Kerala History and Studies Journal
Published by the Kerala History Conference
ISSN No. XXXX-XXXX

The Freedom Of Press In India: Analysing The Continuation Of Press Control Even After Indian Independence

Author(s) S. Anayna Sha

Publication Vol. 1 / Issue 1 / 2026

Stable URL https://journal.keralahistoryconference.org/article/5

Date of Release 28.11.2026

IP Address 216.73.216.174

Downloaded 26-Nov-2026 04:36 IST

The Freedom Of Press In India: Analysing The Continuation Of Press Control Even After Indian Independence

S. Anayna Sha,
Ph.D. Research Scholar (Full-Time),
Department of History, Iqbal College Peringammala,
University of Kerala,
Email: sheenaksulekha@gmail.com,
Mob: 9074129682

Press existed in India, although not in its current form, a long time ago. And it got revolutionised with the advent of the British. Indian accomplishments in the journalism field have taken place by the continuous efforts of people who wanted to get rid of the foreign power. It may be only because of journalism that even Britain had to target and evict its own people from India. Such was the ethical nature displayed by this discipline. When Englishmen started entering into journalism, the authorities get afraid of letting the people of England know what they were actually doing in India. They never though of the Indian press becoming a headache to their priorities in the state. With the relentless efforts of eminent Indian nationals, the Indian press raised to the point where it could play a prominent part in getting India its independence. The British authorities commenced prohibitory laws against the press when it started informing to the public on the inner political games. It took a dangerous turn when the press was seen as an agent for creating public opinion rather than solely disseminating news. The regulations on the press from the time of Wellesley in 1799 continued in several versions throughout the colonial period. Journalists thought of having an independent press while enjoying the freedom at the midnight of 1947. However, with an unexpected twist of the events, not so long after the commencement of the constitution in 1950, Indian press faced with the Press (Objectionable Matters) Act, 1951. It kicked off as series of restrictions with Young Persons (Harmful Publications) Act, 1956, Parliamentary Proceedings (Protection of Publication) Act, 1956 and so on, up to the recently added amendment of the 1967 security law (2019) which authorises the government to declare an individual a 'terrorist' even before his or her trial proving the guilt.

 IP Address: 216.73.216.174 Downloaded: 26-Nov-2026 04:36 IST

Unlike most of the developing world, Indian newspapers were Indian owned and run[1]. For a vast diverse country like India, it is not a crime for the government representatives to not look after the nuke and corner of the country. The help of a journalist is utmost necessary and valuable in fulfilling the task of delivering the problems of concern in front of the government and the public alike, so that we could tackle it together. This is a bidirectional process. Government is implementing something for the public and the press helps discuss the same with the public. In return, the public sentiments on that particular topic are summarised by the press and published. That's how a democracy works. Good criticisms are necessary especially for a developing country like India. Unfortunately, Indian politics seems to be afraid of journalism, even more than in the past. Politics and press are like intimate friends only when the press vehemently support its notions. Otherwise, they are sworn enemies like two war-waging countries.

During the struggle for freedom, there was a parallel fight for freedom of the press, throughout the country[2]. However, while making the constitution of India, the Indian leaders, a majority of them were journalists themselves and owners of prominent newspapers, forgot to include a special consideration for maintaining the independency of the press. Unlike the United States where press freedom is specifically guaranteed (the First Amendment to the US Constitution says, "Congress shall make no law.... abridging the freedom of the speech or.... of the press) or some other countries, the Constitution of India makes no separate provision for the freedom of the press[3]. The designers of the constitution had the idea that adding a special rule for the press would be unjust to the ordinary citizens of India as the freedom of speech and expression is equal to all. A journalist, being a citizen of India, will naturally come under the fundamental right of speech and expression and so no privileges are necessary. Thus, press became inclusive in the Article 19(1) of the constitution. In 1950 the very first year of the enforcement of the Constitution, a case came up before the court in which the editor of the magazine Cross Roads, had challenged an order of the State of Madras (later Tamil Nadu) banning its entry into the state[4]. Romesh Thappar v. State of Madras was a landmark in the press history where the Supreme Court reaffirmed that the fundamental right of freedom of expression cannot be restricted in the name of public order.

 IP Address: 216.73.216.174 Downloaded: 26-Nov-2026 04:36 IST

Obviously, the restrictions added to it by further amendment of the article in 1951 applies to all, with journalists not an exception. The amendment set the press and the Government on a collision course for the first time in Independent India[5]. This modification to the article gave the government the authority to make laws relating to libel, slander, defamation, contempt of court or any such matters subverting the security of the country. It was further amended adding two more provisions 'public order' and 'sovereignty and integrity' of the country. Despite the strong protests from the media persons, the new regulation was passed by the parliament. This paved the way for the Press (Objectionable Matter) Act, 1951. The Act was to be in force for only two years, and it provided for judicial review by a Sessions Judge before security could be demanded from a printing press or forfeited to the Government[6]. All India Newspaper Editors' Conference (AINEC) and Indian Federation of Working Journalists (IFWJ) always opposed these stringent policies from the government. Yet the loophole of the law allowing parliament to make or amend or abolish any law with a majority vote made the freedom of press at a deep sense of unease. The only gain made by the journalists came from the recommendations of the first Press Commission to lapse the act after two years. However, it was repealed only in 1957. It was replaced with the Press Council Act of 1965 which formed the Press Council of India. The council was like a refuge for the journalists who yearned for independency in their service. But the 1975 emergency declaration once again shattered their hope[7].

Emergency was the period which showed the government's ultimate power in controlling the country, including the press. The press went through strict censorship and many journalists suffered. As far as journalists were concerned, the period was more or less like the India where the British introduced prohibitions when the Quit India movement gained momentum in 1942. These prohibited the printing or publishing by any printer, publisher or editor of any factual news relating to the 'mass movement' sanctioned by A.I.C.C. or measures taken by the Government against the movement, except the news gathered from the official sources or the news agencies or a correspondent registered with the District[8]. Likewise, the newspapers were barred from publishing anything except the goodwill of the authorities in declaring emergency. Unlike the press, the radio and television monopoly broadcasters were

 IP Address: 216.73.216.174 Downloaded: 26-Nov-2026 04:36 IST

little more than government mouthpieces[9]. After the emergency waves, the Press Council Act of 1978 reconstituted the council, giving solace to journalism.

Not only the fundamental right restrictions but there are also other forms of controlling laid in the constitution like sections 124 A and 153 A. The former deals with sedition while the latter targets the promotion of enmity of groups within the country. If any government find a journalist annoying, the sedition and defamation laws were used to harm him or her. In addition to these existing laws, many state governments tried in their own way to get rid of the working journalists. In 1960, Tamil Nadu government tried to amend IPC (now BNS) section 292 A and CrPC (now BNSS) section 455 to make the restrictions to the extend in which it becomes a non-bailable offence. The timely intervention of High Court and Supreme Court helped to stay the bill. Similar to this was the Bihar Press Bill of 1982. They actually modified the existing laws to get rid of journalists who seemed to be a threat to the ruling leaders. Even the vendors of newspapers were added in the punishment list. Anyhow, this idea was thwarted. Once again, a state intervention occurred when the J&K government attempted to control the press through its Special Powers (Press) Bill in 1989. It sought not only for pre-censorship but also for forfeiture upon which a Suo motu was taken by the Press Council. This too was withdrawn. As for the centre, they already tried to amend the defamation section three times in 1979, 1984 and 1988, and all of these attempts failed due to strong opposition from the press. There is now in force no law affecting the freedom of the press except the Press and Registration of Books (PRB) Act which was introduced in 1867 not intending to restrain liberty but only to fix legal responsibilities by making a declaration[10].

The recent trends in the field of journalism are not reasonable as well. India celebrated its 78th Independence Day marking 77 years of freedom and democracy. However, whether it is before or after the independence of our country, media freedom is at stake and so the life the journalists. The violence and threats against the journalists became a common cause in India nowadays. According to one report of the RSF, about 28 journalists were killed since 2014, in which about 13 of them were reporters of environment-related issues. The liberalisation of media invited foreign commercials while the privatisation marked the end of ethics. When the Reliance

 IP Address: 216.73.216.174 Downloaded: 26-Nov-2026 04:36 IST

Industries Ltd. took control over a major news media, most of its senior editors stepped down from their job. Now they have more than 50% share in the media which means they could easily influence the decisions of its working. Besides this, the government allowed up to 26% share of any media to foreigners which was not allowed earlier. On the whole, the independence of the working journalists and the freedom to disseminate information to the public is decreasing day by day. As stated by *The Guardian* in its 2025 report, at least 15 journalists were charged with UAPA since 2014. Into the bargain, journalists were being watched using the Pegasus software. At first, the Isreal-based software was detected to be used by outsiders to collect the inside information of India. However, the list of affected persons suggest that the spyware was used by the authorities itself. Most of them who were spied included journalists and activists. Therefore, it is not surprising that the rank of India fell down from 133 in 2016 to 151 in 2025 out of the 180 countries in the World Press Freedom Index. The malediction fell upon this generation is that they never wanted to be aware of such issues, unless they are affected. But what they didn't notice is that their own freedom to information is being curtailed without them knowing. The new infotainment industries successfully made this generation ignorant to the societal concerns.

ENDNOTES

1. Daya Kishan Thussu. "Adapting to Globalisation: The Changing Contours of Journalism in India". Making Journalists (Diverse Models, Global Issues), edited by Hugo de Burgh, Routledge, 2005, p. 129
2. P. K. Ravindranath, *Indian Regional Journalism*, Authorspress, Delhi, 2005, p. 27
3. S. C. Bhatt, Indian Press Since 1955, Ministry of Information and Broadcasting, New Delhi, 1997, p.99
4. Ibid., p.100
5. Ravindranath, op.cit., p.30
6. Ibid., p.30
7. Ibid., pp.29-33
8. Basanti Sinha, Press and National Movement in India (1911 to 1947), Manak Publications Pvt. Ltd., Delhi, 1994, p.186
9. Thussu, op.cit., p.130
10. Bhatt, op.cit., pp.100-104

IP Address: 216.73.216.174 Downloaded: 26-Nov-2026 04:36 IST