

FREEDOM FIRST

127, Mahatma Gandhi Road,
Bombay-400 023.

July 23, 1975.

Personal & Confidential

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Dear Reader:

This is to explain to you why it has not been possible for the July issue of Freedom First to reach you and why you may have to do without your favourite journal for some time more to come. The reason, as you must have guessed, is the operation of the pre-censorship which is current in the State of Maharashtra.

I cannot do better in the way of enlightening you than by quoting from the Writ Petition filed by me as Editor of Freedom First which, I am glad to inform you, was admitted by the Bombay High Court on July 18, 1975:

"On the publication on June 27, 1975, of the pre-censorship order issued by the Government of Maharashtra, the Petitioner, as Editor of FREEDOM FIRST, submitted to the Censor on the same day the entire issue in page proof form which had already been composed. The Censor ordered the deletion of certain articles and approved the rest of the material. The Petitioner decided to abide by the decision of the Censor since only three days remained before the due date for the publication of the issue which was July 1, 1975, and as the full legal implications of the said State Order was not clear at that time. The Petitioner decided to keep the space occupied by the censored items blank and, for the information of the readers, to print the word 'censored' across the white matter.

"On the morning of June 28, the Petitioner read in the TIMES OF INDIA newspaper that Mr. S.B. Chavan, Chief Minister of Maharashtra, had told newsmen in Bombay on 27th June 1975 that 'serious note would also be taken of newspapers who sought to register their protest by leaving editorial and other columns blank.' In view of the aforesaid action threatened by the Chief Minister of Maharashtra the Petitioner was reluctantly constrained to suspend publication of FREEDOM FIRST under such ... conditions.

"On 14th July, 1975, the Petitioner submitted a new issue of Freedom First as required by the State Order. This consisted of material which had been allowed for the earlier issue with certain new material which the Petitioner felt did not contravene any of the guidelines published for the guidance of editors of journals. The Petitioner was taken aback when he was informed by the Censor on the 15th July 1975, that, not only was the larger part of the new material submitted by him not to be published but that even some of the items allowed by the order of the Censor on the first occasion could not now be published.

"Among the new material publication of which has been stopped are inter alia an article on the 'Scope of the Pre-censorship Order' by Mr. V.M. Tarkunde, a former Justice of the Bombay High Court; an item from the Financial Express of July 5, 1975, reporting on the judgement by Mr. Justice Ramanujam of the Madras High Court of July 4, 1975, admitting a Writ Petition by Mr. T. Sadasivan, Publisher of SWARAJYA, questioning the validity of an order deleting a passage from an article 'SWARAJYA' and the Resolution of the Maharashtra Bar Council requesting ... 2

the President to revoke the proclamation of Emergency."

Our Petition not only seeks to challenge the validity of the Censorship Order of the Maharashtra Government dated 26th June, 1975, which is of an omnibus nature and which we are advised is ultra vires, but also to challenge the decision of the Censor which in our view exceeds the scope of his authority.

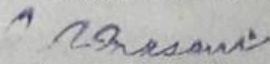
The Court has fixed 29th August, 1975, when the date of the final hearing of the Petition will be fixed by the Court.

As the proceedings in Court have not been reported, it has become necessary for me to enlighten you through this letter.

Since we are sure that you would not approve of Freedom First, in keeping with its liberal values and principles, submitting to pre-censorship of this nature, we have, with the approval of the Executive Board of the Democratic Research Service, decided to suspend publication and to bear the resultant inconvenience and hardship till the final decision of the Courts.

We are sure we have your warm sympathy and support in the stand we have taken for the freedom of thought and expression for which our journal has always stood.

Yours sincerely,


(M.R. MASANI)
Editor.