

INTERNATIONAL JOURNAL OF LEGAL SCIENCE AND INNOVATION

[ISSN 2581-9453]

Volume 3 | Issue 4

2021

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Role of Media in Indian Democracy

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ABSTRACT

India is a developing nation which is constantly evolving with the spirit of development, of which progress is an integral part. In achieving the goal of development media plays a very important role. Starting from the days of Indian freedom struggle, the media or the press has played a very significant role in awakening of its spirit of independence. Media started in print form in the country and later with the advent of radio, television and other technologies, the sphere of its coverage gradually expanded. Further media plays a very important role in our day-to-day life, as it is responsible for shaping up the opinions of people in the society. To shape up a correct opinion, the circulation of correct information becomes equally important this can be achieved only through a free media, which is unbiased in nature. To ensure the freedom of media, our constitution does not provide any specific heading, but it provides Article 19(1) (a), which speaks about freedom of speech and expression, this freedom in itself is inclusive of freedom of press. There are certain limitations provided in Article 19 (2), which leads to the judicious exercise of the freedom of press. There have been many judicial instances where different courts, including the Apex Court i.e. The Supreme Court of India has established the right of freedom of speech and expression, which includes different aspects of free media in order to achieve the overall development of the nation.

Keywords: Media, Development, Constitution.

I. INTRODUCTION

Media is known as the fourth estate or the fourth pillar of the democratic society which comes after executive, legislature and judiciary. It has the greatest responsibility to establish a responsibility between the government and the people who are being governed by it. Media acts as an enhanced interface between the government and the common man. Media in every form whether it is print media or it is electronic media has become a part of our life. Media acts as an instrument of social awakening that brings into light the feelings, expectation and every important aspect of life of common man. It is an important instrument of social change which brings awareness amongst people. It is media which provides strength to the

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democratic values and helps in the development of democracy. Media has evolved with time it was different when the britishers were ruling our country during that period media was limited to print media but the journalistic practices during that period were a successful tool to boost up the freedom struggle of our nation. During the period of emergency, the freedom of media was curbed by putting different restraints on it. But after the period of emergency the media acquired a new role of educating people along with providing information. With the advent of internet and other technological advancements the reach of media expanded to the farthest corner of the country. The new form of media known as social media came into being and has a great influence on society at large especially the youngsters who are the future of the nation. The freedom of media itself needs to protect so as to ensure a free press.

II. HISTORY OF MEDIA IN INDIA

Media in India has a very long history that expands from the colonial past in the 18th century to our present where we are living in 21st century in one of the biggest democracies of the world.

The Indian freedom struggle was in a nascent stage, the newspaper during the 1700 was meant for British readers only. The story of Indian newspapers was started by an Irish man named James Augustus Hicky. He launched the first Indian newspaper known as “Bengal Gazette” in the year 1780. His paper was a bit tabloid and bit of a satire paper at the same time.

In the year 1822, a social reformer named Raja Ram Mohan Roy began to awaken the Indian Public to be independent through his publications. He started this by his first vernacular newspaper in Bengali called Sambad Kaumidi and other newspaper Mirat-ul-Akhbar. He being a reformer used his publication to raise voice against evil practices such as “Sati”. The First newspaper in Hindi language was “Udant Martand” which was published first in the year 1826 by Pandit Jugal Kishor Shukla. In order to curb the voice of press of the native language, the vernacular press act was brought by the british government in the year 1878. Throughout the Indian freedom struggle several newspapers came into being, which were owned by Indian platforms, one of them was The Tribune, which was shut down after the coverage of “Jallianwala Bagh Massacre in 1919” and its editor Kali Nath Ray was sent to jail.

III. MEANING OF FREE MEDIA OR FREE PRESS

The first amendment to the constitution of United States especially guarantees the protection of free press. Lord Mansfield in the year 1784 defined ‘liberty of press’ as consisting in

“printing without previous license, subject to consequence of law.”³ Indian constitution does not especially mention the liberty of press. Under Article 19(1) (a) of the Indian constitution the freedom of speech and expression in itself incorporates the freedom of press or media. Thus, the press and media derive their right to express their free opinion from this article.

Freedom of speech and Expression is essential for the smooth functioning of a government. It is an important aspect which plays a very crucial role in a democratic kind of government. According to Justice P. N. Bhagwati, in the case *Maneka Gandhi v. Union of India*, Freedom of Speech and Expression can be emphasized in the following words:

“Democracy is based essentially on free debates and open discussion, for that is the only corrective of government action in democratic set up. If democracy means government of the people, it is obvious that every citizen must be entitled to participate in the democratic process and in order to enable him to intelligently exercise his right of making a choice, free and general discussion of public matters is absolutely essential.”⁴

In the view of first press commission freedom of speech and expression is expressed in the following words:

“This freedom if stated in wide terms and includes not only freedom of speech which manifests itself by oral utterances, but freedom of expression, whether such expression is communicated by written word or printed matter. Thus, freedom of the press particularly of newspapers and periodicals is a species of which freedom of expression is a genus. There can, therefore be no doubt that freedom of press is included in the fundamental right of the freedom of expression guaranteed to the citizens under Article 19(1) (a) of the constitution.”⁵

IV. IMPORTANCE OF FREE MEDIA

The freedom of Press and the concept of good governance are not mutually exclusive of each other. They act as a support pillar for each other in promoting the welfare of the people of a country.

A free and independent media, in every way is important to facilitate good governance and ensure transparency in the working of government. Today’s broadened media landscape provides for a deep assessment of the policies and activities of the government and what sort of impact these policies and activities will have in the long run. The role of media is to bring information and opinion of the masses in the public domain. Media acts as a platform for

³ *King v. Dean of the State Asaph*, (1784) 3 T.R. 428.

⁴ *Maneka Gandhi v. Union of India*, (1978) 1 S.C.C. 248.

⁵ Report of the first Press Commission, New Delhi, 1954 at p.358

discussion across wide range of issues related to the development.

Only when media is free to monitor, investigate and criticize the policies of the government then only it can lead forward to the process of good governance.

Another factor that comes into action while checking the functioning of the government is transparency. It is the duty of media to bring transparency in the functioning of the government. A lack of transparency ultimately leads to corruption which is one of the greatest threats which the states have to face in the process of development. Independent and effective media enhances the effectiveness of developmental process. It is also significant to note that studies have shown that high corruption rates, more often than not, correlate to the low level of press freedom.

Free and independent media contribute to economic, social and political empowerment, it is the positive outcome of the public's accessibility to information, so that there can be formulation of opinion by the common man. This results in a people centric approach which contributes to the society at large and helps in the process of good governance. In a democratic system, information acts as a source of power. Whether it is any form of media, be it in print or electronic media, if there is no free exchange of information, people would not be aware of their surroundings and this lack of awareness hampers the growth of a democracy. In a system where freedom of media is respected and duly recognized, the developmental process will proceed in the right manner.

V. MEDIA AND PROGRESS OF INDIAN SOCIETY

During the period of Indian freedom struggle, print media was extensively used by our freedom fighters like, Bal Gangadhar Tilak, Mahatma Gandhi, Jawahar Lal Nehru etc. It infused a spirit of Nationalism in the common masses oppressed by the British. It paved a way for the freedom struggle to reach from different regions and combine to become the national freedom movement. Today also, newspapers which are local bring forward the local issues on the other hand the national newspapers focus on national and international issues. Another medium i.e., radio has a wide reach in rural India. There are certain channels which are exclusively dedicated to Farmers and Fishermen, which help them by broadcasting weather related information. Radio is an inexpensive medium to create specialized program for particular regions. Radio is used by the Government to spread awareness among the people in the rural areas. The medium which has the most prominent impact among the masses is television the most important factor behind this impact is presentation, which is audio visual in nature. In the form of breaking news, people get to know about what is

happening around the world within no time. Another point about television is that, it is the biggest form of entertainment today, which has a very wide range covering a variety of programs, from daily shows, news and movies etc. The latest medium which has the widest reach around the world itself is internet. A message circulated over internet can be seen by millions of people within a second. It has become one of the cheapest forms of media to bring any event into light.

Our country India, being a developing country, where superstition, caste and class differences create a hurdle in the progress of society, it becomes the responsibility of media to bring awareness among the people in order to fight against these social evils prevalent in the society. Media acts as a tool to remove ignorance and spread awareness among the people. Media plays an important role to promote government policies in order to fight against diseases like Polio, AIDS, Cancer and the latest example COVID-19. Another important aspect of media is media-activism in some high-profile cases like Jessica Lal Murder Case⁶ and Arushi Talwar Murder case⁷ media went an extra mile to unearth the hidden facts in order to get justice for the victim. It was a highly appreciable task of investigative journalism. Furthermore, media a power to shape up the opinion of public related to politics, as well as other different issues. In the world of politics, media holds a great influence in order to bring about a social change. Media as a source of information, if used wisely, will reflect correct opinion of the society. While on the other hand, if the freedom of media is used in an unwise manner will result in framing of an incorrect opinion.

VI. JUDICIAL PRONOUNCEMENTS

*In Express newspapers v. Union of India*⁸ the working journalist act 1955 was challenged, it was enacted to regulate the condition of services of people employed in the newspaper industries which consisted of the following conditions like regulation of working hours, leave, fixing of wages etc. The contention was given that, the act would adversely affect the position of newspaper financially. Further it would curtail the circulation of newspaper and hence it would be violative of Article 19 (1) (a). The court held that the act was valid, as the press was not immune from the application of general laws or ordinary form of taxation or laws of industrial relations. It was passed to improve the conditions of service of workmen in newspaper industry, and therefore reasonable restrictions can be imposed on right guaranteed by Article 19 (1) (a).

⁶ Manu Sharma v. State (NCT of Delhi), (2010) 6 SCC 1

⁷ Nupur Talwar v. CBI, (2012) 11 SCC 465

⁸ AIR 1958 SC 578

*Sakal paper v. Union of India*⁹ in this case the daily newspaper (Price and Control) order, 1960 that fixed the minimum price and number of pages which the newspaper was entitled to publish. This order was held to be unconstitutional as it infringed the liberty of press. The increase of price without any increase in number of pages would reduce the circulation. The order was just like a double-edged knife. Thus, this order was not in compliance with Article 19 (2) putting reasonable restrictions on freedom of speech and expression guaranteed by constitution of India.

*Bennett Coleman & Co. v. Union of India*¹⁰ in this case the validity of import policy for 1972-73, and newsprint control order, 1962 was questioned, which imposed following restrictions:

- Bar on starting newspapers or addition by common ownership unit.
- Limiting the number of pages to 10.
- Bar on interchangeability within common ownership unit.

The contention of government was that the policy would help small newspapers to grow and will prevent the spread of monopoly of big newspapers. The court held that, the policy was not reasonable and would not fit under the ambit of Article 19 (2).

*R. Rajagopal v. State of Tamil Nadu*¹¹ in this case it was held that press has the right to publish an unauthorized account of the life of a citizen so far as it is based on public record. Further the court observes that in a free democratic society public officials must always remain open to criticism.

*Bobby Art International v. Om Pal Singh Hoon*¹² the Supreme Court held that, the certificate issued to the film upon the conditions imposed was restored. The film must be judged from the overall impact it is going to have on the viewer. Here the story is a serious and sad one of a female child becoming a dacoit. The scene in which she is humiliated and stripped does not arouse the lust of the viewer, but sympathy for the victim and disgust for the people who put her in such a miserable position. The scene is central to the story and the film carries a message that a social evil is an evil and the scene cannot be impermissible on the ground that it depicts a social evil.

*In Ministry of information and broadcasting, Govt. of India v. Cricket assn. of bengal*¹³ the Supreme Court held that Broadcasting is a means of communication which comes within the

⁹ AIR 1962 SC 305

¹⁰ AIR 1973 SC 106

¹¹ (1994) 6 SCC 632

¹² (1996) 4 SCC 1

¹³ (1995) 2 SCC 161

framework of Article 19 (1) (a) as a part of free speech and expression.

*People's Union for Civil Liberties v. Union of India*¹⁴ it was held that Right to Vote is a form of freedom of expression which itself consist of Right to Information about the antecedents of the candidate. Thus, the voter is entitled to know about the candidate.

*In Re: Ramlila Maidan Incident*¹⁵ This case arose after an unprovoked attack by the police on peaceful protestors at a public place known as Ramlila Maidan in the National Capital. The Apex Court held that power exercised under Section 144 CRPC are a reasonable restriction on the freedom of speech and expression, but such powers may be exercised only in situation of emergency for the purpose of maintaining public order. The forcible eviction of the peaceful protestors during midnight at the Ramlila Ground was an arbitrary action.

*K.A. Abbas v. Union of India*¹⁶ In this case the question arose that whether prior restraint through censorship is justified under the cinematograph act 1952. It was held that censorship by prior restraint is permissible in India.

VII. CONCLUSION

Media shapes the norms, beliefs in the multi-cultural society. In our country which is a developing nation media gets more responsibility to fight social evil and adopt the change with the changing world. The main duty of India is to supply information to common mass and develop a system so that people can access that information. Media is responsible to bring awareness among the people and this awareness helps in developing thinking i.e., an opinion among the masses. Once people are aware, they will have their own opinion which is necessary to shape up a democratic society. It about making people realizes their responsibility towards nation building. Change in the society cannot be brought overnight but small steps taken day-by-day can lead to a great change in society. In our country the responsibility of media is associated with social and economic conditions. Media in any form whether print or electronic is accountable to the general public at large. The self-regulatory mechanism in media organizations needs to be very strong so that the standards of professional integrity can be maintained.

Media is accountable to give its audience accurate information without misrepresentation. In addition to it media is like the mirror of the society which informs people and acts as a bridge reducing the communication gap between different sections of the society and further helps in

¹⁴ (2003) 4 SCC 399

¹⁵ (2012) 5 SCC 1

¹⁶ (1970) 2 SCC 780

developing one's own opinion. Thus, media presents the outlook of the society which is an integral feature of the growth of a developing democratic society. Finally, one can say that it is essential to have a free and unbiased media in order to achieve a successful democracy.

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