being elicited. Conclusions will be reached after due consideration is given to the views which may thus be communicated and, therefore, it is too early to give any indication of the action that Government propose to take on the recommendations.

Shri Sadhan Gupta: May I know whether it is from the printed copy that Government first came to know of the contents of the Report, or, was the Report already in their hands before the printed copy was ready?

Dr. Keskar: Government began consideration of the Report from the very first day that they received the Report. But it is obvious that Government's ability to come to any conclusion is always limited by consultations with those concerned: and those concerned will not be able to give their opinion unless they have the copy of the Report available with them. The very first day that the Report was received, the Joint Select Committee of the two Houses was sitting regarding the Criminal Procedure Code, and Government made available to the Select Committee relevant copies of the Report immediately. In the same way, we sent the concerned portions to the various Ministries and the State Governments, and also to bodies like the Federation of Working Journalists, the A. I. N. E. C., and the Indian and Eastern Newspaper Society, before the printed copies were made available to the public.

Shri Sadhan Gupta: May I know whether the Government can give us any estimate of time that will be taken for considering and finalising the action to be taken on the Report?

Dr. Keskar: It is not possible to give a general answer to this question, because the recommendations of the Commission are very varied and cover a very wide field but there are certain recommendations of the Commission which are important, as for example, those affecting the working journalists, and, again for example, those affecting the question of the Press Act. It is possible that certain recommendations of the Commission might be considered before certain others. So, it is possible that Government might take up looking into the implementation of certain important recommendations first, while leaving the others to be considered by the bodies concerned.

Shri Sadhan Gupta: Could we at least know the time that Government purpose to take in finalising their decision about working journalists?

Dr. Keskar: I might say that I would not be able to give any time, but my hon. friend may rest assured that it will be quicker and shorter than the time taken for any other Commission.

STARRED QUESTION NO. 285.

(23rd November, 1954)

{ **Th. Lakshman Singh Charak:**
*285. { **Shrimati Tarkeshwari Sinha:**
 { **Seth Govind Das:**

Will the Minister of Information and Broadcasting be pleased to state:

(a) the recommendations of the Press Commission that have been accepted so far by Government;

(b) whether opinions of the various State Governments have been invited;

(c) the number of States which have so far sent their observations; and

(d) the time that will be taken for the full implementation of the Commission's recommendations?

ANSWER

Dr. B. V. Keskar: (a) and (d):

The Press Commission have made 35 recommendations the implementation of which will require acceptance by Government with a view either to legislative action, administrative orders or executive instructions. In addition, they have also made recommendations which are for implementation primarily by the various sectors of the newspaper industry. Although it is difficult to state in advance how many of the recommendations will be given effect to immediately by Government, every endeavour will be made to signify Government's decision before long on the great majority of the recommendations, especially those which depend for implementation upon acceptance by Government. One such recommendation, viz. of applying the Industrial Disputes Act to working journalists has already been accepted and is being given effect to.

(a) and (d):

(c) Nine.

Shrimati Tarkeshwari Sinha: May I know when the Government propose to bring forward a Bill to regulate the working conditions of the journalists on trade union lines?

Dr. Keskar: So far as journalists being able to behave as trade unionists is concerned, the amendment of the Industrial Disputes Act will enable them to do so.

Shrimati Tarkeshwari Sinha: May I know whether the Government propose to appoint a Press Registrar as recommended by the Press Commission?

Dr. Keskar: It will not be possible for me to say regarding every individual recommendation. As I said, all the recommendations are under very active consideration. In fact, I hope that within a fortnight, it would be possible to lay a statement on the Table of the House giving the position regarding most of the recommendations of the Press Commission.

Shrimati Tarkeshwari Sinha: May I know whether the Government propose to publish the evidence that was given before the Press Commission and if not, why not?

Dr. Keskar: First of all, the evidence before the Press Commission is very voluminous and it will run into many big volumes. I do not know whether the expenditure is worth while. Certainly, quite a large part of the evidence was tendered confidentially. Government does not think that it would be possible to publish that evidence unless consent is taken from those who gave it on an assurance that it is confidential.

UNSTARRED QUESTION NO. 467:

(1st December, 1954)

467. Seth Govind Das: Will the Minister of Information and Broadcasting be pleased to state the amount sanctioned for the expenses of the Press Commission for the years 1953, 1954 and 1954-55?

ANSWER

Dr. V. B. Keskar:

The following are the figures of the budget provision and the actual expenditure on the Press Commission:

	Budget Provision	Actual Expendi- ture	
	Rs.	Rs.	
1952-53	76,902	
1953-54	2,68,000	4,15,144	
1954-55	1,55,000	1,08,500	(includes an anti- cipated ex- penditure of about Rs. 5,800 in respect of out- standing pay-ments)

APPENDIX 6

CHRONOLOGY

May 16, 1952	President's Declaration of Government's intention to appoint a Press Commission.
September 23, 1952	Appointment of the Press Commission.
October 3, 1952	Notification in the Gazette of India <i>re.</i> appointment of the Press Commission.
July 14, 1954	Press Commission Report signed.
July 17, 1954	Press Commission Report submitted to the Government of India.
July 26, 1954	Summary of the recommendations of the Press Commission Report published.
August 14, 1954	Dr. Keskar's assurance <i>re.</i> Government's anxiety to ensure freedom of Press.
August, 23, 1954	Part I of the Report published and presented to the two Houses of Parliament.
September 8, 1954	Dr. Keskar's statement in Lok Sabha on implementing the recommendations in stages.
October 12, 1954	Dr. Keskar's assurance <i>re.</i> implementation of most of the recommendations concerning working journalists.
October 17, 1954	Dr. Keskar's assurance <i>re.</i> implementation of most of the recommendations concerning working journalists.
October 18, 1954	Dr. Keskar's assurance <i>re.</i> implementation of some recommendations before end of November, 1954.
October 19, 1954	Dr. Keskar's reference to the Government seeking opinion of Paper Trade Interests.
November 13, 1954	Prime Minister Nehru's reference to the majority of Press Commissions' recommendations being acceptable.
November 23, 1954	Dr. Keskar's announcement in the Lok Sabha <i>re.</i> laying on the Table of the House a statement within a fortnight and ref. to the decision to amend the Industrial Disputes Act.
December 1, 1954	(1) Dr. Keskar's statement in the House <i>re.</i> amount spent on the Commission. (2) Journalists observe 'Implementation Day'.
December 6, 1954	I. S. A. decision to set up Advertisement Council.
December 22, 1954	Statement laid by Dr. Keskar on the Table of the Lok Sabha.
January 9, 1955	Part I and III of the Report published.
January 17, 1955	Dr. Keskar's assurance <i>re.</i> early implementation of the recommendations.

February 9, 1955	Justice Rajadhayaksha Dead.
February 24, 1955	Working Journalists (Industrial Disputes Bill 1955 introduced in Rajya Sabha.
March 2, 1955	The Working Journalists (Industrial Disputes) Bill, 1955 passed by Rajya Sabha.
March 5, 1955	Dr. Keskar's assurances and appeal to journalists for patience.
March 10, 1955	The Working Journalists (Industrial Disputes) Bill 1955, passed by Lok Sabha.
March 12, 1955	The Working Journalists (Industrial Disputes) Bill, 1955 receives President's assent and becomes Act I of 1955.
March 31, 1955	Dr. Keskar's reference to two or three likely Bills embodying the recommendations being introduced during the current session.
April 2, 1955	Dr. Keskar's reference in the Lok Sabha <i>re. P. T. I.</i>
May 31, 1955	Prime Minister Nehru's reference to the Press Commission proposals being not impracticable.



सत्यमेव जयते

APPENDIX 7

*REVIEW OF THE PRESS LAWS OF INDIA

The Press of India has been fortunate in having associated with it a distinguished line of public men including Raja Ram Mohan Roy, Tilak, Pheroze Shah Mehta, Surendra Nath Banerjee, Mahatma Gandhi and Pandit Jawaharlal Nehru. The history of the Indian press shows that the conflict of the Press with authority is almost as old as the Press itself, and that the development of the Press in India has been closely connected with the expansion of British Rule in India, the spread of education and the growth of responsible Government. It is proposed in this chapter to give a historical outline of the development of the Press in India in order to show the background of the various Press Laws which are on the statute book today.

Although history records that, during the rule of the Moghal Emperors, there were official correspondents appointed to send reports on public and secret matters, and that newspapers and newsbooks were in circulation during the reign of Aurangzeb, the first newspaper to be established in India was the weekly English newspaper entitled "The Bangal Gazette" or 'Calcutta General Advertiser', which appeared on 29th January 1780. This paper soon came in conflict with the then Governor General, Warren Hastings, who promulgated an order in November 1780, withdrawing permission to the newspaper to be circulated through the Post Office on the ground that the newspaper contained improper paragraphs tending to vilify private character and to disturb the peace of the English settlement in Calcutta. The establishment of certain other papers followed in Bengal, while the first newspaper to be founded in Madras was "The Madras Courier" which appeared in October 1785. During the next decade, the Madras Press was constantly in trouble with authority, and, in 1795, censorship was imposed, in "The Madras Gazette", and, in 1799, censorship was imposed, on "The Madras Gazette", ment orders until they had been submitted for inspection to the Military Secretary. About the same time, free postage facilities were withdrawn from the newspapers in Madras. The early newspapers were in the English language and, being British-owned, devoted scant attention to the land in which they were published, because they were meant to serve the limited purpose of comment on the British administration of the day by those who were outside the privileged circle of the East India Company's higher officers. During this early period, there were no regular Press laws, and the ultimate sanction behind Government orders was the Government's power of expulsion of the editor from India, which power

*Reproduced from the Report of the Press Laws Enquiry Committee, 1948.

had been upheld by the Supreme Courts of Judicature, Every foreigner was required to obtain a licence for his residence in the territories of the Company and, if any one incurred the displeasure of the Company's officials by writing or publishing anything which was not acceptable or palatable to them, his licence was cancelled, and he was asked to quit the country. The official records of the last decade of the 18th Century show that, on several occasions, the Government took exception to newspaper disclosure; and there is available the instance of the Editor of "The Bengal Hurkara" writing in 1798 to the Postal authorities that he would be under the necessity of exposing the extraordinary conduct of the people employed under that Department. In 1799, Lord Wellesley issued Regulations for the control of newspapers published in Calcutta providing that every newspaper should bear the name of the printer, that the name and address of the editor and proprietor should be communicated to Government and that no newspaper should be published unless it had been inspected by the Government censor appointed for the purpose. The penalty for a breach of the regulation was immediate embarkation for Europe. The Censor was instructed to prevent publication of matter relating to the following subjects:

"Public credit and revenues or the finances of the East India Company, Military operations and intelligence, conduct of Government officers, private scandal or libel on individuals, probability of war or peace between the East India Company and any of the Indian Powers, information useful to the enemy, and observations likely to excite alarm or commotion."

These measures were justified on the ground that, as long as the necessity existed for the maintenance of absolute power, it was far better both for the State and individuals that it should be exercised to prevent and to punish offences. The East India Company was not concerned with the rights of free subjects and reserved to itself all the functions of the judiciary and the executive.

In 1811, the Government promulgated a new rule requiring the name of the printer to be uniformly affixed to all publications. This was the result of the anonymous publication, by certain missionaries, in their proselytising zeal, of statements casting aspersions on the religious beliefs of Hindus and Muslims. Earlier in Madras, the Madras Government had passed an order that no paper should be printed without the previous sanction of the Government. The Governor of Madras justified this in the following words:—

"It is necessary in my opinion for the public safety that the Press in India should be kept under the most rigid control. It matters not from what pen the dangerous matters may issue. The higher the authority the greater the mischief. We cannot prevent the judges of the Supreme Court from uttering in open court opinions, however mischievous, but it is in our power, and it is our duty, to prohibit them from being circulated through the country by means of the Press."

The pioneer among Indian-owned newspapers was "The Bengal Gazette" published in 1816 in Calcutta to give expression to Indian opinion which was becoming vocal. Lord Hastings, the Governor-General, was sympathetic and believed in utility of the Press. Other

periodicals in the Bangali language were founded during the period 1816-1820. With the establishment of an Indian-owned Press, it was felt that the power of expulsion from India would not be of avail, and it was accordingly decided by Lord Hastings in 1818 to abolish consorship and to substitute in its place certain general rules for the guidance of the Editors. The object was to encourage the Press to develop a sense of responsibility, and not to force it into an attitude of relentless hostility to the administration. While the submission of newspapers to the Government censor prior to publication was dispensed with, the Editors were required to send to the Government one copy of every newspaper or periodical published by them, and were also prohibited from publishing matter relating to the conduct of higher officials, the proceedings of the court and Directors or other authorities in England, matter having a tendency to create alarm or suspicion among the native population or to interfere with their religious feelings or observations calculated to affect British power or reputation in India, and private scandal and personal remarks on individuals tending to excite dissension in society. The new regulations were hailed with almost unqualified enthusiasm in India, but the Court of Directors disapproved them in the strongest terms and instructed the Governor-General to revert to the practice which had prevailed prior to 1818. In 1822, there was difference of opinion between the Governor-General, Lord Hastings, and his Council over the deportation of the Editor of a newspaper for giving publicity to an anonymous letter of a Military officer against his commanding officer. The Governor-General took the attitude of a constitutional and responsible ruler (answerable for his actions to Parliament and the British Public), whereas his colleagues on the Council approached the problem of the freedom of Press from the stand-point of autocratic (but in their view benevolent) despots. It was about this time that Raja Ram Mohan Roy established a weekly organ of Hindu political and social information in which he published theological discussion refuting statements made by missionaries concerning Christianity and Hinduism.

The Press Regulations made by Lord Hastings did not have the force of law and, in 1823, statutory regulations known as Adam's Regulations were promulgated in Bengal, to be followed by similar regulations in Bombay. It was provided that no person shall print or publish any newspaper or periodical pamphlet or book in any language purporting to publish public news or comments on public news without a licence from the Government and that every such person shall declare the real names and addresses of the printers and publishers of such newspaper, etc., and that all changes in the above particulars shall be reported to the Government; and that every licence issued may be cancelled at any time by the Government. The penalty for a breach of the regulation was fine upto Rs. 400, but pamphlets of advertisements, catalogues, etc., were exempted from the regulation. The Government decided to allow any one who was opposed to the system of licensing the right to appeal to the Supreme Court. Raja Ram Mohan Roy and his colleagues utilised this right and appealed to the Supreme Court against the licensing system mainly on the ground that it would put a complete stop to the diffusion of knowledge and the consequent mental improvement. The appeal of Raja Ram Mohan Roy to the Supreme Court was not successful, and the second appeal to the Privy Council was also re-

jected. In Bombay Province, similar regulations were promulgated by Elphinstone, the Governor of Bombay, who maintained that

“if all Presses be free, we shall be in a predicament such as no State has yet experienced. In other countries the use of the Press has greatly extended along with the improvement of the Government and the intelligence of the people; but we shall have to contend at once with the most refined theories of Europe and with the prejudice and fanaticism of Asia, both rendered doubly formidable by the imperfect education of those to whom every appeal will be addressed. Is it possible that a foreign government avowedly maintained by the sword, can long keep its ground in such circumstances.”

Sir John Malcolm was of the opinion that England and India could not be compared, and that the freedom of the Press in the latter country was inconsistent with the absolute power which the British wielded.

Lord Amherst, Governor-General, to whom certain objectionable passages from newspapers were submitted for orders in 1825, recorded the view that it would be very undesirable for the Government frequently to interpose its authority in matters relating to the periodical Press, or that casual and unimportant violations of the Rules and orders furnished to the Editors of Newspapers should be officially noticed. In 1826, the East India Company issued instructions that their servants were to cease their connections with newspapers. This decision was the result of an incident in Bombay, where a member of the Council of the Governor of Bombay was the owner of a newspaper.

With the growth of the Press and the awakening of public opinion, the question of the control of the Press again came to the fore in 1830. The immediate issue related to the reduction of the allowances given to the Army officers and the proposal to prohibit newspapers from commenting on the orders of Government reducing the allowances. The following extracts from the Minute recorded by Sir Charles Metcalfe, Member of the Governor-General's Council are of interest even at the present time as being noteworthy for their broad commonsense.

“I think on the present occasion that it will be infinitely better to allow anything to be said that can be said, than to furnish a new source of discontent, by crushing the expression of public opinion. I have, for my own part, always advocated the liberty of the Press, believing its benefits to outweigh its mischiefs; and I continue to the same opinion. Admitting that the liberty of the Press, like other liberties of the subject, may be suspended when the safety of the State requires such a sacrifice, I cannot, as a consequence, acknowledge that the present instance ought to be made an exception to the usual practice of the Government; for if there were danger to the State, either way, there would be more, I should think, in suppressing the publication of opinion than in keeping the valve open, by which bad humours might evaporate. To prevent men from thinking and feeling is impossible; and I believe it to be wiser

to let them give vent to their temporary anger in anonymous letters in the newspapers, the writers of which letters remain unknown, than to make that anger permanent by forcing them to smother it within their own breasts, ever ready to burst out. It is no more necessary to take notice of such letters now than it was before."

In 1835, Metcalfe, acting as Governor-General, asked Macaulay to draft an Act on the subject of the Press for application to the whole of India. The views of Macaulay, who was the Legislative Member of the Supreme Council, are contained in the following minute:—

"The question before us is not whether the Press shall be free but whether being free it shall be called free. It is surely mere madness in a Government to make itself unpopular for nothing; to be indulgent and yet to disguise its indulgence under such outward forms as bring on it the reproach of tyranny. Yet this is now our policy. We are exposed to all the dangers, I conceive, greatly overrated—of a free press; and at the same time we contrive to incur all the opprobrium of a censorship. It is universally allowed that the licensing system at present administered, does not keep any man who can buy a press from publishing the bitterest and most sarcastic reflections on any public measure or any public functionary. It is acknowledged that, in reality, liberty is and ought to be the general rule, and restraint the rare and temporary exception."

In his Minute, the Governor-General made the following comment:—

"The reasons which induced me to propose to the Council the abolition of the existing restrictions on the Press in India accord entirely with the sentiments expressed by Mr. Macaulay. These reasons were as follows:—

First, that the press ought to be free, if consistently with the safety of the State it can be. In my opinion it may be so. I do not apprehend danger to the state from a free press; but, if danger to the state should arise, the Legislative Council has the power to apply a remedy. Second, that the press is already practically free, and that the Government has no intention to enforce the existing restrictions, while we have all the odium of those restrictions as if the press were shackled. It is no argument in favour of the continuance of these unpopular restrictions that they may at any time be enforced, for if restrictions should be necessary to ward off danger from the State, they may be imposed and enforced instantly. Third that the existing restrictions leave room for the exercise of caprice on the part of the Government in India."

On the suggested addition of a clause to the proposed law declaring that the Government will retain the power of instantly suppressing any publication Metcalfe noted as follows:—

"The power of providing for the safety of the State is inherent in the Legislature and the Government of every country.

It is not probable that the safety of the State would be endangered so suddenly by any operations as not to afford time to the Legislative Council to apply a remedy, but if such an extreme case of sudden and imminent danger can be conceived, what Government would hesitate to protect itself until the Legislature of India could provide for the case." With regard to the suggestion for distinction between the Indian and non-Indian Press, his view was that "in all our legislation, we ought to be very careful not to make invidious distinctions between European and native subjects. As the proposed law now stands, it will be an act of grace, confidence and conciliation towards all; and may be expected to produce the effect which such acts are calculated to produce."

Referring to the opinion of those, who opposed his policy, Metcalfe said—

"If their argument be that the spread of knowledge may eventually be fatal to our rule in India, I close with them on that point, and maintain that, whatever may be the consequence, it is our duty to communicate the benefits of knowledge. If India could be preserved as a part of the British Empire only keeping its inhabitants in a state of ignorance, our domination would be a curse to the country and ought to cease. But I see more ground for just apprehension in ignorance itself. I look to the increase of knowledge with a hope that it may strengthen our empire; that it may remove prejudices, soften asperities, and substitute a rational conviction of the benefits of our Government; that it may unite the people and their rulers in sympathy, and that the differences that separate them may be gradually lessened, and ultimately annihilated. Whatever, however, be the will of Almighty providence respecting the future Government of India, it is clearly our duty, as long as the charge be confided to our hands, to execute the trust to the best of our ability for the good of the people."

In 1835, Metcalfe's Act for the liberation of the Indian Press (No. XI of 1835) was passed in supersession of the then existing Press Regulations in Bengal and Bombay. The provisions of Metcalfe's Act were incorporated in 1867 in Part II of the Press and Registration of Books Act (XXV of 1867), which repealed Metcalfe's Act, and which is still in force. It is not, therefore, necessary to quote the provisions of Metcalfe's Act. However, Metcalfe's views on the freedom of the Press are as apposite today as they were over a hundred years ago and have, therefore, been stated somewhat fully. As a token of their admiration of Metcalfe's liberal attitude, the Calcutta public erected a public library on the banks of the Hooghly known as Metcalfe Hall. However, the Court of Directors not only condemned Metcalfe's action, but insinuated that he was prompted by an unwise desire for temporary praise. Metcalfe had also to pay dearly for his convictions, in that he was superseded, for promotion in his official career.

The emancipation of the Press, the spread of knowledge of English and rapid commercial expansion led to a great increase in the newspaper reading public at this time. Lord Auckland, who

became Governor General in 1835, was in agreement with Metcalfe's policy, and succeeded in persuading the East India Company to withdraw their prohibition against their servants being connected with the Press. A number of the Company's senior officers were regular contributors to newspapers, and the orders issued in 1825 had become a dead letter. (The prohibition against the connection of Government's servants with public newspapers was revoked in 1841 subject to the restraints laid upon Military Officers by the rules of their service.

The cleavage between the Indian owned and British owned newspapers became marked in 1857, the year of the Indian Mutiny, when the Anglo-Indian Press teemed with statements of a highly provocative nature, and inflammatory incitements to revenge appeared in both the editorials and the correspondence columns. Writing on the subject of Anglo-Indian newspapers some six years later, Sir George Trevelyan said:—

"The tone of the press was horrible. Never did the cry for blood swell so loud as among these Christians and Englishmen in the middle of the nineteenth century."

The Indian Press on the other hand could not remain aloof from the violent passions which had been let loose. News sheets, containing incitements to rebellion were widely circulated. The question of gagging the Press again came to the fore, and the old argument that a free press and the dominion of strangers are things incompatible, gained ground. An Act was passed in 1857, to remain operative for one year, for regulating the establishment of printing presses and the circulation of printed books and newspapers. It was laid down that no person should keep a printing Press without previous sanction and without a licence from the Government; that all books and papers printed at a licensed press should have printed on them the name of the printer and of the publisher and the place of printing and publication and that a copy of every such book or paper should be forwarded to the Magistrate. Power was taken to prohibit the publication or circulation of any book or newspaper. Apart from the penalty of fine and imprisonment, the Act also provided for forfeiture of books and printing Presses. The executive instructions issued for the grant of licences to keep printing presses provided that no newspapers should contain any observation or statement impugning the motives or designs of the British Government in England or in India or in any way tending to bring the said Government into hatred and contempt, to excite disaffection or unlawful resistance to its orders, or to weaken its lawful authority or the lawful authority of its civil or military servants or any observation having a tendency to weaken the friendship towards the British Government of Indian princes, chiefs, or states in dependence upon or alliance with it. This act revived in effect the licensing provisions of the Regulation of 1823, and the Registration procedure of Metcalfe's Act was also retained.

After the assumption of the Government of India by the Crown in 1858 and Queen Victoria's proclamation, an important constitutional advance took place in 1861 in the passage of Indian Councils Act according to the provisions of which Indians were to be associated for the first time with the Government for legislative purposes. Public opinion was stirred by the reforms, and numerous

newspapers were founded in the following two decades. Many of them exist today, and among them may be mentioned "The Times of India", "The Pioneer", "The Madras Mail", "The Amrita Bazar Patrika", "The Statesman", "The Civil and Military Gazette" and "The Hindu". The next event in the history of Press Laws was the enactment of the Press and Registration of Books Act (No. XXV of 1867) for the regulation of printing presses and newspapers for the preservation of copies of books and for the registration of books. This Act, as amended by the Amendment Acts of 1890, 1914 and 1922, is still in force. The object of this Act is to provide for the regulation of printing presses and of periodicals containing news, for the preservation of copies of books and for the registration of books. Part I of the Act contains the interpretation clause in section 1: Part II (Sections 3 to 8A) contains rules for the making of declarations by keepers of presses and publishers of newspapers; Part III (Sec. 9 to 11A) contains rules regulating the delivery of books; Part IV (Sec. 12 to 17) relates to penalties; Part V (Sec. 18 to 19) relates to Registration of books and Part VI (Sec. 20 to 22) gives power to Government to make rules and to exempt books or newspapers from the provisions of the Act.

With the increase in the number and influence of newspapers, the criticism of the administration naturally grew, and some at least of it was considered to be irresponsible. Among the steps contemplated to meet the situation were the possibility of the establishment of an official newspaper and amendment of the Indian Penal Code to cover seditious writing and speeches. The difficulty of Government, arising from the Wahabi conspiracy of 1869-70, led the administration to pass legislation, namely, the Indian Penal Code (Amendment) Act 1870 (XXVII of 1870), for incorporating in the Code a section on sedition, namely 124-A. This section dealt with a person who "excites or attempts to excite feelings of disaffection to the Government established by law in British India."

The extent to which officers other than Army Officers in the service of Government were permitted to connect themselves with the Press was reagitated in 1875, when Government passed orders that no officer in the service of Government should be permitted without previous sanction to become proprietor of any periodical or to edit or manage any periodical. Officers were not prohibited from contributing to the Press, but were directed, in view of their position, to confine themselves within the limits of temperate and reasonable discussion. They were prohibited from making public without previous sanction any documents or information of which they might become possessed in their official capacity. It was provided that, in cases of doubt, Government should decide whether any engagement of officers with the Press were consistent with the discharge of their duties to the Government.

In 1876, proposals were again made for a new law to deal with the growing criticism of Government in the press. In a Minute, the Legislative Member of Council stated:

"Neither knowledge nor freedom of speech can be acquired without some unpleasant excesses. We have chosen the generous, I think the wise, policy of encouraging both and we ought not to be frightened because some of the symptoms appear. People who increase their knowledge

are sure to be discontented unless their power increases too, and will probably be impatient to acquire that power; and people who have newly acquired freedom of speech are likely at times to use their tongues without discretion. All that we must take as the drawback necessarily attendant on the benefit of having a more intelligent and less reticent people in India."

The Vernacular Press Act, which became law in March 1878, gave power to Government to call upon the printer and publisher of any paper in an Indian language not to publish anything likely to excite feelings of disaffection against the Government or antipathy between persons of different races, castes and religions among His Majesty's subjects. Speaking in the Legislative Council, the Viceroy regretted the necessity which, by some irony of fate, had imposed on him the duty of undertaking legislation for the purpose of putting restrictions on the Press. The object of the legislation was to prevent seditious appeal to the people and the Government hoped that the gradual spread of education and enlightenment in India might ensure and expedite the arrival of a time when the restrictions might with safety be removed. Contravention of the provisions of the Act was punishable not only with forfeiture of the bond but also with seizure of the Press. It will be seen that this Act was a precursor of the Indian Press (Emergency Powers) Act, 1931, which is in force today. For those, who wished to avoid the risk of being penalised, a system of censorship was introduced by the Government. Curiously, the British Government objected to the provision which allowed the editor to avoid the necessity of depositing a security by submitting to a censorship on the ground that, having regard to the wide variety of languages in India, the censors would have to be native of the country, and that they would, in point of fact, have to write the newspapers. Accordingly, the provisions regarding censorship were deleted, and Government appointed a Press Commissioner in order to keep the Press fully and impartially furnished with accurate current information in reference to such measures or intentions on the part of Government as were susceptible of immediate publication without injury to the interests for which the Government was responsible. The Press Commissionership was abolished by Lord Ripon in March 1881. The passing of the Vernacular Press Act was bitterly resented by the Indian Press. The *Amrita Bazar Patrika*, which was till then bilingual, was equal to the occasion, and the issue of the paper following the passage of the Act appeared wholly in English. The Act resulted in the institution of other Indian-owned newspapers in English. The Act was ultimately repealed by Lord Ripon towards the close of 1881. The first notable case of contempt of court in India was recorded in 1883, when Surendra Nath Banerjee was sentenced to two months' imprisonment for commenting in the columns of "*The Bangalee*" on proceedings in the High Court involving the exposure of a Hindu idol in public. The writer claimed the honour of being the first Indian of the generation to suffer imprisonment in the discharge of a public duty, and the effect of the case was to give stimulus to the Press.

During Lord Dufferin's term of office the '*Amrita Bazar Patrika*' published certain information in connection with administration of

the affairs of Bhopal. The Agent to the Governor-General considered these statements to be libellous and appealed to the Government for action. The Viceroy, however, negatived the proposal on the ground that legal proceedings would draw greater publicity to the matter under dispute. In 1889, the same newspaper published what purported to be a confidential Foreign Office document concerning Kashmir. This led to the passing, in October 1889, of an Act, called the Indian Official Secrets Act, to prevent the disclosure of official documents and information.

The year 1896 was a year of famine in Bombay, and to add to the distress of the people, it was followed by an outbreak of bubonic plague. A Military officer and a civilian were murdered in connection with Plague Precautionary Measures at Poona, and Mr. Tilak, Editor of "Kesari", was tried for sedition and imprisoned for 18 months. The Government was seriously alarmed at the outbreak of violence and ascribed it largely to the suggestive propaganda in the Press. It was accordingly proposed to amend the Indian Penal Code in order to enable the Government to deal legally with the situation. The Law said:—

"We do not want a press in leading strings that can be made to dance to any tune that its censors may think fit to call. We want simply a free Press that will not transgress the law of the land. We are aiming at sedition and offences akin to it, and not at the Press."

The result was the substitution of the present sedition section in the I. P. C. (section 124-A) by the Amendment Act of 1898 for the original section which was inserted by the Amendment Act of 1870. The new provision did not alter the law of sedition, but restated it in plainer language. By the Amendment Act of 1898, a new section 153-A was also added to the Indian Penal Code, and the original section 505 of the Indian Penal Code was amended to its present form. The former section deals with "promoting enmity between classes" and the latter with "statements conducive to public mischief."

The main factors which influenced the Press during the last decades of the nineteenth century were the establishment of the Indian National Congress in 1885, the Indian Councils Act, 1892 and the interest in technical matters which had come from the West. The turn of the century saw a critical state of affairs. The intelligentsia was clamouring for rapid political advance and, in the absence of what was considered an adequate response from the authorities, much of the agitation had been driven underground, and terrorist movement grew in force. The Government's policy was devised to meet what were in their view reasonable demands and yet to yield nothing to the forces of extremism.

In December 1903, the Government sought to amend the Indian Official Secrets Act of 1889 with the object of placing civil matters on a level with naval and military matters. The Act applied to "whoever without lawful authority or permission (the proof whereof shall be upon him) goes to a Government Office and commits an offence under the Act." All offences under the Act were cognisable and non-bailable. Naturally, the proposal met with bitter-opposition

from the Press. Mr. Gokhale, opposing the measure, declared:

"In England, the Government dare not touch the liberty of the Press, no matter how annoying its disclosures may be, and has to reconcile itself to the matter, regarding them as only so much journalistic enterprise. In India the unlimited power which the Government possesses inclines it constantly to repressive legislation. This single measure suffices to illustrate the enormous difference between the spirit in which the administration is carried on in England."

The Anglo-Indian Press was at one with the Indian Press in its opposition to this measure but the cleavage between the two sections of the Press became more marked than ever before during the Swadeshi movement of 1905 to 1908. The split in the Indian National Congress at Surat in December 1907 led to the parting of the ways between the liberals and the nationalists, and the Indian Press had to take its stand for one party or the other. Certain sections of the Anglo-Indian Press could hardly disguise their satisfaction at the trend of the events. In Bengal, part of the Press had adopted a style of writing which led the Government to fear the development of what they considered country-wide seditious movement. Anarchical ideas were undoubtedly gaining ground largely as the result of discontent over the Partition of Bengal. The Government felt that several newspapers were exceeding the bounds of criticism and, since they thought that the ordinary law could not be applied in these instances, they decided that fresh legislation should be introduced to meet what the Government of Bengal considered to be a threatening situation. This legislation was embodied in the Press Act of 1910, which empowered the Government to demand security from any newspaper. A similar provision existed in the Vernacular Press Act (IX of 1878) and exists in the Indian Press (Emergency Powers) Act, 1931, which is in force today. The criticism of the provision for demanding security could be summed up as follows in the words of Mr. T. V. Sheshagiri Ayyar:—

The first obnoxious feature was that it substituted the discretion of the Executive for the rights of publicity, audience and appeal. Secondly, it specifically violated the first principle of jurisprudence by directing the accused to prove that he was innocent. Thirdly, though an appeal was provided for, it had been pointed out in both the Calcutta and the Madras High Courts that the High Court had no power to question the discretion of the Executive. Furthermore, the provision had the effect of humiliating the intelligentsia, since journalists were asked to furnish security, at the discretion of the Executive, before they could publish a newspaper. This humiliation no intelligent man would like to be subjected to, and consequently the Act had been the cause of considerable disaffection in the country.

In March 1921, the Government decided to appoint Committees composed of Members of the Central Legislature to enquire into legislation which adversely affected the liberties of the individual. One of the Committee appointed was charged with the examination of the Press and Registration of Books Act, 1867, the Indian Press Act, 1910, and the Newspaper (Incitement of Offences) Act, 1908. The Committee unanimously recommended the repeal of the last two Acts

on the grounds that they were emergency measures and that the political situation had undergone great changes since 1910. Incitement to murder and violent crimes were rarely found in the contemporary Press, but the Committee was not satisfied that the cessation was due solely or even mainly to the legislation, or that in the existing conditions, the ordinary law was not adequate to deal with such offences. Most of the witnesses examined by the Committee expressed the view that the Press Act had not been applied with equal severity to English-owned and Indian-owned newspapers. In regard to the Press and Registration of Books Act, the Committee recommended that the name of the Editor should be inscribed on every issue of the newspaper and the editor should be subjected to the same liabilities as the printer and publisher as regards criminal and civil responsibility, that a person registering under the Act should be a major, that the term of imprisonment in part IV of the Act should be reduced from two years to six months, and that provision should be made for delivery to Government of copies of newspapers printed in British India. The Committee also recommended that the provisions of the Press Act, 1910, containing powers to seize and confiscate seditious leaflets and literature should be retained and that the ancillary powers of preventing importation and postal transmission of such literature should also be retained as a necessary corollary. The requisite amendments were carried out by the Press Law (Repeal and Amendment) Act of 1922 (XIV of 1922) to the Press and Registration of Books Act, 1867, and sections 99A to 99G, sections 181A to 181C and Sections 27A to 27D were added respectively to the Code of Criminal Procedure, 1898, the Sea Customs Act, 1878, and the Post Offices Act; 1898.

In 1922, a meeting of the Chamber of Princes made a request for special protection to the Indian States to replace that which had been taken from them by the Repeal of the revelant provision of the Press Act 1910. The Government were of opinion that they were bound to accept this request on account of treaty obligations. The Princes Protection Bill was accordingly introduced, but the Legislative Assembly having refused leave for the introduction, the Governor-General exercised his special powers under section 67B of the Government of India Act 1919, and certified the Bill which became the Indian States (Protection against Disaffection) Act 1922. Section 3 of this Act provides punishment of imprisonment upto 5 years, for any person editing printing or publishing any document which brings into hatred or contempt, or excites disaffection towards any Prince or chief of a State in India, or the Government or Administration established in any such State. Section 4 provides that powers of forfeiture under section 99A-99G of the Criminal Procedure Code and of postal interception under sections 27B to 27D of the Indian Post Offices Act shall be applicable to document of the nature described in Section 3. In 1923, the Official Secrets Act, which is in force today, was passed in order to consolidate the provisions of the British Acts of 1911 and 1920 in a form suitable for application to India; and the Official Secrets Acts of 1889 and 1903 were repealed. Section 3 of this Act provides penalty for spying; section 4 provides that communications with foreign agents shall be evidence of commission of certain offences; section 5 which is the main section affecting the press deals with "Official Secrets" and relates to "Wrongful communication etc., of information." Section 6 deals with unauthorised use of uniforms, falsifi-

cation of reports, forgery, personation and false documents. Section 7 relates to interference with officers of the Police or members of the armed forces. Section 8 imposes the duty on every person of giving information as to the commission of an offence under section 3. Section 10 provides penalty for harbouring spies, while sections 11 to 15 are procedural.

In 1930, Mahatma Gandhi launched his civil disobedience movement. The country was in a state of ferment. The Government had promulgated several Ordinances to arm the authorities with powers for dealing with what they considered intimidation and unlawful instigation, etc. One of these was Indian Press Ordinance 1930 to provide for the better control of the Press. In 1931, while constitutional discussions and the Second Round Table Conference were taking place in London, Government decided to deal with the situation in Bengal by introducing a new Press Bill to "provide against the publication of matter inciting to or encouraging murder or violence." The Indian Press (Emergency Powers) Act, 1931, was the result. Under the original sub-section (3) of Section 1, the Act was to remain in force for one year only and Government were given power to extend this period by another year. The operation of the Act was extended from time to time, and ultimately sub-section (3) of section 1 was repealed by the Criminal Law (Amendment) Act, 1935, so as to make this statute a part of the permanent law of the country. By the same Criminal Law (Amendment) Act, the words "for the better control of the Press" were substituted for the words "against the publication of matter inciting to or encouraging murder or violence". Original section 4(1) of the Act had only two clauses, (a) and (b). Clauses (c) to (i) and the explanations were added by the Criminal Law (Amendment) Act, 1932. Under the scheme of this Act, section 4(1) defines certain classes of objectionable matter. Sections 3 and 7 empower the Government to require the keeper of a Press and the publisher of a newspaper respectively to deposit security upto Rs. 1000, which may be increased to Rs. 3000 if any previous keeper or publisher has been required to deposit security. Sections 4 and 8 empower the Government to declare the security forfeited in certain cases; in respect of the keeper of the Press, there is also power to forfeit the Press. If no order of forfeiture is passed under section 4 or 8 within a period of three months after deposit of security under section 3 or 7, it is provided, under sub-section (2) of section 3 and 7, that the security shall, on application by the keeper of the Press, or the publisher of the newspaper, be refunded. Section 5 and 9 provide for the deposit of further security respectively by the person making fresh declaration as keeper of the Press, or publisher of the newspaper, and the amount of the further security is to be not less than Rs. 1000, and not more than Rs. 10,000. Under sections 6 and 10, power is taken to declare further security and publications forfeited. Sections 15 to 18 of the Act deal with unauthorised news-sheets and newspapers. Section 15 provides for the grant of authorisation to a person to publish a news-sheet. Sections 16 and 17 confer power to seize and destroy unauthorised news-sheets and newspapers and to seize and forfeit undeclared presses producing such news-sheets, etc. Section 19 contains provision enabling the Government to declare certain publications forfeited and to issue search warrants for the same. Section 20 confers powers on certain officers to detain

packages containing objectionable matter, as defined in section 4, sub-section (1), of the Act, when imported into British India. Section 21 prohibits transmission by post of unauthorised news-sheets or newspapers. Section 22 confers powers on postal authorities to detain postal articles, other than a letter or parcel, which are suspected to contain objectionable matter, or which are sent in contravention of section 21. Section 23 provides for an application to the High Court by the keeper of a Press or the publisher of a newspaper who has been ordered to deposit security under section 3 or 7 respectively or by any person having an interest in the property in respect of which an order of forfeiture has been made under sections 4, 6, 8, 10 or 19. The High Court has to decide if the document in respect of which the order was made did or did not contain matter of the nature described in section 4(1). The hearing of every such application is to be by Special Bench under section 24 and provision is made under section 25 for the Special Bench to set aside the order.

Another legislation affecting the press which replaced an ordinance promulgated in 1931, is the Foreign Relations Act, 1932, the object of which is to provide against the publication of statements likely to prejudice the maintenance of friendly relations between His Majesty's Government and the Governments of certain foreign states. Section 2 of the Act applies the provisions relating to defamation in Chapter XXI of the Indian Penal Code to defamation of a Ruler of a State outside but adjoining India or the consort or son or Principal Minister of such Ruler. The powers of forfeiture under section 99A-99G of the Criminal Procedure Code and of postal interception under sections 27-B to 27-D of the Indian Post Office Act have been extended by Section 3 of the Foreign Relations Act to documents, etc., containing matter which is defamatory of such Ruler, Consort, Son or Minister.

In 1934, the Indian States (Protection) Act (XI of 1934) was passed to protect the Administrations of States in India which are under the suzerainty of His Majesty from activities which tend to subvert or excite disaffection towards, or to obstruct such Administration. By section 2, a conspiracy to overawe the administration of a State in India is made punishable, while by section 3 the provisions of the Press Emergency Powers Act, 1931, are extended to cover matter which tends directly or indirectly to bring into hatred or contempt or to incite disaffection towards the administration of a State. By section 4 of the Act, power is given to Magistrates to prohibit assemblies which intend to proceed into the territory of a State. Under section 5, the District Magistrate has power to direct, in case of emergency, any person to abstain from a certain act if it is considered that such direction is likely to prevent, or tends to prevent obstruction to the administration of a state in India or danger to human life or safety or a disturbance of public tranquility or a riot or an affray within a state. In short, the power conferred by section 144 of the Criminal Procedure Code has been extended to matters relating to Indian States by Section 5.

The Government of India Act was passed in 1935 and, in 1937, autonomous popular Governments came into power in eight out of the eleven provinces of India, and some of the Provincial Governments were faced with the problem of communal writings in the

Press. Until their resignations in October 1939, Congress Governments were able to function without the use of special measures in dealing with communal and labour unrest. On its part, the Press realised its responsibility in relation to the democratic Governments. Responsible Government does not merely mean the rule of popular Government but the continual subjection of that Government to popular pressure so that it may act continually in accordance with the wishes of the people. Thus, Democracy places on the press the responsibility of continual vigilance in order to see that the Government functions in the real interest of the people and in accordance with their wishes. But, if the press itself sets an ignoble aim before it, it can claim no privilege in the sacred name of the freedom of the Press. The Press can have no special rights or privilege which an ordinary citizen does not possess. The establishment of democracy imposes on the press the added duty of using its powers for the welfare of all and not for the benefit of any section of society.

Popular Governments returned to power in April 1946 in the Provinces in which the Congress Ministries had resigned in 1939. A popular Interim Government came into power at the Centre in September 1946. On 30th September 1946, the wide powers for control of the press which were available under the Defence of India Rules came to an end. The communal situation in several Provinces of India was grave and serious communal riots occurred in several parts of the country. It became necessary for the Central Government and for the Provincial Governments to take special powers to deal with the communal situation and with writings in the Press which tended to promote feelings of hatred between different communities. During the course of 1946-47, most of the Provincial Governments enacted ordinances to deal with disturbed conditions. These ordinances were in due course replaced by temporary emergency legislation which was passed by the Legislatures. The following is a list of some of these enactments:—

- (i) The Central Press (Special Powers) Act, 1947.
- (ii) The Assam Maintenance of Public Order Act, 1947.
- (iii) The Bengal Special Powers Act, 1947.
- (iv) The Bihar Maintenance of Public Order Act, 1947.
- (v) The Bombay Public Security Measures Act, 1947.
- (vi) The C. P. & Berar Public Safety Act, 1947.
- (vii) The Madras Maintenance of Public Order Act, 1947.
- (viii) The Punjab Public Safety Act, 1947.
- (ix) The U.P. Maintenance of Public Order (Temporary) Act, 1947.
- (x) The Orissa Maintenance of Public Order Ordinance, 1948.

The provisions of these emergency enactments in so far as they affect the press, relate to the following:

Imposition of Censorship; control of publication; and import, possession or conveyance of documents.

We have now completed the historical survey of the Press Laws of India, in course of which we have examined the following Press Laws of India:-

- The Press and Registration of Books Act, 1867.
- The Indian State (Protection against Disaffection) Act, 1922.
- The Indian Official Secrets Act, 1923.
- The Indian Press (Emergency Powers) Act, 1931.
- The Foreign Relations Act 32.
- The Indian States (Protection) Act, 1934.
- Sections 124-A, 153-A and 505 of the Indian Penal Code, 1860.
- Sections 99-A to 99-G of the Code of Criminal Procedure, 1898.
- Sections 181-A to 181-C of the Sea Customs Act, 1878.
- Sections 27-A to 27-D of the Post Office Act, 1898 and recent emergency legislation.

To complete our examination of the Press Laws, we add here remarks regarding the remaining provisions of law. Section 19 of the Sea Customs Act, 1878, gives power to the Central Government to prohibit or restrict the importation or exportation of goods into or out of India. Section 5 of the Telegraph Act, 1885, gives power to the Central Government or Provincial Government or an officer specially authorised by Government to take possession of licensed telegraphs and to order interception of telegraphic messages (which include under section 3(1) of the Act telephonic message also). Section 25 of the Indian Post Office Act, 1898, confers power on an office of the Post Office to intercept, during transmission by post, goods which have been notified under section 19 of the Sea Customs Act or the import or export of which is otherwise prohibited. Section 26 of the Post Office Act provides power of interception of postal articles on the same lines as section 5 of the Telegraph Act.

With a population, according to the 1941 census, of 300 millions and a literacy percentage of about 12 on the total population, the Indian Union has, according to the latest information available, some 3,900 newspapers composed of 300 daily newspapers and 3,600 others, and the total circulation of these newspapers is over 7 millions. The prominent newspapers of the Indian Union are published in about a dozen main languages besides English. The highest circulation reached by a newspaper so far in India is between 50,000 to 100,000. The Indian Press, as we have seen in the foregoing paragraphs, has had a chequered career, and, although some may feel that it has suffered qualitatively, there can be no doubt that it has gained enormously in power and prestige. The declaration of the Independence of India on 15th August 1947 brought to an end the autocratic power with which the Press was in conflict ever since its inception. Several newspapers in India do yield profits to the proprietors who are in a position to engage editorial and other staff on reasonable terms. Under democratic Governments, and with the spread of literacy in the country the business of conducting newspapers is likely to be much less hazardous than in the past and the press in India can look forward to a bright future although problems of monopolies and cartels are bound to arise. The establishment of the All-India Newspaper Editors' Conference and associations and unions of working journalists are steps in the right direction which may lead to the evolution of a code of professional conduct and better professional organisation.

APPENDIX 8

BIBLIOGRAPHY

Important Indian Enactments*

1. Press and Registration of Books Act, 1867.
2. Sections 124-A, 153-A, 171-G, 255, 292, 293, 294-A, 295-A, 489-A, 499, 502 and 505 of the Indian Penal Code.
3. Sections 99-A—99-G and 108 of the Criminal Procedure Code.
4. Sections 81, 84 and 87 of the Indian Evidence Act, No. 1 of 1872.
5. Sections 19 and 181-A of the Sea Customs Act, No. VIII of 1878.
6. Section 5 of the Indian Telegraph Act, No. XIII of 1885.
7. Sections 26, 27-A, 27D of the Indian Post Office Act, No. VI of 1898.
8. Newspapers (Incitement to Offences) Act, No. VII of 1908.
9. The Indian Press Act, No. I of 1910.
10. Sections 40, 52 and 53 (1) (9b) of the Patents and Designs Act, No. II of 1911.
11. The Indian Copyright Act, No. III of 1914.
12. The Indian States (Protection against Disaffection) Act, 1922.
13. The Indian Official Secrets Act, No. XIX of 1923.
14. Sections 5 and 7 of the Land Customs Act, No. XIX of 1924.
15. The Contempt of Court Act, 1926.
16. Section 69 of the Trade Marks Act, No. V of 1940.
17. The Press (Special Powers) Act, No. XXXIX of 1947.
18. Article 19 (1) (a) and (g) and Clauses (2) and (6) of the same Article of the Constitution of India.
19. The Tax on Newspapers (Sales and Advertisements) Repeal Act, No. XXVIII of 1951.
20. The Press (Objectionable Matter) Act, No. LVI of 1951.
21. The Press (Objectionable Matter) Amendment Act, 1954.
22. The Working Journalists (Industrial Disputes) Act, I of 1955.
23. The Drugs (Amendment) Act, II of 1955,

*Appendix 7 contains a detailed review of Indian Press Law and the various enactments passed from time to time.

Important Reports and Statements:

1. Free and Responsible Press (Chicago, 1947).
2. Freedom of Information, 1953 (U.N.O., New York).
3. Freedom of Information (U.N., 1950, 2 Volumes).
4. Freedom of the Press by Coillian Envest Hocking (Chicago, 1947) (A Report from the Commission on Freedom of the Press).
5. Government and Mass Communications (Report from the Commission of the Press: Zechariah Chafee Jr., 2 Volumes).
6. Peoples Speaking to Peoples: Llewellyn White and Robert D. Leigh (Chicago, 1946) (A Report on International Mass Communication from the Commission on Freedom of the Press).
7. Press Laws Committee Report (Dr. T. B. Sapru, 1921).
8. Report and evidence—The Press Laws Committee, 1922.
9. Press—Royal Commission Report: Royal Commission on the Press—1947-49—Ross, W. D.
10. Report of the Press Laws Enquiry Committee, 1948.
11. Report of the Sedition Committee 1918—Rowlett, J.
12. Sub-Commission on Freedom of Information and of the Press. (U.N.O., New York, 1952)
13. The Press and the People: The first annual report of the General Council of the Press (U.K.), 1954. (The Press Council, what it is and what it does? Press in 1954, advertising, ownership, history of the Press Council etc.)
14. Correspondence between the Government of India and the Secretary of State for India regarding Act No. IX of 1878—**"AN ACT FOR THE BETTER CONTROL OF PUBLICATIONS IN VERNACULAR LANGUAGES"**.
15. Copy of despatch forwarded by the India Office to the Government of India relative to expediency of repealing the Vernacular Press Act, 1881.
16. Copy of despatch from the Government of India in reply to despatch from the India Office dated the 28th January 1881 on the subject of the Vernacular Press Act, 1881.
17. Copy of minutes in connection with Act No. XI of 1835 regarding the control of Native Press of India, 1835.
18. Annual report on Native publications, Bombay, for 1898.
19. **INDIAN PRESS ACT, 1910**, and proceedings of the Legislative Council of the Governor-General of India relating thereto.
20. Return of statements showing the action taken by local Government and Administrations under certain sections of the Indian Press Act, 1910.
21. Copies of a letter from the Chairman and Deputy Chairman of the East India Company to the Rt. Hon. Charles Wathin Williams Wynn, dated the 17-1-1823, on the subject of the Press in India.

22. Of reply to Mr. Wynn to the foregoing, dated 5th April 1823.
23. Of any despatch or despatches from the Court of Directors of the East India Company to the Government of India, relating to Act XI of 1835.
24. Of a Notification issued by the Government of India on the 18th June, 1857 with reference to the provisions of Act No. XV of 1857, that application for licenses to keep or use printing presses must in future be made to certain authorities named therein, and naming the ordinary conditions on which such licenses may be had; also, of any Notifications similar in terms or tenor to the foregoing, which have been since issued by the Government of Madras or the Government of Bombay.
25. Of any Memorial or Remonstrance addressed to the East India Company, praying for the Disallowance of Act XV of 1857 and the Reply or Replies of the East India Company to the same.
26. And of any Records of Proceedings by the Supreme Government, or any of the Local Governments in India, taken with reference to enforcing the provisions of Act XV of 1857, and of any Notices or Warnings to Printers or Publishers, with any Articles or Writings inculcated under the same.
27. Statement of Newspapers and Periodicals published or printed in Bengal, revised upto 31st December 1939, compiled in the office of the Bengali Translator to the Government of Bengal.
28. Statement of Newspapers and Periodicals published or printed in West Bengal for the year 1950, compiled and revised upto 31st December 1950 in the office of the Bengali Translator to the Government of West Bengal.
29. India and the Aggressors—The trend of Indian Opinion between 1935—40: Compiled by the Bureau of Public Information, Government of India, New Delhi.
30. Statement of Newspapers published in the Bombay Presidency during the years 1935 to 1951 (inclusive).
31. Annual Reports on Newspapers published in the Bombay Presidency from 1921 to 1951 (inclusive).
32. Guide to selected newspapers and periodicals in India—Government of India, Press Information Bureau, January 1951.
33. Selections from the records of the Bengal Government—No. XXII—Correspondence relating to Vernacular Education in the Lower Provinces of Bengal—A return of the names and writings of 515 persons connected with Bengali literature, either as authors or translators of printed works, chiefly during the year...and a catalogue of Bengali newspapers and periodicals which have issued from the Press from the years 1818 to 1855; submitted to Government by the Rev. J. Long—1855. Published in Calcutta by Thos. Jones, "Calcutta Gazette" office—1855.
34. Selections from the Records of the Bengal Government—No. XXXII—Returns relating to publications in the Bengali

language in 1857 to which is added a list of the native presses with the books printed at each, their price and character with a notice of the past conditions and future prospects of the Vernacular Press of Bengal and the statistics of the Bombay and Madras Vernacular Presses. Submitted to Government by the Rev. J. Long: Published in Calcutta by John Gray, General Printing Department, 1859.

35. Selections from the Records of the Government of North West Provinces—Notes on Native Press during the years 1848 to 1872—2nd series Vol. 1 to 6.
36. Report of the Press Commission, Parts I, II and III, 1954.
37. Statement of the conclusions reached by the Government of India in respect of the recommendations of the Press Commission Report—laid on the Table of the Houses of Parliament on 22nd December, 1954.
38. President's address to the Parliament—May 16, 1952.

Reference Books

1. Encyclopaedia of Social Sciences, Volumes XI and XII, pages 325—346 (Press).
2. Encyclopaedia of Social Sciences, Volumes V and VI, pages 455—459 (Freedom of the Press).
3. Encyclopaedia of Social Sciences, Volumes III & IV, pages 290—294 (Censorship).
4. Encyclopaedia Britannica, Volume 18, pages 455 and 456.
5. Indian Press Year Book. Mid Century Issue, Indian Press Publications, Madras, 1951-52.
6. Writers' and Artists' Year Book. (Annual Publication).
7. Willing's Press Guide 1953, Willing's Press Service 1953.

Select Books

1. ALBIG, WILLIAM: Public Opinion (Mc Graw Hill Book Co. London). Chapter XXI deals with newspapers.
2. ANDREWS, W. L. : British Newspapers. British Council Study Booklet. 1952.
3. ANGLO-AMERICAN COUNCIL OF PRODUCTIVITY: The Provincial Press, British Productivity Council, 1952.
4. ASPINALL, A. : Politics and the Press C. 1780—1850 (London, 1950). A historical treatise on the struggle between the Press and the Politicians in England and the consequent emancipation of the Press.
5. BARNES, MARGARITA: The Indian Press. (Allen and Unwin, 1940). A history of the growth of Public opinion in India and its expression in the Press.
6. CURTIS, MICHAEL: The Press (News Chronicle Publications, 1951).
7. DAWSON, THOMAS: The Law of the Press. (Staples, London, 1927). Please see for the topics: liberty of the press, history of the press, legislation, legal privileges of

- the Press, reports of judicial and parliamentary proceedings, fair comment, defamatory publications etc.
8. DHARA, R.: Journalism; Industrial Publishers, Ltd. (Calcutta, 1945).
 9. DESMOND, R. W.: Professional Training of Journalists, (UNESCO: Paris, 1949).
 10. GERALD, EDWARD: The Press and the Constitution 1931—1947 (University of Minnesota Press, Minneapolis, 1948). The book tells us how during the years 1931—1947 American system of the Freedom of the Press developed and now legal restraints affected it.
 11. GHOSE and NORTON: Laws affecting the Rights and Liberties of the Indian People (Calcutta, 1921).
 12. GHOSE, H. P.: Press and Press Laws in India (Calcutta, 1930).
 13. GHOSE, H. P.: The Newspapers in India (Calcutta, 1952).
 14. HADLEY, W. W. (Editor): Kemsley Manual of Journalism. (Cassel, 1950).
 15. HARRIS, WILSON: The Daily Press. (Cambridge University Press, 1943).
 16. HERD, HAROLD: The March of Journalism—The story of the British Press from 1622 to the present day. (Allen and Unwin, 1952).
 17. HUGHES: Press, Platform and Parliament. (London, 1918).
 18. IYER, V.: The Indian Press (Bombay, 1945).
 19. KEIR, DAVID: Newspapers. (Edward Arnold, 1948).
 20. LIPPMANN, WALTER: Public Opinion. (Macmillan, 1943). Chapter II deals with censorship and privacy.
 21. Legislation for Press, Film and Radio (No. 607, UNESCO, Paris, 1951).
 22. LOVETT, PAT: Journalism in India. (Calcutta).
 23. MARTIN, KINGSLEY: The Press the Public Wants. (Hogarth, 1947).
 24. MEHERALLY, YUSUF: Price of Liberty (Bombay, 1948).
 25. McCORMICK, R. R.: The Freedom of the Press. (D. Appleton Century Co., New York, 1936). A history and an argument compiled from speeches.
 26. McNAE, L.C.J.: Pressman's Guide to Courts and Local Government. (National Union of Journalists, 1952).
 27. Mass Observation: The Press and its Readers. (The Arts and Technics Ltd., 1949).
 28. MORRISON, STANLEY: The English Newspapers 1622 1932. Cambridge University Press, 1932.
 29. Newspaper Press Directory and Advertisers Guide, 1953. Benn. 1953.
 30. NATIONAL ADVISORY COUNCIL FOR THE TRAINING AND EDUCATION OF JUNIOR JOURNALISTS: Hand-

- book of Training. The Council 88 Fleet Street, London E.C.4. 1953.
31. Newspaper World: The Press 1898—1948. Benn. 1948.
 32. POLITICAL AND ECONOMIC PLANNING: Report on the British Press. PEP. 1938.
 33. PRADHAN, P.G.: The Freedom of the Press in India (Nasik, 1916).
 34. RAO, P.G.: Famous Indian Journalists and Journalism (Bombay).
 35. RIGBY, CHARLES: The Staff Journalist, Pitman, 1950.
 36. ROTHEKNBERG, I.: The Newspaper: A study in the working of the Daily Press and its Laws. Staples, 1946.
 37. ROY, N. R.: Freedom of the Press in India (Calcutta, 1950.)
 38. SASTRI C.L.R.: Journalism. (Bombay, 1944).
 39. SCOTT, J. W. ROBERTSON: The Life and Death of Newspaper. Methuen. 1952.
 40. SHEARMAN AND RAYNER (Editors): The Press Laws of Foreign Countries with an Appedix containing the Press Laws of India (London, 1926).
 41. SINCLAIR, ROBERT: The British Press: The Journalist and his Conscience. Home & Van Thal. 1949.
 42. SRINIVASAN, C.R.: Press and Public. (University of Travancore).
 43. STEED, WICKHAM: The Press (Penguin, 1938) (Deals with threats to the freedom of press, discussed the Press Problem).
 44. The Press Law in India. (Memorandum of the Press Association of India, August, 1919).
 45. These Rights and Freedoms. (U.N., 1950).
 46. THOMPSON, Rear-Admiral GEORGE P.: Blue Pencil Admiral: The Inside Story of the Press Censorship Sampson Low. 1947.
 47. THOMAS, IVOR: The Newspaper. Oxford University Press. (Oxford Pamphlets on Home Affairs). 1943.
 48. WICKER, W.H.: The Struggle for the Freedom of the Press (London, 1928).
 49. WILLIAMS, FRANCIS: Press, Parliament and People (London, 1946). (For the condition of Press-Censorship, etc. during the war, the relationship of press and government, press as the instrument of Government, etc.).
 50. WILLIAMS, FRANCIS: Transmitting World News: A Study of Telecommunications and the Press.

Select Articles

1. BLIVEN, BRUCE: Freedom of Speech and Press Fated to Decline. (*Editor and Publisher*, Vol. 64, No. 36, Jan. 23, 1932, p. 11).

2. CORWIN, E.S.: Freedom of Speech and Press under the First Amendment. (*Selected Essays on Constitutional Law*, Vol. II, edited by American Association of Law Schools, Chicago, Foundation Press 1938; p. 1060).
3. CUSHMAN, R.E.: National Defence and the restriction of civil Liberties (*Missouri Bar Journal*, Vol. II, No. 8, Oct. 1940; p. 138).
4. DEUTSCH, E.P.: Freedom of the Press and of the Mails. (*Michigan Law Review*, Vol. 36, No. 5, March 1938; p. 703).
5. DRUMMOND, J. ROSCOE: Drummond Discusses Press with Harold Ickes. [*Editor & Publisher*, Vol. 72, No. 34 (Aug. 26, 1939)].
6. HERMAN, R.E., and others: Recent Limitations on Free Speech and Free Press (*Yale Law Journal*, Vol. 48, No. 1, November 1938, p. 54).
7. IYER, N. RAGHUNATHA: Journalists and the Press Commission's Report, *The Hindustan Times*, November 17, 1954.
8. JOHNSON, G. A.: State of the Indian Press, *The Statesman*, August 23, 1954.
9. JOHNSON, G.W.: Freedom of the Newspaper Press (*Annals of the American Academy of Political and Social Science*, Vol. 200. Edited by Edward P. Cheyney. Philadelphia, November 1938, p. 69).
10. KRIPALANI, ACHARYA J.B.: Difficulties that Beset the Life of a Journalist, (*Janata*, Vol. IX, No. 28, August 1st 1954, p. 5).
11. LASCH, ROBERT: For a Free Press [*Atlantic Monthly* Vol. 174, No. 1 (July 1944), p. 39].
12. LEE, ALFRED McCLUNG: Violations of Press Freedom in America [*Journalism Quarterly*, Vol. 15, No. 1 (March 1938), p. 19].
13. MUSSAFIR: Press Commission Report and the Proprietors, (*Janata*, January 9, 1955, p. 15).
14. ODYSSEUS: Who Poisons the Newswells? [Comment on the Press Commission Report (*The Eastern Economist*, Vol. XXIII, No. 9, August 27, 1954, p. 349)].
15. SCHUYLER, P.: 2 Civil Liberties Champions Clash on Press Freedom [*Editor and Publisher*, Vol. 77, No. 50 (Dec., 9, 1944) p. 7].
16. SHIENTAG, BERNARD L.: From Seditious Libel to Freedom of the Press [*Brooklyn Law Review*, Vol. II, No. 2 (April 1942) p. 125].
17. SNYDER, QRVILLE CAIN: Freedom of the Press—Personal Liberty or Property Liberty [*Boston University Law Review*, Vol. 20, No. 1 (January 1940) p. 1].
18. TAYLOR, KEN: Thomas Mann Warns America to Guard Press Freedom [*Editor and Publisher*, Vol. 73, No. 39 (September 28, 1940), p. xiii].

19. TAYLOR, KEN: Cost Structures of Daily Newspapers (in India). [*The Eastern Economist*, January 28, 1955, p. 139].
20. —Verdict on the Press (Comment on the Report of the Press Commission, India) (*The Eastern Economist*, July 30, 1954, p. 153).
21. —The Influence of the Press [*Political Quarterly*, Vol. I (1930) pp. 157-78].
22. —The Press in the Pillory (*Truth*, August 1954, p. 129).
23. —The Press Commission (*The Eastern Economist*, July 1954).
24. —The Problem of the Press (*The New Statesman and Nation*, December, 1954, p. 668).
25. —By the Press, For the Press (*The Economist*, Feb. 28, 1953, p. 552).
26. —Press Council for Britain, (*Fortnightly Review of News and Events*, March 1 to March 14, p. 14).
27. —Freedom of the Press (*Janata*, March 29, 1953, p. 1).
28. —Free Press India (*The New Statesman and Nation*, May 2, 1953, p. 512).
29. —The Press in India (A.I.R. Selections, July-Sept., 1953, p. 46).
30. —("H.R.") Freedom of Press and Religion (*Minnesota Law Review*, Vol. 28, No. 2 (January 1944) p. 133].

Editorials

1. Publish It, *Hindu*, July 16, 1954.
2. A. Unanimous Report, *Indian Nation*, July 16, 1954.
3. Press Commission Report, *Leader*, July 17, 1954.
4. The Press, the Screen and the Law, *Tribune*, July 21 1954.
5. Jaundiced Views, *Statesman*, July 21, 1954.
6. Press Commission Report, *National Herald*, July 21, 1954.
7. Article 19, *Hitavada*, July 22, 1954.
8. Publicity Pitfalls, *Leader*, July 24, 1954.
9. Problems of the Press, *Hindustan Times*, July 26, 1954.
10. New Deal, *Free Press Journal*, July 26, 1954.
11. Press Commission's Report, *Mail*, July 26, 1954.
12. Summary Procedure, *Statesman*, July 27, 1954.
13. Conscientious, *Times of India*, July 27, 1954.
14. The Press Report, *Searchlight*, July 27, 1954.
15. The Dual Role of the Press, *Pioneer*, July 27, 1954.
16. Press Commission's Report, *Assam Tribune*, July 27, 1954.
17. Stifling the Press?, *Free Press Journal*, July 27, 1954.
18. Report on the Press, *Tribune*, July 28, 1954.
19. Law and the Press, *Hitavada*, July 29, 1954.

20. The End of An Era, *The Economic Weekly*, July 31, 1954.
21. Press Commission, *Indian Express*, Aug. 8, 1954.
22. Prime Minister and the Press, *Mail*, Aug. 13, 1954.
23. Tasks of the Press, *Indian Express*, Aug. 16, 1954.
24. Press Commission's Report, *National Herald*, Aug. 20, 1954.
25. The Press Perspective, *Leader*, Aug. 21, 1954.
26. The Press in India, *Bombay Chronicle*, Aug. 23, 1954.
27. Press Commission's Report *National Herald*, Aug. 24, 1954.
28. The Press Commission, *Hindu*, Aug. 24, 1954.
29. Report on the Press, *The Leader*, Aug. 25, 1954.
30. The Indian Press, *Pioneer*, Aug. 25, 1954.
31. Public Opinion, *Mail*, Aug. 26, 1954.
32. The Press Commission Report, *Sunday Tribune*, August 29, 1954.
33. A Retrograde Proposal, *Hindu*, September 3, 1954.
34. State of the Press, *Swatantra*, September 4, 1954.
35. Public Servants and the Press, *Tribune*; Sept. 6, 1954.
36. Defamation of Public Servants, *Hindu*, Sept. 8, 1954.
37. An Unwise Revolt, *Leader*, September 18, 1954.
38. Half-Brother in Press *Filminidia*, Sept. 1954.
39. Comic Strips, *National Herald*, Oct. 7, 1954.
40. Press Commission, *Pakistan Times*, Oct. 12, 1954.
41. Advertising, *Times of India*, Oct. 15, 1954.
42. Publish it—in Full, *National Herald*, Oct. 16, 1954.
43. Probe into the Press Probe I, *Searchlight*, October 19, 1954.
44. Fretful Approach, *Indian Nation*, October 19, 1954.
45. Self Regulation and the Press, *National Herald*, October, 24, 1954.
46. Abolish Them (Prize Competitions), *Times of India*, October 26, 1954.
47. Private and Confidential, *Statesman*, October 29, 1954.
48. Welcome, *Bharat Jyoti*, October 31, 1954.
49. The Thrills of Journalism, *The Leader Weekly*, Oct., 31, 1954.
50. Probe into the Press Probe II, *Searchlight*, Nov., 2, 1954.
51. Positive Approach, *The Leader*, Nov., 3, 1954.
52. Negative Approach, *Free Press Journal*, Nov., 4, 1954.
53. A Kill or Cure Remedy, *Tribune*, Nov., 4, 1954.
54. The Southern Command (S.I.J.F.), *The Leader*, Nov., 14, 1954.
55. Smaller Papers and Larger Interests, *The Leader*, Nov., 17, 1954.
56. Sao Paulo for Small Papers, *The Leader*, Nov., 29, 1954.
57. Politics and Journalism, *Indian Nation*, Dec., 1, 1954.

58. *The Press in India*, *Bombay Chronicle*, Dec., 3, 1954.
59. *Need to Maintain Standard in Journalism*, *Mahratta*, Dec., 10, 1954.
60. *Press Commission*, *Civil & Military Gazette*, Dec., 16, 1954.
61. *So Far So Good*, *Free Press Journal*, Dec., 23, 1954.
62. *The Future of the Press*, *Searchlight*, Dec., 24, 1954.
63. *Mentors of the Press*, *The Pioneer*, Dec., 24, 1954.
64. *Government and Press*, *Bombay Chronicle*, Dec., 24, 1954.
65. *Press Commission's Report*, *Hitavada*, Dec., 27, 1954.
66. *Journalism Course*, *Pioneer*, Jan., 1, 1955.
67. *First Things First*, *Free Press Journal*, Jan., 4, 1955.
68. *The Limits of Expression*, *Sunday Tribune*, Jan., 9, 1955.
69. *An Inspiring Story (Part II of the Report)*, *Times of India*, Jan., 15, 1955.
70. *Fog in Fourth Estate*, *Leader*, Feb., 2, 1955.
71. *Communalism and the Press*, *Hindustan Times*, Feb., 2, 1955.
72. *Press Commission*, *Civil and Military Gazette*, Feb., 7, 1955.
73. *Fairness to All*, *Bombay Chronicle*, Feb., 16, 1955.
74. *Price-Page Schedule*, *Leader*, Feb., 16, 1955.
75. *Democratic Publicity*, *Hindu*, Feb., 25, 1955.
76. *Working Journalists*, *National Herald*, March 4, 1955.
77. *Working Journalists*, *Civil and Military Gazette*, March 4, 1955.
78. *Employees in the Newspaper Industry*, *Sunday Tribune*, March 6, 1955.
79. *Journalists and Trade Disputes*, *Hindu*, March 13, 1955.
80. *Press Commission and the Devil*, *National Herald*, March 19, 1955.
81. *What is Wrong*, *Free Press Journal*, March 23, 1955.
82. *Something in Common*, *Hindusthan Standard*, April 14, 1955.
83. *Crossword Bill*, *Hindustan Times*, May 18, 1955.

Debates.

1. *Parliamentary Debates*, Lok Sabha, Part I, 8th September, 1954: Starred Question 636.
2. *Parliamentary Debates*, Lok Sabha, Part I, 23rd November 1954: Starred Question 285.
3. *Parliamentary Debates*, Lok Sabha, Part I, 1st December 1954: Unstarred Question 467.
4. *Parliamentary Debates*, Lok Sabha, Part II, 10th March 1955: *The Working Journalists (Industrial Disputes) Bill 1955*.
5. *Parliamentary Debates*, Rajya Sabha, February, 24, 1955.
6. *Parliamentary Debates*, Rajya Sabha, March 2, 1955.