

Press censorship in India continues to be as debilitating and mindless as ever. A few months ago it was announced with appropriate fanfare that censorship would hereafter be 'voluntary' in some parts of the country. Apart from the obvious contradiction in terms, it simply transferred the onus from censors to editors. Censorship orders come under Emergency powers assumed by the Government last June, but a number of specific laws are now on the Statute Book, the most important being the Prevention of Publication of Objectionable Matter Act; these will survive even if censorship is formally withdrawn. The title of this piece of legislation is not really representative of its contents. The real objective is to further emasculate and render much more difficult any worthwhile criticism of acts of omission and commission of those wielding political power. There is ample evidence in the working of the censorship for this conclusion. It is against this background that must be set the Information Minister's most recent comment on April 26th in Parliament that one of the problems that remains to be "solved" is "the problem of editorial freedom as against the possible motivations of proprietors". The short answer is that against the possible motivations of proprietors - a favourite argument for the past five years and more - one must now contrast the actual actions of the Government.

Code of Ethics

A great deal is also sought to be made of the "initiative" taken by editors themselves to prepare a comprehensive code of ethics. The committee of editors was appointed by Government, but the editors of the best known and most prestigious newspapers were excluded. The code was drafted in the Information Ministry and presented as a fait accompli. The organisations of newspapers were, however, permitted minor and inconsequential changes in language. It might as well be argued that censorship was also imposed on the initiative of the newspapers themselves!

Control of leading newspapers

The Government's objectives as regards control of the Press

have at no time extended beyond the handful of national daily newspapers in the English language. Of these, the Hindustan Times led by one of the most prominent of our industrialists is now firmly an establishment newspaper. Under Government pressure, he has recently become chairman of the Indian Express Group as well, and it has been specifically arranged that he and he alone will be in charge of this group's editorial policy. Here we have the spectacle of a prominent industrialist under Government pressure conducting the editorial policy of two competing newspapers! No wonder the Information Minister has had to say in Parliament last month that Government would move "cautiously" in the matter of implementing another favourite hobby horse of at least five years standing - the delinking of newspapers from industrial interests.

One-third of the directors of the Times of India are already nominated by Government under court orders designed to achieve a quite different objective and which expire in July-August this year. In the normal course the arrangement should lapse, but it is doubtful whether the owners will be allowed to regain control. It is known that various alternatives are being considered by Government and by the Congress Party designed to extend rather than give up existing control.

The Indian Express Group is a brave but sad example. After a lot of harassment and threats of arrest under Emergency regulations (from which, under a recent Supreme Court judgment, the citizen appears to have no redress), the owners agreed "voluntarily" to accept 6 out of 11 directors nominated by Government, including the new chairman. With the change in boardroom control, the editor-in-chief, S Mulgaokar, a journalist of great reputation, was suddenly discovered to be over 60 years of age and received a letter in April 1976 terminating his services two days hence. The second in command, editor Ajit Bhattacharjee, is under severe pressure to move to Gangtok in Sikkim as a mere correspondent. General managers have been told that they are regarded as 'Government men' and if they do not behave accordingly they will be replaced.

In the case of The Statesman, a formal notice was issued in December 1975 declaring the intention to appoint an unspecified number of Government directors. This was strongly resisted, and the Calcutta

high court has directed Government to show cause why their notice should not be set aside. Within 4 days of the high court's order, the next move was made to indict me before a Magistrate's court on a charge of having acquired a small publishing company for The Statesman Limited in 1970 without seeking Central Government approval. Competent legal advice is that approval was not necessary. In any event, the same question was raised with The Statesman twice earlier, in 1973 and 1974, when full explanations were given in writing which were presumably accepted. Then after a year's silence, proceedings were initiated in the Magistrate's court. The high court has quashed the Magistrate's order condoning the delay beyond the statutory period of six months, holding that the Magistrate had applied his mind to "irrelevant and extraneous considerations". The high court further held that when the Magistrate was asked for an explanation he introduced an additional "extraneous and irrelevant consideration". The Magistrate has now been directed to apply his mind to the question of condonation of delay in accordance with law. Developments are awaited.

The third move was made in January 1976 when my passport was impounded without giving any reasons. In reply to the high court's order asking Government to show cause why the passport should not be returned, an affidavit has been filed by a junior official in the External Affairs Ministry which persists in not disclosing reasons. This case too has not yet been heard.

The overall objective is clear. In the Information Minister's words, which he first uttered in September 1975 and repeated in Parliament on 26th April 1976, the objective is to ensure that "in future there will be no confrontation between the legally and democratically elected Government and a section of the Press". In plain language, there must be no criticism and no dissent. As the Bombay high court described it in an important judgment in December 1975, freedoms are to be "preserved only for the cringing and the craven".

News Agencies

The process of establishing a Government-controlled monopoly in the news agency field is nearing completion. India's two leading agencies - the Press Trust of India and United News of India - have been

merged, taken over by Government and "reorganised". Reorganisation has included dismissal of the two general managers although, for the record, they resigned 'voluntarily'. A major newspaper group that could not pay its dues to the new agency, Samachar, abruptly had its news service cut off. One cannot really complain of this action, but the interesting point is that for several weeks the paper managed without any agency service and, to the surprise of some people, did extremely well! Having cut off their nose to spite their face, Government spokesmen then made a grievance of anyone having the affrontery to 'bypass' the national news agency. Restoration of the service was forced on the group and an arrangement was made as regards payment of the arrears which the paper was prepared to make in the first place. This speaks volumes for the resilience of Indian newspapers and the dedication of their staff. It is also an indication of the quality of service to be expected from Samachar under new management.

Newsprint

There are other signs that new pressures are likely to be applied on the economic front. There is now an equalised price for newsprint imported from various sources. Instead of arriving at the average cost of all newsprint imported, the equalised price has been fixed at somewhat above the level of the most expensive newsprint for the benefit of the STC which has a monopoly of newsprint supplies and to the detriment of newspapers and professional journalists.

Peaks of Freedom

One last thought. It is often urged on behalf of apologists for some of the things that are being done in India today that somehow India is a special country with special problems. The inference is that it takes a lifetime to understand India and Indians and anyone not willing to put in the necessary effort is disqualified from expressing a view on the subject. This is a specious argument. We need to remind ourselves that freedom and liberty are indivisible; that human beings are the same throughout the world; and that the level of economic development has no relation whatsoever to the level of freedom which a people may be allowed to have. To argue that a country wishing to develop its

economy cannot progress unless basic human rights are trampled upon is an argument that is not exactly new in history. The appalling condescension apart, the question arises as to who is to arrogate to himself the right to decide what additional doses of freedom can be allowed to the people for each additional unit of economic advance.

As I look at the world from my country, I begin to wonder whether people who have lived in freedom are not taking it for granted and, therefore, are reluctant to pay a continuing price for it. Solzhenitsyn put the case very succinctly on BBC television recently -

" How is it that people who have been crushed by the sheer weight of slavery, and cast to the bottom of the pit can, nevertheless, find strength in themselves to rise up and free themselves - first in spirit and then in body; while those who soar unhampered over the peaks of freedom suddenly lose the taste of freedom, lose the will to defend it, and hopelessly confused and lost, almost begin to crave slavery? "

We are a poor country but we have soared over the peaks of freedom. We certainly have not lost the will to defend it. But the question still survives -- are we not throughout the world coming close to this riddle that Solzhenitsyn has posed in his incomparable language?

I would like to urge the C P U to ponder for a few moments this basic problem of our times.

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