Censorship of the Indian press between 1857 and 1945

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CENSORSHIP OF THE INDIAN PRESS
BETWEEN 1857 AND 1945

by

Bhagwat Prasad Singh

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A thesis submitted in partial fulfillment of the requirements for the degree of Master of Arts, in the School of Journalism in the Graduate College of the State University of Iowa

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INTRODUCTION

This thesis is a study of all acts of consor-
ship which applied generally to the Indian Press between
1857 and 1945. It will deal with the following questions:
1. What measures did the Government of India
take against the press?
2. What were the effects of these measures on
the press?
3. How did the press react to these measures?

An attempt will be made to get at a partial
answer to all these questions.

The writer is a national of India. He was
educated in India, and worked for a few newspapers before
he came to the State University of Iowa for training in
journalism. Between 1944 and 1947 he worked in the
Vikrama (Hindi monthly), Ujjain, Central India; the
Rashtravani (Hindi daily), Patna, Bihar; the Navashakti
(Hindi weekly), Patna, Bihar; the Yogi (Hindi weekly),
Patna, Bihar; the Hindusthan Standard (English daily),
Calcutta.

This thesis is written from an Indian point
of view, but an attempt was made to deal with the subject
objectively. It seems necessary that a brief history of the press in India be given before the detailed study of the censorship of the press is taken up.

**Origin of Censorship**

To begin with "the Indian Press was created by those who, for various reasons, were dissatisfied with the East India Company's administration and monopoly."

Mrinal Kanti Bose wrote:

"The Press in India came in the wake of British rule. But ever since its establishment laws and lawless laws, rules and ordinances have been tried to make it subservient to the wishes of the authorities or to get it strangled. Of course, changing times have made the highhandedness of former days impracticable; but the press of this country is still far away from that secure and coveted position from where it can give vent to its homest opinion without let or hindrance."

He further wrote:

Here (India) the government, which is not yet democratic, has, from the very beginning, tried to circumscribe the liberty of the press, because an autocratic form of government cannot tolerate, the liberty of the press which is a corrective for every form of abuse in the administration.

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3Ibid., p. 45.
In 1768, William Bolts proposed to set up a printing press in Calcutta. But before the plan could go into effect, he was directed by the authorities "to quit Bengal and proceed to Madras on the first ship that shall sail from that Presidency in order to take his passage from thence to Europe."

It was not till 1780 that the first Indian newspaper actually appeared. In that year James Augustus Hicky published the *Bengal Gazette*, a weekly political and commercial paper. Within ten months of its publication it incurred the wrath of the government and the following order was promulgated against it:

"Fort William, 14th November, 1780—Public notice is hereby given that a weekly newspaper called the *Bengal Gazette* or *Calcutta General Advertiser*, printed by J. A. Hicky, has lately been found to contain several improper paragraphs tending to vilify private characters and disturb the peace of the settlement, it is no longer permitted to be circulated through the channel of the General Post Office." 4

There being no press law, Warren Hastings, then Governor-General of India instituted numerous suits against Hicky and at last succeeded in strangling the paper.

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William Duane, editor of the *Bengal Journal* was the next editor to feel the weight of the authorities. He was invited to breakfast by the then Governor-General Sir John Shore. He was arrested there and deported to England.

In 1799 the Marquis of Wellesley, the Governor-General of India wrote as follows:

> I shall take an early opportunity of transmitting rules for the conduct of the whole tribe of editors; in the meantime, if you cannot tranquillize this and other mischievous publications, be so good as to suppress the papers by force and send their persons to Europe.  

This order was immediately put into action. The following rules were laid down:

1. Every printer of a newspaper will print his name at the bottom of the paper.
2. Every editor and proprietor of a paper will deliver his name and place to the Secretary to the Government.
3. No paper will be published on Sunday.
4. No paper to be published at all until it has been previously inspected by the Secretary to the Government or by a person authorized by him for that purpose.
5. The penalty for offending against any of the above regulations to be immediate embarkation for Europe.

In 1801 the editor of the *Calcutta Gazette* was ordered not to publish anything relating to the army.

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5Ibid., p. 47.  
6Ibid., p. 48.  
7Ibid., p. 48.
unless it had previously been published in the 'Government Gazette'. In 1811 the proprietors of all presses in Calcutta and its dependencies were directed "to cause the names of the printers to be affixed to all works, papers, advertisements, etc., printed at or issuing from those presses on pain of incurring the displeasure of government." In 1812 all advertisements excepting those relating to sale, purchase, hire and notices in general were ordered to be submitted to government for inspection.

In 1813 Lord Hastings framed the following rules for the control of the printing offices in Calcutta:

A. That the proof-sheets of all newspapers, including supplements and all extra publications be previously sent to the Chief Secretary for revision.

B. That all notices, hand-bills and other ephemeral publications be, in like manner, previously transmitted for the Chief Secretary's revision.

C. That the titles of all original works, proposed to be published, be also sent to the Chief Secretary for his information, who will thereupon either sanction the publication of them, or require the work itself for inspection, as may appear proper.

D. The rules established on the 13th May, 1799, and the 6th August, 1801, to be in full force and effect except in so far as the same may be modified by the preceding instructions.

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8Ibid., p. 48.
9Ibid., p. 49.
In 1923, James Silk Buckingham of the Calcutta Journal was deported to England for offending the authorities with his writings. An ordinance was at the same time passed laying down that no one may own or use a press without license obtainable only subject to certain conditions. On 23rd September, 1823, Sanford Arnot of the Calcutta Journal was deported, and his paper, as well as another—The Calcutta Chronicle—was suppressed for the violation of the Press Regulations.

In 1824, C. J. Dair was deported from Bombay, and in 1825 Press Regulations were promulgated in Bombay. In 1835, Sir Charles Metcalfe, the acting Governor-General abolished all the restrictions on the press. Thus the press got back its liberty till in 1857 when the freedom of the press was removed by Lord Canning, who became Governor-General.

Indian Press Today

In recent years, the Indian press has grown tremendously. In 1944, the total number of daily newspapers was 169, 46 English and 123 in Indian languages.

Iyer, Vishwanath, The Indian Press, Bombay, 1945, p. 3.
Ibid., p. 3.
In addition, there were 341 periodicals, 58 of them in English.

Indian circulation figures are small but a newspaper's influence cannot be measured by the number of copies sold because the daily paper, as well as the periodical, is usually passed from hand to hand in large families and even from family to family before it is discarded. This partly explains the fact that though there were as many as 47,398,000 literates in 1941, the total circulation of all the daily papers is estimated at less than 1,500,000.

Circulation of the daily papers and periodicals put together is in the neighborhood of 3,000,000. The Ananda Bazar Patrika of Calcutta, a daily newspaper published in Bengali, is believed to top the circulation figures for any journal in India, with an estimated figure of 72,000. The Times of India of Bombay, the Statesman of Calcutta and Delhi, and the Hindu of Madras have an estimated circulation of 38,000 each. Indian newspapers are not obliged to publish certified circulation figures and therefore these figures must be taken only as estimates.

12 Article by T. A. Raman on the Indian Press from the Government of India Information Services, Washington, D. C.
13 Ibid.
14 Ibid.
Of the 169 daily newspapers, 13 are published in the Indian States and 156 in British India. The oldest newspapers in the country are British-owned but by 1944 there were only 6 daily newspapers owned by British companies and the remaining 163 were owned by individual Indian proprietors or Indian private and public limited liability companies.

India today has between 3,000 and 4,000 printed newspapers and periodicals published from a variety of centres in seventeen different languages, a few bilingual......The press in India, is to say, an intruder that has insisted on making its contribution to the pattern formed by the relation of the East India Company, Parliament, people of Britain, and the peoples of India; the interactions of thought and habit; by the natural difference of view in official and non-official, in Briton and Indian. 16

Summary of Censorship Measures.

1857-1945.

The following measures of censorship applied to the Indian press between 1857 and 1945 and will be discussed in this thesis:

3. The Vernacular Press Act of 1878.

15Ibid.

16O'Malley, L. S. S., Modern India and the West, London, 1941, p. 188.
5. The Newspapers (Incitement to Offences) Act of 1908.
6. The Indian Press Act of 1910.
8. The Indian States (Protection against Disaffection) Act, 1922.

In dealing with the problem the *London Times* has been consulted frequently. The *London Times* as the mouthpiece of British policy in India dwelt at length on the relation of the government to the press. It also reflected the British attitude toward the independence movement of India and the part the press played in it. A few more British periodicals have been used in addition to standard references and various India source materials.

In writing this thesis, the author's personal prejudices have been eliminated insofar as possible. The press in India is still in the formative stage. It has had to work against various odds under the control of a foreign government. The press time and again has had to adopt an anti-British attitude and adopt a national outlook. This outlook has been shared by the writer; however, in the preparation of this thesis the writer has tried to achieve objectivity.
Chapter I

THE REVOLT OF 1857 AND THE PRESS ACT

The Revolt Suppressed

The last time India revolted against British rule was in 1857, and the attempt ended in failure. Before 1857 the East India Company governed India. But when, in 1857 the Indians were defeated in the War of Independence, the Directors of the East India Company decided to transfer the administration of India to the British Crown.

To Indians the revolt remained a bitter memory. There was great social estrangement between the British and the Indians. For a generation the events of the two years of the revolt formed a subject for talk in every village and household. The massacres at Cawnpore, Delhi, and Lucknow, the rising in Oudh, and the execution of Tantia Tope by the British and the death of Rani Luxmibai of Jhansi in the battle front all helped to mold the opinion throughout the Indian peninsula. "Two facts most firmly imprinted on the Indian mind were the failure of the rebel leaders to take advantage of their early successes, and the ferocity with which martial law was administered
and the rebels were hunted down."

The author of the official history of the Indian National Congress wrote as follows:

The economic drain resulting in the impoverishment of the people, the loss of territory and the establishment of a foreign rule had created resentment and discontent, and the Revolt of 1857 was the last armed attempt to throw off the foreign yoke. 18

Press Act of 1857

While the rebellion was still in progress, Lord Canning found that the tone of both Anglo-Indian and Indian newspapers was highly provocative. While the Anglo-Indian newspapers were crying for revenge against the Indians, the Indian press was also fomenting discontent against the rulers. Printed and manuscript incitements to rebellion were widely read by Indians. So a new act to regulate the establishment of printing presses and to restrain in certain cases the circulation of printed books and papers was promulgated. This measure became known as the "Gagging Act."

19 Barns, Margarita, The Indian Press, 1940, p. 250.
Lord Canning while promulgating the new press Act said:

"I doubt whether it is fully understood or known to what an audacious extent sedition has been poured into the hearts of the native population of India within the last few weeks under the guise of intelligence supplied to them by native newspapers.....But to native readers of all classes scattered through the country, imperfectly acquainted with the proceedings of the government, and not well instructed as to what is passing even immediately around them, these misrepresentations come uncontradicted and are readily credited. In addition to perversion of facts, there are constant vilifications of the government, false assertions of its purposes and unceasing attempts to sow discontent and hatred between it and its subjects. 20

At that time Lord Elphinstone, the Governor of Bombay, was also considering to take action against the press. He remarked:

A free press seems to be the natural concomitant of free institutions. It is on the other hand from its very nature antagonistic to despotic rule, and above all, to foreign domination. As Sir Thomas Munro tersely expresses it, 'a free press, and the dominion of strangers, are things which are quite incompatible, and which cannot long exist together.' Our government in this country can never be a popular government in any sense of the term....If then a despotic form of government is, indeed, the only one suitable to the state of the country as well as the only one possible for us, it follows that if the unrestricted liberty of the press is incompatible with this form of government, and with the continuance of our rule in this country, that it must be curtailed.' 21

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20 Ibid., p. 250.
21 Ibid., p. 251.
The result was the promulgation of the new Act of 1857, which was operative for one year. The Act prohibited the keeping or using of printing presses without license from the government. The government was given power to grant licenses, subject to such conditions (if any) as were thought fit; it was also empowered to revoke at any time the licenses granted. The publication or circulation in India of newspapers, books or other printed papers of any particular description, might also be prohibited by order of the government. The Act made no distinction between the English and the Indian press and it expired after one year.

The above-mentioned licenses were given on certain conditions, the violation of any of which enabled government to seize the types and presses of the offender. The conditions were as follows: -- applications for licenses to keep or use any printing press or types of other materials and articles for printing within the town of Calcutta were to be made to the Commissioner of Police and the Commissioner was to forward a copy of every such application to the Government of India, in the Home Department, from whence licenses were to be issued. The

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Lieutenant-Governor was authorized to grant licenses outside Calcutta, and to appoint any person to receive applications for such licenses in any part of Bengal.

The conditions upon which licenses to keep or use any printing press were ordinarily to be granted were as follows:

That no book, pamphlet, newspaper, or other work printed at such press, or with such materials or articles, shall contain any observations or statements impugning the motives or designs of the British government either in England or in India, or in any way tending to bring the said government into hatred or 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:

That no such book, pamphlet, newspaper or other work shall contain observations or statements having a tendency to create, alarm or suspicion among the native population of any intended interference by government with their religious opinions and observances:

That no such book, pamphlet, newspaper or other work shall contain observations having a tendency to weaken the friendship towards the British government of native princes, chiefs or states in dependence upon or alliance with it. 24

The inclusion of the English and the Indian press in the same category provoked the wrath of the English community in India. Referring to the third clause John Bruce Norton in his book *Rebellion in India* wrote

thus:

Even in France the press has its three warnings. In Austria, despotism is not so despotic as it is in India. Our gag is garotte... It has thrown back India fifty years..... The only protection against the giant injustice in the provinces has been destroyed; magistrates may now ride rough-shod over the land. 25

Under the terms of this Act, the *Bengal Hurkaru* was suspended from the 19th to the 24th September, 1857, and a fresh license was only granted when the offending editor tendered his resignation. Not only this but a number of Indian editors were prosecuted for publishing articles deemed seditious and they were committed for trial; of which the printers and publishers of *Doorbeen, Sultan-Ul-Akhbar* and *Sumachar Soodhaburshan* are to be mentioned. But the Act could not control the manuscript press, which was more inflammatory and widely distributed. The manuscript press remained outside the reach of the authorities, though the press Act did have a restrictive effect.

Government officers lived in perpetual fear that the rebellion might at any time break out again. Numerous stories were current of the extraordinary organization of the May attempt and how the news had been passed from mouth to mouth, through the medium of songs and catch-phrases. And the Indian press, as a possible channel of access to the public, was, of course, suspected. The government had established a strict censorship through their District Officers and at Peshawar.

an editor was imprisoned and presses were also stopped at Sialkot and Multan. One result of the censorship was that the papers concentrated more on general news, mostly culled from journals published in different parts of India. 27

The Press Act Criticized

It has been seen that the English were pioneers in the field of journalism in India. Several editors of English newspapers were deported for having criticized the administration of the East India Company. The Press Act promulgated by Governor-General Lord Canning did not distinguish between the Indian press and the European press. It was, in fact, the European press at that time which was influential. So the opposition mostly came from the European section of the press.

John Bruce Norton while criticizing the Press Act made the following remarks:

Let them depend upon it, that this attack upon the press is in reality intended to screen the cowardice and incapacity of the real authors of the revolution. Lord Canning's arm may have dealt the blow, but there is a power behind which directed the arm. It is not that the crisis necessitated the measure; but that the crisis has been seized as the fittest moment for striking a long meditated blow at the press, and

27 Ibid., p. 260.
gratifying a grudge of ancient standing. Political capital has been made out of the bloodshed in the North West. 28

The Press Act was in effect for a year, and at the end of the period it was allowed to lapse. But the press had many more ordeals to face at the hands of the government, and the following chapters will show how the press came under the fire of the censorship imposed by the government from time to time.

28 Ghose, Hemendra P., op. cit., p. 28.
Chapter II

THE PRESS AND REGISTRATION OF BOOKS ACT OF 1867

Post-Revolt Period

The racial cleavage became more marked after the British stabilized their position. The British openly claimed that "we did not conquer India for the benefit of Indians. We conquered India by the sword, and by the sword we shall hold it." 29

The antagonistic feeling of race was becoming a source of danger. W. H. Russell, The London Times correspondent in India felt that:

The mutinies have produced too much hatred and ill-feeling between the two races to render any mere change of name of the rulers a remedy for the evils which affect India, of which those angry sentiments are the most serious exposition ....Many years must elapse ere the evil passions excited by these disturbances expire; perhaps confidence will never be restored; and if so our reign in India will be maintained at the cost of suffering which is fearful to contemplate. 30

Even before the Revolt of 1857, a few vernacular papers had begun to take up the discussion of political

questions and to assert the right of Indians to the exercise of political rights and to a larger share of the higher administrative posts. But after the Revolt, politics became a popular theme of most of the newspapers. The number, circulation, and influence of the papers increased. They were no longer published only in capital cities like Calcutta, Madras, Bombay, and Allahabad, but sprang up in small towns in the interior.

Ramananda Chatterjee wrote:

From the very beginning the press was looked upon with disfavour by the British authorities. Editors were discouraged and persecuted, and their activities were seriously restricted. Those in power could not brook any criticism. Editors were sometimes punished for the publication of even harmless news. From the year 1791 to the year 1799, several editors were deported to Europe without trial, whilst many more were censured and had to tender abject apologies. 32

Plan for a Government Paper

When the government found itself faced with the criticism of the press, it hit upon a plan to publish a paper of its own. The result was that once again, the

31 O'Malley, L. S. S., Modern India and the West, London, 1941, p. 89.
question of a government paper was revived. Once before the government considered meeting the challenge of newspapers by publishing a paper. But every time arguments were put forth about the utility of publishing a newspaper on behalf of the government. The first reason for the abandonment of the project was the question of finance because for a good and outstanding paper a big sum of money was needed. It was also argued that the soundness of the administration was the best thing to meet the charges of the Indian newspapers than to run the risk of starting a government newspaper whose future did not appear too bright. The authorities also feared that the special pleading through the press might rebound to their discredit.

The Press Act of 1867

In these circumstances the government decided to stiffen the control of the press. It has already been discussed how Sir Charles Metcalfe had granted freedom to the press in 1835, and except the Act of 1857, the press enjoyed complete freedom. But now the time came when the government thought that the control of the

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press was necessary in the interests of the administration. The result was the enactment of the Press and Registration of Books Act of 1867. This was an Act for the regulation of printing presses and newspapers, for the preservation of copies of books printed in British India, and for the registration of such books. The main provision of the Act were as follows:

**Of Printing Presses and Newspapers**

1. Every book or paper printed within British India shall have printed legibly on it the name of the printer and the place of printing and (if the book or paper be published) the name of the publisher and the place of publication.

2. No person shall, within British India, keep in his possession any press for the printing of books or papers, who shall not have made and subscribed the following declaration before the magistrate within whose local jurisdiction such press may be:

   "I. A. B., declare that I have a press for printing at ________".

   And this last blank shall be filled up with a true and precise description of the place where such press may be situated.

3. No printed periodical work, containing public news, or comments on public news, shall be published in British India, except in conformity with the rules hereinafter laid down:—

   (a) The printer and publisher of every such periodical work shall appear before the magistrate within whose local jurisdiction such work shall be published, and shall make and subscribe, in duplicate, the following declaration:
"I. A. B., declare that I am the printer (or publisher, or printer and publisher) of the periodical work entitled _________, and printed (or published, or printed and published, as the case may be) at _________."

And the last blank in this form of declaration shall be filled up with a true and precise account of the premises where the printing or publication is conducted:

(b) As often as the place of printing or publication is changed, a new declaration shall be necessary.

(c) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave British India, a new declaration from a printer or publisher resident within the said territories shall be necessary. *

Delivery of Books

4. Printed or lithographed copies of the whole of every book which shall be printed or lithographed in British India after this Act shall come into force, together with all maps, prints or other engravings belonging thereto, finished and coloured in the same manner as the best copies of the same shall notwithstanding any agreement (if the book be published) between the printer and publisher thereof, be delivered by the printer at such place and to such officer as the Local Government shall by notification in the official Gazette, from time to time direct, and free of expense to the government. *

Penalties

5. Whoever shall print or publish any book or paper otherwise than in conformity with the rule contained in section 3 (section I in the foregoing page) of this Act shall, on conviction before

* Provisions of the Act have been omitted here.
a magistrate, be punished by fine not exceeding five thousand rupees ($1,500), or by simple imprisonment for a term not exceeding two years, or by both.

6. Whoever shall keep in his possession any such press as aforesaid, without making such a declaration as is required by section 4 (section 2 on last page) of this Act shall on conviction before a magistrate, be punished by fine not exceeding five thousand rupees ($1,500) or by simple imprisonment for a term not exceeding two years, or by both. *

Registration of Books

7. There shall be kept at such office, and by such officer as the Local Government shall appoint in this behalf, a book to be called a Catalogue of Books printed in British India, wherein shall be registered a memorandum of every book which shall have been delivered according to the provision of this Act. Such memorandum shall (so far as may be practicable) contain the following particulars (that is to say):--

(1) the title of the book and the contents of the title-page, with a translation into English of such title and contents, when the same are not in the English language:

(2) the language in which the book is written:
(3) the name of the author, translator or editor of the book or any part thereof:
(4) the subject:
(5) the place of printing and the place of publication
(6) the name or firm of the printer and the name or firm of the publisher:
(7) the date of issue from the press or of the publication:
(8) the number of sheets, leaves or pages:
(9) the size:

* Some provisions of the Act have been omitted here.
(10) the first, second or other number of the edition:
(11) the number of the copies of which the edition consists:
(12) whether the book is printed or lithographed:
(13) the price at which the book is sold to the public:
and
(14) the name and residence of the proprietor of the copyright or of any portion of such copyright.

Such memorandum shall be made and registered in the case of each book as soon as practicable after the delivery of the copy.34

The Indian Penal Code Amended

The enactment of the Press Act of 1867 had not solved the problems of the government so far as the seditious writings in the newspapers were concerned. During the period of 1869-70 there was a conspiracy against the government to overthrow it by force of arms. The conspiracy was hatched by Wahabis who were opposed to the government since the days of the Revolt of 1857. The difficulties the government had to face in suppressing the Wahabi conspiracy led the government to pass a new measure to control seditious writings and speeches. Consequently a bill was passed into law as Act of 1870, to

amend the Indian Penal Code, section 5 relating to sedition and read as follows:

Whoever by words, either spoken or intended to be read, or by signs, or by visible representation or otherwise, excites or attempts to excite feelings of disaffection to the government established by law in British India, shall be punished with transportation for life or for any term, to which fine may be added, or with imprisonment for a term which may extend to three years, to which fine may be added, or with fine. 35

**Government and the Press**

Lord Northbrook became Governor-General in 1872. In 1873 there was a famine in Bihar. The question of the relations between the government and the press became important during the Viceroyalty of Lord Northbrook because of the famine in Bihar. Sir George Campbell, the Lieutenant-Governor of Bengal, was in favor of the prohibition of the export of grain during the famine. Sir George Campbell was supported in this view by Robert Knight, editor of the monthly *Indian Economist*, and later appointed as an assistant secretary in the department of agriculture. Lord Northbrook disagreed with the Bengal Governor and Robert Knight immediately attacked the Viceroy's famine policy in the

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Indian Economist, which was subsidized by the government. The criticism of the paper infuriated both Lord Northbrook and his Finance Member, Sir Richard Temple. The subsidy to the paper was reduced by one-half and eventually withdrawn. This episode again opened the question of the relation of government servants with the press.

As a result of the controversy between the Viceroy and Robert Knight, the following Home Department Notification appeared in the Gazette of India on July 8, 1875, with the approval of Lord Northbrook:

questions having recently arisen as to the extend to which officers in the service of govern- ment are permitted to connect themselves with the press, the Governor-General in Council thinks it desirable that existing orders on the subject should be clearly understood.

1. No officer in the service of government is permitted without the previous sanction, in writing, of the government under which he immediately serves to become proprietor, either in whole or in part, of any newspaper or periodical publication, or to edit or manage any such newspaper or publication. Such sanction will only be given in the case of newspapers or publications mainly devoted to the discussion of topics not of a political character, such for instance as art, science or literature. The sanction will be withdrawn at the discretion of the government.

2. Officers in the service of government are not prohibited from contributing to the public press; but their position makes it incumbent upon them to confine themselves within the limits of

36 Ibid., p. 271.
temperate and reasonable discussion, and they are prohibited from making public, without the previous sanction of the government, any documents, papers, or information of which they may become possessed in their official capacity.

3. The government of India will decide, in case of doubt, whether any engagements of officers with the press are consistent with the discharge of their duties of the government.

4. Nothing in this resolution is intended to relax the provisions of any regulations on this subject which now apply to the army. 37

In the meantime (in 1873) on the orders of Sir George Campbell, the Lieutenant-Governor of Bengal, an inquiry into the state of the Indian-owned press of Bengal was instituted. The result showed that thirty-eight papers were in existence. Sir George Campbell had his own views on the liberty of the press. He said:

My own opinion has always been that an entirely free press is inconsistent with a despotic form of government even if it be a paternal despotism. In such circumstances there is no opposing press to answer them. No doubt criticism is useful in bringing abuses to light, and the press fulminations may be a sort of safety valve; but a government, whose position largely depends on the sort of moral force due to a belief in its unassailable power, can hardly afford to be constantly held up to the contempt of its subjects. 38

37 Ibid., p. 273.
38 Ibid., p. 273.
Summary

From the above mentioned remarks, it seems clear that the authorities were not sympathetic to the press. The press was, it seems, looked upon with a sense of antagonism. It was just the beginning of the censorship in the history of the press in India. Hard days still were to come, and the following chapter will show how the press was treated by the government. This chapter has shown that the press had to go through a lot of formalities before it was allowed to appear. The Act of 1867 has been considered a corner stone of the censorship of the Indian press. The Act is still in force.
Chapter III
THE VERNACULAR PRESS ACT OF 1878

Lord Lytton's Press Act

Lord Lytton became the Viceroy of India in 1876, and he found the relations between the government and the press to be unsatisfactory. Robert Knight was approached by the private secretary of the Viceroy to ascertain his views on improving the relations of the press with the government. Knight made the following reply on June 7, 1876:

It seems to me that under the system of administration we have established in India, the only right conception of the office of the press is that of Her Gracious Majesty's Opposition, and whether that opposition shall be well-informed and loyal or the reverse, depends wholly upon the relations established therewith by the government ..... If the government shows no sympathy, is jealous of all appearance of consulting it, excludes it from all information upon subjects of current interest, shows no deference to public wishes, however reasonable, looks upon the press as factious and inspired by no real desire for the public good and gives neither the support nor the encouragement it might reasonably expect—then the want of representative institutions becomes unendurable, and the whole press glides insensibly into an attitude of hostility to the government. 39

He further observed:

At present there is not the slightest sympathy with the press, nor the least disposition to assist it. Instead of any desire being evinced to conciliate its sympathies, it is made to feel that it is a matter of indifference to the government whether it sinks or swims....The government practically treats the press as though it were Bohemian, and in all passive ways, ignores and discourages it. The attitude is felt sensibly and calls forth a corresponding one on the other side.....It seems to me most desirable that the government should possess some means by which it might communicate to the press as far as may be prudent and possible to do so, the course of its proceedings, the information it is receiving, the views with which it is regarded, the purposes and desires of the government and the special difficulties that embarrass its course. 40

Lord Lytton considered the possibility of enacting fresh legislation to deal with the growing press criticism. The press in Indian languages was growing rapidly. At this time there were about sixty-two such papers in the Bombay Presidency, Marathi, Gujerati, Hindustani and Persian; about sixty in the North-West Provinces, Oudh and the Central Provinces; some twenty-eight in Bengal; about nineteen in Madras, Tamil, Telegu, Malayalam and Hindustani. Their circulations were, of a necessity, restricted but they were nevertheless expanding. It was computed about this time that there were probably 100,000 readers of such papers and that

40 Ibid., pp. 217-18.
the highest circulation of any one paper was in the neighborhood of 3,000.

B. Pattabhi Sitaramayya wrote:

It must be noted that even in the seventies, public life was beginning to make itself felt by the authorities though it was not well-organized. The newspapers were already a powerful factor in it, for in 1875 there were as many as 475 newspapers, mostly in the provincial languages.... It was at this time that Lord Lytton inaugurated his reactionary rule, which was characterized by the Vernacular Press Act of 1878. 42

The Nineteenth Century of London wrote:

In 1878 it appeared to the government of India that a section of the Vernacular press had of late years assumed an attitude of fixed hostility to the government; that it did not confine itself to criticizing particular measures or the acts of individual officers on their merits, but attacked the very existence of British rule in India, and that evil had been steadily growing and had attained a magnitude which called for the application of some strong measures of repression. Certain publications in Oriental languages printed or circulated in British India contained, of late, materials that were likely to excite disaffection to the government, and such publications were read by and disseminated among large numbers of ignorant and unintelligent persons. So the government was scared that another rebellion might break out. 43

Lord Canning's Press Act of 1857 was directed against both English and Vernacular newspapers, but Lord Lytton's regime concentrated its attack upon the Vernacular press only. One after another attack was made on the Vernacular journalism for its appeal to the people. London's *Fortnightly Review*, editorialized:

"...that the Vernacular journalism of India is for the most part a tool in the hands of an irresponsible, vulgar, and unscrupulous body of men who instead of giving vent to public feeling or expression to public opinion, use it to eke out a miserable livelihood by a persistent misrepresentation of the motives and measures of our rule, mistaken by their young Compatriots for patriotism, or by extorting money from persons of position and character, who are not yet inured to criticism as understood and tolerated by men of a larger civilization on that what we succeeded in planting in India." 44

Since the inception of modern journalism the controversy centered round the idea whether the Indian press should have the freedom to say what it wanted to convey to its readers. The various measures against the press in the past showed that the government always treated the press with antagonism. Pandit Jawaharlal Nehru described how the introduction of printing press was looked upon by the British:

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The printing press and indeed all machinery were also considered dangerous and explosive for the Indian mind, not to be encouraged in any way lest they lead to the spread of sedition and industrial growth. There is a story that the Nizam of Hyderabad once expressed a desire to see European machinery and thereupon the British Resident procured for him an air-pump and a printing press. The Nizam's momentary curiosity having been satisfied, these were stored away with other gifts and curiosities. But when the government in Calcutta heard of this, they expressed their displeasure to their Resident and rebuked him especially for introducing a printing press in an Indian State. The resident offered to get it broken up secretly, if the government so desired. 45

The British government in India had prepared weekly abstracts on most of the important articles in the Indian press for the fifteen years. These abstracts were sent to the British press and the officials in India. Lord Salisbury, the Secretary of State for India, in 1875 informed the government of India that his attention had been drawn "to various articles in the Native press which are not only calculated to bring the government into contempt, but which palliate, if they do not absolutely justify as a duty, the assassination of British officers." 46

For some time the Indian press had been aware that repressive measures were under contemplation. In

45 Nehru, Jawaharlal, The Discovery of India, Calcutta, 1946, p. 281.
46 Barns, Margarita, op. cit., p. 279.
1877 the press was invited to the Delhi Assemblage. Sir Surendranath Banerjee attended it as the correspondent of the Hindu Patriot and he described the presentation of an address to the Viceroy by newspapermen in these words:

In the address we made a pointed reference to the report about the coming restrictions on the press, and we expressed the hope that the liberties so long enjoyed might be continued. The Viceroy, as might have been expected, was reticent and said nothing in reply to this part of the address. We felt that we had done our duty in communicating our hopes and fears, and for the time the matter ended there. Within less than fifteen months, the Vernacular press all over India, save that of Madras, was muzzled. 47

In 1878, Lord Lytton promulgated the Vernacular Press Act, which was intended for the better control of publications in Oriental languages. The Act of 1878 was operative in all the provinces of India except Madras. The main provisions of the Act were as follows: *

Whereas certain publications in Oriental languages printed or circulated in British India have of late contained matter likely to excite disaffection to the government established by law in British India, or antipathy between persons of different races, castes, religions or sects in British India, or have been used as means of intimidation or extortion:

And whereas such publications are read by and disseminated amongst large numbers of ignorant and

47 Ibid., p. 280.

* Only the main provisions of the Act of 1878 have been given here.
unintelligent persons, and are thus likely to have an influence which they otherwise would not possess; and whereas it is accordingly necessary for the maintenance of the public tranquillity and for the security of Her Majesty's subjects and others to confer on the Executive government power to control the printing and circulation of such publications; it is hereby enacted as follows:

1. Any magistrate, within the local limits of whose jurisdiction any newspaper is printed or published, may, with the previous sanction of the local government and subject to the provisions of section 2, call upon the printer and publisher of such newspaper to enter into a joint and several bond, or when the printer and publisher of such newspaper are the same person, call upon such person to enter into a bond, binding themselves or himself, as the case may be, in such as the local government thinks fit, not:
   (a) print or publish in such newspaper any words, signs or visible representations likely to excite disaffection to the government established by law in British India, or antipathy between any persons of different races, castes, religions or sects in British India; or
   (b) use or attempt to use such newspaper for the purpose of putting any person in fear or causing annoyance to him and thereby inducing him to deliver to any person any property or valuable security, or anything signed or sealed which may be converted into valuable security or to give any gratification to any person, or for the purpose of holding out any threat of injury to a public servant, or to any person in whom they or he believe or believes that public servant to be interested, and thereby inducing that public servant to do any act, or to forbear or delay to do any act, connected with the exercise of his public functions.

2. When any publisher or printer is called upon by a magistrate to execute a bond under this Act in
respect of any newspaper, the publisher of such newspaper may deliver to such magistrate an undertaking in writing to the effect that no words, signs or visible representations shall, during the year next following the date of such undertaking, be printed or published in such newspaper which have not previously been submitted to such officer as the local government may appoint in this behalf, by name or in virtue of his office, or which on being so submitted have been objected to by such officer.

3. When any book, pamphlet, placard, broadsheet, or other document printed wholly or partially in any Oriental language in British India contains any words, signs or visible representations which are of the nature described in section 1, clause (a) or when any such book, pamphlet, placard, broadsheet, or other document has been used, or attempted to be used, for any purpose described in the same section clause (b), all printing presses, engines, machinery, types, lithographic stones, paper and other implements, utensils, plant and materials, used or employed in or for the purpose of printing or publishing such book, pamphlet, placard, broadsheet or other document, or found in or about any premises where the same is printed or published, and all copies of such book, pamphlet, placard, broadsheet or other document, shall be liable to be forfeited to Her Majesty.

4. When any newspaper printed elsewhere than in British India contains any words, signs or visible representations of the nature described in section 1, clause (a) or is used or attempted to be used for any purpose described in the same section clause (b), all copies of such newspaper, brought into British India, shall be liable to be forfeited to Her Majesty.

5. The Government-General in Council may, by notification in the Gazette of India, direct that any newspapers printed at any place beyond the limits of British India, or any books, pamphlets, placards, broadsheets or other documents printed wholly or partially in any Oriental language at any such place, shall not be brought into, or circulated, distributed or publicly exhibited, or sold, or kept for
circulation, distribution, public exhibition or sale, in British India. 48

It was the first time a distinction had been made between papers printed in Indian languages and those printed in English language. Mentions may be made at this place of the Press Act of 1857 which did not draw a line of demarkation between language papers and English papers. But Lord Lytton directed his attack only on the papers which were printed in Indian languages:

...That discrimination was to be made by Lord Lytton in 1878, in whose opinion the very existence of British rule in India was jeopardized by Indian papers published in Indian languages, not by those published in English. The former, he said, were singled out because they were addressed solely to an ignorant, excitable, helpless class, who had no other means of information about the actions and motives of their rulers. 49

How the Press Reacted

In Bengal the Amrita Bazar Patrika evaded the new law by appearing as an English weekly. How this was done was described by Mr. W. S. Caine:

'When Lord Lytton's Press Gagging Act was first broached, and it became evident that journals, published in the vernacular, would be more or less heavily shackled, the brothers Ghose, believing that the Act was specially aimed

48 Barns, Margarita, op. cit., pp. 281-287.
at their journal, determined that the *Amrita Bazar Patrika*, which at that time was printed in both vernacular and English should in future be published in the English language alone; and the change was effected in a single day, with the help of borrowed type, a very remarkable feat of journalism.' 50

There were 230 newspapers in Indian languages. The new press Act was enforced against the printer of *Som Prakash*. The printer of the paper stopped publication, and started another paper *Navabibhakar* in its place. Next year permission was sought and obtained to revive the *Som Prakash* and both papers were issued. Lord Ripon, the Viceroy of India repealed both Press Acts of 1857 and 1878, in January 1882.

What was the effect of the Vernacular Press Act? It is even now widely believed that the Act was mainly directed against the *Amrita Bazar Patrika*, which was critical of the government actions. But there was bitter resentment and widespread reaction against this measure throughout the country. Lord Lytton had already deeply offended the Indians by holding an expensive inaugural ceremony in Delhi at the beginning of his term,

while a severe famine existed in two of the big provinces of India. He added his unpopularity by increasing taxation. The Press Act was last of all actions which made Lord Lytton the most unpopular Viceroy. One result of the new Act was the foundation of the Hindu of Madras. This paper was started in English to evade the Vernacular Press Act. Later on this paper became one of the leading newspapers in the country.

By 1879 there were twenty papers published in English, which had become the lingua franca of the educated classes, and about 200 in Indian languages. The voice of the vernacular press became more united and clamant, and it affected not only Indian opinion, but also, with the added influence of the English press, opinion in England. Indian opinion had begun to be recognized as a power with which government had to reckon.

The new press Act antagonized Indian opinion, and the rulers feared another revolt in the country. There was no organized political party through which the grievances of the people could be channelled. Here was the idea for founding the Indian National Congress to give the authorities information of what was passing in the country. The biographer of Allan O. Hume wrote as follows:

Towards the close of Lord Lytton's viceroyalty, that is, about 1878 and 1879, Mr. Hume became convinced that some definite action was called for to

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52Barns, Margarita, op. cit., p. 293.
53O'Malley, L. S. S., op. cit., p. 89.
counteract the growing unrest. From well-wishers in different parts of the country he received warnings of the danger to the government, and to the future welfare of India, from the economic suffering of the masses and the alienation of the intellectuals. 54

Summary

In this chapter an attempt was made to discuss the Act that was supposed to counteract the seditious writings in the newspapers. This act of censorship of the Indian press couldn't improve the situation, rather the Act brought forth great wave of opposition. Mr. Gladstone denounced this Act in the British House of Commons on July 23, 1878, and said:

"...We have now got a law in India under which it is perfectly allowable for any man to publish in English an article, which article when translated into one of the native tongues, may draw down upon the head of the publisher the resentment of the government and the man who gives publicity to that article in a newspaper may be ruined." 55

55 Ghose, Hemendra P., op. cit., p. 77.
Chapter IV

BIRTH OF THE CONGRESS AND THE PRESS ACT OF 1889

Birth of the Congress

The period after the Revolt of 1857 and before the establishment of the congress in 1885, saw the racial differences between the Europeans and the nationals of India grow. "The racial cleavage became more marked, though the extent of the differences before and after the Mutiny (Revolt) has sometimes been exaggerated." The English began to look upon the Indian empire as a permanency and thought that the British elements there must be strengthened. The dominating idea was that "in all departments of essential importance there must be selected Englishmen to maintain a standard of efficiency."

The transfer of power from the East India Company to the British Crown came at a time when both Indians and the English were bitter against each other. Lord Lytton had already tried to muzzle the public opinion of the country with the Vernacular Press Act. The

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56 Thompson and Garratt, Rise and Fulfillment of British Rule in India, p. 465.
situation of the country before the establishment of the Congress was as follows:

The more carefully we study the historical records, the more clearly we find out that this period between 1858 and 1885 was one of the stress and strain, wherein the gulf between the rising English-educated Indians and the British residents became wider, in spite of certain ameliorating circumstances. 57

Long before the organization of the congress, the British realized that the Indians were mobilizing people and some sort of political platform was being worked up. It has already been discussed how Mr. Allan O. Hume had been advised by the different people about the growing discontent among the masses, and how he was anxious to work out a plan that would avoid the recurrence of another uprising in the country. Mr. Hume established contact with the Viceroy, Lord Dufferin, early in 1885, to place the situation before him. It was at this interview at Simla that the plan of the Indian National Congress was formulated. The reason for the Viceroy's interest was thus:

The years just before the congress were among the most dangerous since 1857...The time was fully ripe, for this all-India movement. In place of agrarian revolt, which would have had the sympathy and support of the educated classes.

it gave the rising forces a national platform from which to create a New India. It was all to the good in the long run that a revolutionary situation based on violence was not allowed to be created again. 58

The result was the establishment of the Indian National Congress. The first session of the congress was held in Bombay in December 1885. The number of editors who participated in the formation of the congress showed the part the newspapers played in the movement. Mrs. Annie Besant in her book *How India Wrought for Freedom* wrote thus:

Among the representatives may be noted editors of well-known Indian papers, of the Dyan Prakash, The Quarterly Journal of the Poona Sarvajanik Sabha, The Kesari, The Nababibhakar, The Indian Mirror, The Nassim, The Hindustani, The Tribune, The Indian Union, The Spectator, The Indu Prakash, The Hindu, and The Crescent....These were among the earliest who wrought for India's freedom, and those yet on earth are working for her still...Mr. G. Subramania Iyer of Madras, the editor of the Hindu and one of the boldest and farthest-sighted of the Madras leaders, moved the first resolution in the first congress. 59

The history of the congress is really the history of India's struggle for freedom. For centuries the Indian nation had been under foreign supremacy and the congress has striven for over half a century to free the country.

58 Ibid., p. 128.
from this subjection. It was not merely the political forces and the sense of political subjection that gave birth to the congress. Doubtless the congress had its political objective, but it also was the organ and exponent of a movement of national renaissance.

What the Indian National Congress meant to India was better described in the speech of Mahatma Gandhi which he delivered at the second Round Table Conference in London in 1931. He said:

.....Above all the congress represents, in its essence, the dumb semi-starved millions scattered over the length and breadth of the land in its 7,00,000 villages, no matter whether they come from what is called British India, or what is called Indian India. Every interest which, in the opinion of the congress, is worthy of protection, has to subserve this interest, and if there is a genuine real clash I have no hesitation in saying on behalf of the congress that the congress will sacrifice every interest of these dumb millions. It is, therefore, essentially a peasant organization, and it is becoming so progressively. 61

Since the foundation of the congress the Indian papers began to take more active share in the problems of the country:

Newspapers played an important part in these early formative years. Sir Thomas Munro, nearly half a century earlier, had foreseen "a tremendous revolution, originating in a free press." The

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daily or weekly paper proved the most effective way of bringing educated Indians into touch with each other, always a difficult problem in a country where distances are great, and caste and communal restrictions so powerful. In Bengal there was the Hindu Patriot, the Amrita Bazar Patrika, and the Bengalee. In Madras the Hindu was almost the only tangible evidence of anti-government feeling. The Mahratta and the Kesari were to become equally important in the West. By the 'seventies the Indian press was sufficiently influential to embarrass the government. The Vernacular Press Act, passed in 1878, caused much controversy at home, but was ineffective because it did not apply to papers published in English. From such newspaper activity the Indian Association developed. This group of educated Indians was formed in 1876, held a few meetings, and was the forerunner of the congress. 62

From all acts of censorship on the Indian press it seems the authorities had difficulty in knowing the actual state of mind of the Indians. They had already made up their minds in the past that a free press was incompatible with a despotic rule. So the media of newspapers was not relied upon by the authorities. That seems to be one of the factors that made the British Viceroy interested in the formation of the congress. The authorities wanted a platform where the Indians could get together and discuss the problems of the country. This type of

62 Thompson and Garratt, op. cit., p. 541.
organization was supposed to be a barometer to gauge the depth of public's discontents against the administration. Mr. W. C. Bannerjee, one of the founders of the congress wrote:

...The newspapers, even if they really represented the views of the people, were not reliable and as the English were necessarily ignorant of what was thought of them and their policy in Native circles, it would be very desirable in their interests as well as the interests of the rules that Indian politicians should meet yearly and point out to the government in what respects the administration was defective and how it could be improved, and he added that an assembly such as he (Lord Dufferin) proposed should not be presided over by the local Governor, nor in his presence the people might not like to speak out their minds. 63

Mr. Allan O. Hume, who had retired from a high post in the government, had concrete evidence that the political discontent was going underground. In his official capacity he came into possession of seven volumes of secret police reports which revealed the growth of popular discontent and the spreading of underground conspiratorial organization. He discovered not only an organized revolt ahead, but a people pervaded with a sense of hopelessness who wanted to do something, by which was meant, "a sudden violent outbreak of sporadic crime, murders of

63Sitaramayya, B., op. cit., p. 15.
obnoxious persons, robbery of bankers and looting of bazaars, acts of lawlessness which by a due coalescence of forces might any day develop into a National Revolt. 64

The Indian National Congress was originally organized by the Marquis of Defferin and his wife, Ava, when that nobleman was the Governor of India. The Marquis sensed danger in the air. He called Mr. Hume and told him that an organization composed mainly of Indians should be formed so that it could function as Her Majesty's Opposition. Mr. R. Palme Dutt wrote as follows:

64Ibid., p. 8.
the cause of the country. The press acts will also show that the rising tide of nationalism in the country had much to do with the imposition of several restrictions against the press.

The Amrita Bazar Patrika of Calcutta made history when the two disclosures were made by the paper against the policy of the government. The first was during the Viceroyalty of Lord Dufferin when the paper published certain information and views in connection with the administration of the affairs of Bhopal, a native state. The representative of the government in Bhopal argued that legal action should be taken against the Amrita Bazar Patrika:

I would most respectfully invite the government to consider that its policy of indifference to malicious libels on high officials is misunderstood by the people of India of high or low degree. They either believe that the libels are true or that the government is afraid to prosecute the Native press which utters them. Whichever be their belief it is equally injurious to the power and prestige of the Imperial government; more so than the open preaching of sedition....It will lose its chief support in time of danger while it will degrade the quality of its official class, for honourable men will hesitate to serve a government which refuses to defend their honour.66

The Viceroy did not take any action against the paper. He thought that any legal proceedings would have brought forth too much publicity. The Viceroy decided to drop the prosecution. But the paper once more created a great sensation in the government by publishing a confidential document concerning Kashmir issued by the British foreign office. This occurred during the term of the Viceroy Lord Landowne, who had succeeded Lord Dufferin. This led to the passing on October 9, 1889, of an Act to prevent the disclosure of official documents and information.

The Act of 1889 was as follows: *

An Act to Prevent the Disclosure of Official Documents and Information.

Whereas it is expedient to prevent the disclosure of official documents and information; it is hereby enacted as follows:

1. (1) This Act may be called the Indian Official Secrets Act, 1889, and

   (2) It extends to the whole of British India, and applies, (a) to all subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty and (b) to all Native Indian subjects of Her Majesty without and beyond British India.

2. (1) Where a person for the purpose of wrongfully obtaining information—

   (1) enters or is in any part of a place belonging to Her Majesty, being a fortress,

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*Ibid., p. 299.

* Only main provisions of the Act have been incorporated in this thesis.
arsenal, factory, dockyard, camp, ship, office or other like place, in which part he is not entitled to be, or

(ii) when lawfully or unlawfully in any such place as aforesaid, either obtains any document, sketch, plan, model, or knowledge of anything which he is not entitled to obtain, or takes without lawful authority any sketch or plan, or

(iii) when outside any fortress, arsenal, factory, dockyard or camp belonging to Her Majesty, takes or attempts to take without authority given by or on behalf of Her Majesty any sketch or plan of that fortress, arsenal, factory, dockyard or camp, he shall be punished with imprisonment for a term which may extend to one year, or with fine, or with both.

3. A person guilty of a breach of official trust shall--

(a) if the communication was made or attempted to be made to a foreign State, be punished with transportation for life or for any term not less than five years, or with imprisonment for a term which may extend to two years, and

(b) in any other case be punished with imprisonment for a term which may extend to one year, or with fine, or with both. 68

**Another Ban on the Press**

In 1891, the government of India issued an order to deprive the press of certain liberties in territories

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under British administration in Feudatory States.

Notification ran as follows:

No newspaper or other printed work, whether periodical or other, containing public news or comments on public news shall, without the written permission for the time being in force of the Political Agent, be edited, printed, or published, after the 1st day of August 1891, in any local area administered by the Governor-General in Council but not forming part of British India. 69

Violation of the above mentioned order made the person liable to expulsion from that area, and he could be allowed to return only under the written permission of the Political Agent. Mrs. Besant writes that this ruling was in force even up to 1915, when in Bangalore an English newspaper which had existed there for many years, was ordered not to be published by the Resident under this regulation.

In 1894, at the annual session of the Indian National Congress, a resolution was passed asking the government to cancel the ruling. It said:

Resolved--That this congress, being of the opinion that the government notification of 25th June, 1891, in the foreign department, gagging the press in territories under British administration in Native States, is retrograde, arbitrary, and mischievous in its nature, and

69 Besant, Annie, op. cit., p. 195.
70 Ibid., p. 196.
opposed to sound statesmanship and to the liberty of the people, most respectfully enters its emphatic protest against the same and entreats its cancellation without delay. 71

Every year up to 1899 from the platform of the annual session of the congress this resolution was repeated exactly in the same form mentioned above. 72

The repeal of the Vernacular Press Act of 1878 had liberated the press from many restrictive measures. A bitter feeling, however, arose among the government officials trained in bureaucratic traditions who claimed they were denied protection against press criticism. In 1898, the section 124A of the Indian Penal Code (introduced in 1870) was repealed and a new section was substituted in its place to deal with "Sedition." A new section was substituted in its place to deal with "Sedition." A new section 153A was inserted in the Code, to punish "promoting enmity between classes"; and another section 505, was substituted to punish "statements conducing to public mischief." 73

In supporting the amendments of the Indian Penal Code, Sir Alexander Mackenzie, the Lieutenant-Governor of

71 Ibid., p. 203.
72 Ibid., pp. 182-310, passim.
73 Ghose, Harendra P., op. cit., p. 31.
Bengal observed:

The necessity for the proposed legislation is unquestionable. Ever since the repeal of the Vernacular Press Act, the Native press has been year by year growing more reckless in its mode of writing about the government, government officers, and government measures. Doubts having been always felt by the law officers, as to the scope of section of 124A of the Penal Code, the general policy has been to ignore these attacks. Whether, then, we look at the objections which have been taken by the people themselves to the interpretation of the present law by the courts, or to the nature of much that has been written in the Native press, the necessity for an amendment of the law is clear.74

Lord Elgin, the Viceroy said:

All that we, the government, can say is that we desire the powers necessary to put down sedition. We ask for nothing more, but we can be satisfied with nothing less. We do not desire to have a law which bears oppressively on one particular section of the community. Only partial justice is done to us when it is said that we have abstained from proposing an enactment aimed at the Vernacular press, because as a matter of fact our legislation is not a Press Act at all. It lays down certain rules of conduct, by observing which any member of the community can keep within the law, rules which are applicable to all and show favour to none. 75

The result was the amendment of sections 124A and 505 of the Indian Penal Code and addition of a new section 153A. Amendments were thus:

124A. Whoever by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to

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Ibid., p. 305.
excite disaffection towards Her Majesty or govern­ment established by law in British India, shall be punished with transportation for life or any shorter term, to which fine may be added, or with imprisonment which may extend to three years, to which fine may be added, or with fine.

505. Whoever makes, publishes or circulates any statement, rumour or report,

(a) with intent to cause, or which is likely to cause, any officer, soldier or sailor in the army or navy of Her Majesty or in the Royal Indian Marine or in the Imperial Service Troops to mutiny or otherwise disregard or fail in his duty as such; or

(b) with intent to cause, or which is likely to cause, fear or alarm to the public, whereby any person may be induced to commit an of­fense against the State or against the public tranquility; or

(c) with intent to incite, or which is likely to incite, any class or community of persons to commit any offence against any other class or community; shall be punished with imprisonment which may extend to two years, or with fine, or with both.

153A. Whoever, by words, either spoken or written, or by signs, or visible representations, or otherwise, promotes or attempts to promote feelings of enmity or hatred between different classes of Her Majesty's subjects shall be punished with imprisonment which may extent to two years, or with fine, or with both. 76

The government was not quite sure how far these new amendments would stand the tests of the law courts.

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Ibid., pp. 305-6.
So a number of prosecutions of Indian editors was started. The Nineteenth Century under the caption "The Native Press in India" carried the following:

...The diffidence about coming to close quarters with uncertainties of the now celebrated section 124 had to be put aside, and a whole series of prosecutions were instituted in quick succession against the editors and publishers who appeared to be put aside, and a whole series of prosecutions were instituted in quick succession against the editors and publishers who appeared to be fanning the agitation. In the result, all doubts as to the efficacy of the law as it stood were cleared up, at the expense of the journalists selected for the experiment, and it was taken for granted by most people that the trouble was over. 77

The Fortnightly Review under the heading "The present agitation in India and the Vernacular press" editorialized thus:

Both the journalist and the congressite, it will be seen, have so far worked hand in hand; and now they are both engaged in extenuating, and even glorifying, the (political) assassination... and we shall for the present anxiously wait and watch the action the Viceroy and his responsible advisers must now take to curb the insidious mission of the political societies and journals of India. 78

**Secret Press Committees**

In order to control the writings of newspapers the government established Secret Press Committees in

78 The Fortnightly Review, London, August 1, 1897.
1898, which evoked a vehement protest at the fourteenth annual session of the congress at Madras in the year 1898. Mr. W. A. Chambers, an Englishman and an editor of a paper moving a resolution on it said that he could not understand such an institution being established in any country administered by his countrymen. The resolution was supported by Mr. N. C. Kelkar who spoke against "the hateful institution of the Press Committees, which are only a thinly veiled press censorship, and as such a distinct disgrace to British rule in India."  

The congress passed the following resolution:

Resolved—That this congress is strongly of the opinion that the establishment of Secret Press Committees in certain parts of India is highly objectionable and inconsistent with the spirit of British administration. 80

Mr. U. N. Mudholkar, a congress leader unearthed a statement made by Sir James Fitz-James Stephen about the latter's views on loyalty. Sir James insulted Indian editors by telling them what they should write in their papers. He said, "Go to the English newspapers; whatever they say, you may say; that any body should want to be more offensive than they, is inconceivable." 81

79 Sitaramayya, B., op. cit., p. 67.
81 Sitaramayya, B., op. cit., p. 67.
The 13th session of the congress in 1897, passed a resolution on changes proposed in the law of sedition. The congress viewed with alarm the changes being made in the existing law of sedition. Mr. W. C. Bannerjee, one of the founders of the congress protested against the proposed changes in the law of sedition as dealing an irreparable blow to liberty of speech and the freedom of the press.

**Newspapers Penalized**

The government tried to prosecute newspapers under the law then existing. In 1891, the warrants were issued against the proprietor, the editor, the manager, the printer and the publisher of the Bangbasi of Calcutta under sections 124A and 500 of the Indian Penal Code for sedition and defamation. The High Court gave a divided verdict. In the mean time the accused were prevailed upon by some persons to tender apology and the case was withdrawn.

The next case of importance was brought against Bal Gangadhar Tilak in 1897. Tilak was charged for having

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published seditious articles in his paper, the Kesari. He was convicted and sentenced to eighteen months' imprisonment. Permission to appeal to the Privy Council was refused. Tilak's imprisonment without appeal to the Privy Council raised a storm of indignation throughout the country. The Hindu of Madras, commented on the trial: "The progress of the people has been pushed back fifty years. The next goal of our enemies will be the congress which they want to see stamped out."

The Amrita Bazar Patrika of Calcutta expressed the astonishment of the educated classes at the new turn of events. The Hindu added:

Nothing has happened during these forty years to remind the people more of their abject Helplessness and to give more poignancy to their political subjection than the recent doings of the Bombay government.

The question that can be asked is why the government time and again thought fit to impose restrictions on the press. In this chapter various measures and the reactions to those measures created have already been discussed. But to get an inkling into the minds of the

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85 Ibid., p. 193.
authorities for doing so, it seems necessary to quote what the British press thought of the Indian press, and why censorship became so frequent with the press. The *Contemporary Review*, London, under 'the Native press of India' editorialized as follows:

There are, however, two peculiarities of the country to be considered, if we would estimate aright the influence of the Indian press, as compared with that of other countries; the first is, the enormous number of persons who read (or get read to them) each copy of an Indian paper; the second is, the comparatively small number of individuals, among all these vast populations, whose opinions are of any political importance as leaders of masses.

With regard to the first point, it must be remembered that each copy of an Indian paper will circulate for a much longer time, and with a much wider range, than any paper would in Europe. The date of a paper goes for nothing among Indians, and it continues to be read as long as it hangs together.

It may safely be said that if a single copy reaches a village, or even a large collection of villagers, its contents will sooner or later become known to nearly every man residing in the neighborhood. And with regard to the second point, the Vernacular papers are universally read by every chief, high official, great men, by administrative employees, by students and teachers in all our thousands of schools and colleges, by very large proportion of the great proprietors, rich merchants and bankers throughout the country.

These are the classes by whom the Vernacular press is studied, and whose opinions it to some extent influences and through these classes, it filters down to and largely influences, for good
or for evil, a very considerable fraction of the masses of the people. 86

**Summary**

The second half of the nineteenth century saw passage of the Press Act of 1857, the Press and Books Registration Act of 1867, the Vernacular Press Act of 1878, the Press Act of 1889, and the various amendments of the Indian Penal Code. These measures were supposed to be taken against the press for fomenting discontent in the people. When in 1898, the government appointed a committee to consider the bill to amend the Indian Penal Code, one member of the committee who was an Englishman, Mr. C. C. Stevens, realized the special position of the Indian press and remarked thus:

> The position of the Native press must necessarily be peculiar. It must, from the nature of things, be always in opposition. If we found a Native paper constantly expatiating on the blessings of English rule, on the unmixed advantages of Western civilization, and on the administrative and private virtues of English officials, we think, we should not respect the editor or his staff the more for it; we should think him a hypocrite who was playing what he considered to be a paying game. We must, therefore, look to Native writers for criticism of government measures and of government servants. 87

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Margarita Barns reviewed the position of the press thus:

Perhaps the main factors which influenced the press during the era (close of the nineteenth century) which was passing, were the establishment of the Indian National Congress in 1885, the Indian Council Act of 1892 and the interest in technical matters which had spread from the West. Recognizing as it did that Indians had the right to choose their own representatives through approved public bodies and constituencies, the Councils Act gave a notable impetus to journalism. Indeed, it influenced its development to the extent that debates in the legislature became a leading feature of the news. Speeches of public men were the subject of discussion and criticism and from thenceforward Indian daily journalism was to take on its present bias in favour of news of a wholly political character. 88

The close of the century saw a critical state of affairs. The intelligentsia was clamoring for rapid political advance. In absence of what was considered an adequate response from the authorities, much agitation had been driven underground and the terrorist movement grew in force. The government was faced with the need to devise a policy that would meet the demands of the people and yet would yield nothing to the forces of extremism. The story of the 20th century is the story of the administration and its attempt to meet the demands of the people. 89

88 Barns, Margarita, op. cit., p. 306.
89 Ibid., p. 308.
Chapter V
RISE OF NATIONALISM AND THE PRESS ACTS OF 1908 AND 1910

In this chapter the press Acts of 1908 and 1910 along with the rise of nationalism will be discussed. It will be seen that with the growth of national consciousness in the people, the authorities tried to impose restrictions on the press to control the seditious writings. It was the beginning of the twentieth century, and the country had travelled long on road to the demand of a self-government. This period is important in the history of India which brought forth the revolutionary trend in the people.

Rise of Nationalism

For twenty years after the establishment of the congress in 1885, political leaders followed a constitutional policy. During this period the leaders of the congress did not demand self-government, but only sought a greater share in the administration of the country:

For the first twenty years the Indian National Congress was mild enough to satisfy all but the most hard-boiled imperialist. Members of the congress were drawn chiefly
from the most articulate Indians, that is, the middle class professionals. They were by no means revolutionaries, nor did they even think in terms of any national claims. All that they wanted and hoped for was the gradual securing of more administrative posts for themselves and their kind. 90

The beginning of the twentieth century saw political upheavals in Asia. It was during this period that Japan defeated Russia. For the first time an Oriental power had defeated a power of the West. This gave great stimulus to the people of the East. On the other hand during this period Lord Curzon, Viceroy of India, treated the congress with a superior air of contempt, and he did not take any notice of public opinion. In the meanwhile the Russo-Japanese war stirred the inertia of Asia:

It was during this highly explosive period of reascent nationalism that the Russian fleet was defeated by rising power of Japan. This event thrilled the whole of Asia. The news rapidly broadcast from one people to another all over the East. It was declared that the aggressive Western nations were not so strong as they outwardly appeared to be. The spell was broken. The ardent fire of patriotism flamed up in the hearts of Asia's multitudes of the common people. A new era was dawning when the whole of Asia would be free. The atmosphere of India changed from despondency to hope. 91

90 Ghosal, Kumar, The People of India. New York, 1944, p. 159.
Further Control of the Press Planned

On December 4, 1903, the government sought to amend the Indian Official Secrets Act of 1889. The object of the amendment was to place civil matters on a level with naval and military matters. All offences under the Act were cognisable and non-bailable. Clearly, such a piece of legislation gave government undefined and complete authority to prosecute. Mr. Gopal Krishna Gokhale appreciated the criticism of the Englishman of Calcutta for having characterised the proposal as "Russianising" the administration. Mr. Gokhale said, the Bill even if it became law, would not in practice affect the writer or the other editors of Anglo-Indian papers. 92

Mr. Gokhale opposed the bill and remarked:

I would like to see the official who would venture to arrest and march to the police thana (station) the editor of an Anglo-Indian paper. But so far as Indian editors are concerned, there are, I fear, officers in this country, who would not be sorry for an opportunity to march whole battalions of them to the police thana. It is dreadful to think of the abuse of authority which is almost certain to result from this placing of Indian editors, especially the smaller ones among them, so completely at the mercy of those whom they constantly irritate or displease by their criticism. 93

93 Ibid., p. 319.
It has already been pointed out in this thesis how a few English journalists in the past had criticized the administration, and that they were deported and otherwise punished. But now, with the rise of Indian journalism, the Anglo-Indian papers had come to be regarded as the supporters of the government and, as Mr. Gokhale pointed out, the prospect of an editor of an Anglo-Indian paper being arrested had become unthinkable. Mr. Gokhale further said:

The proper and only remedy, worthy of the British government, for whatever is really deplorable in the present state of things, is not to gag newspapers as proposed in this bill, but to discourage the issue of confidential circulars which seek to take away in the dark what has been promised again and again in Acts of Parliament, the Proclamations of Sovereigns, and the responsible utterances of successive Viceroy. From the standpoint of rulers, no less than that of the ruled, it will be most unfortunate if Indian papers were thus debarred from writing about matters which agitate the Indian community most. 94

The Bill to amend the Indian Official Secrets Act was amended in several details by the select committee appointed to examine it. Both Anglo-Indian and Indian papers condemned the proposed measure. The amendments curtailed the freedom of the press so much that Mr. Gokhale came out with a severe condemnation of

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the restriction. He declared:

Nowhere throughout the British empire is the government so powerful relatively to the governed as in India. Nowhere, on the other hand, is the press so weak in influence, as it is with us. The vigilance of the press is the only check that operates from outside, feebly, it is true, but continuously, upon the conduct of the government, which subject to no popular control. It is here, therefore, if anywhere, that the legislature should show special consideration to the press, and yet here alone it is proposed to arm government with a greater power to control the freedom of the press than in any other part of the empire.... The press is, in one sense, like the government, a custodian of public interests, and any attempt to hamper its freedom by repressive legislation is bound to affect these interests prejudicially, and cannot fail in the end to react upon the position of the government itself. 95

Partition of Bengal and the Press

In 1905, Lord Curzon, Viceroy of India, forced the partition of Bengal. Bengal was the most progressive province in the whole of India. A literary renaissance had raised high the hopes of its people. The whole province spoke the same language. The partition stirred Bengal to its very depths with indignation. The whole country was soon ablaze.

The partition of Bengal gave enough reasons for the extremists to preach sedition and carry on agitation

95 Ibid., p. 319.
96 Andrews and Mookerjee, op. cit., p. 204.
against the foreign rule. The press of Bengal as a whole came out against the partition:

...Around Aurobindo clustered a band of idealistic writers—whose English and Bengali writings inflamed the imagination of Bengali youngmen. The prince among them was Brahmabandhab Upadhyaya. His daily paper the Sandhya written in colloquial Bengali, was seen every evening in the hands of every shopkeeper, every student and literate man. The Sandhya preached the gospel of bomb and pistols, of revolt against foreign rule. Next to them in general influence over youngmen of Bengal was Bepin Chandra Pal. He wielded a powerful pen both in English and Bengali. Syamsundar Chakravarty and Manoranjan Guha Thakurta also had facile and exciting pens. The Vandemataram, the Karmajogi, the Sandhya, the Navasakti, etc., were their vehicles to transmit revolutionary ideas. Then the younger generation with Barin as their leader and the weekly Yugantar, as their organ preached about manufacturing bombs. 97

The Sandhya and the Yugantar played a great part in arousing anti-British feeling in the people. Gradually the Yugantar became a household word. The Yugantar was so popular that its circulation rose to over 50,000, a figure never attained before by any Indian newspaper. Sometimes when there was a special run upon a particular number, the Calcutta newsboys would get a rupee (30 cents) for each copy. Demand was so great that the principal articles dealing with the gospel of revolution, were published in a small volume entitled Mukti Kon Pathe

"Which way does salvation lie?"

The **Yugantar** became so effective in its nationalistic appeal to the people that even Sir Valentine Chirol, author of an anti-Indian book "Indian Unrest," admitted in the following words:

Truly the teachings of the **Yugantar** were bearing fruit....the writers in the **Yugantar**, it must be admitted, did not flinch from the danger of practising what they taught....The work done by the **Yugantar** lived, nevertheless, after it, and is still living. 99

It should be remembered at this time that the **Yugantar** had to face many prosecutions by the government, and its publisher was convicted and imprisoned five times between June 1907, and June 1908.

**Aurobindo's Vandemataram**, an English daily, was another source of inspiration to the people. Surendranath Banerjee had his the **Bengalee**, which was considered very tame and moderate daily compared with **Aurobindo's Vandemataram**. Sisir Kumar Ghosh and Motilal Ghosh's **Amrita Bazar Patrika** occupied a position in between these two. Manoranjan Guha Thakurta's **Navasakti** had a wide circulation. Kavyabisharad's **Hitabadi**, though belonging to the Moderate school still his writings,

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speeches and particularly his songs were also guiding the young men to the path of revolution. Bepin Chandra Pal, a fiery orator, and a brilliant writer, who was something of an idol to the excited young men of the time exerted immense influence on their minds through his writings in New India. But above all it was the Yugantar which inspired a whole generation of Bengalee young men who later on came to be known as members of the Yugantar party. The weekly Yugantar furnished the philosophy of revolution.

This new wave of nationalism was not confined to Bengal alone but it spread far and wide and reached Maharashtra, the home of Tilak, who once before was tried and convicted for a seditious article in his paper, the Kesari. He owed his great influence in the public life partly due to his powers of oratory and partly to his newspapers, especially the Kesari, which for many years had the largest circulation of any paper published in India. He also published another paper the Maharatta. He also praised the use of bombs for achieving freedom. For two articles published in the Kesari in May and June 1908, he was convicted and sentenced to six years' exile.

101 Smith, W. R., Nationalism and Reform in India, Yale Univ. 1938, p. 49, 64.
British Press on Indian Journalism

Before discussing the various measures of censorship, it may be worthwhile to turn towards the British press and its reaction on the writings in the Indian newspapers and their place in the national movement. Sir Valentine Chirol wrote as follows:

...These will suffice to show what the freedom of the press stood for in India, in a country where there is an almost superstitious reverence for, and faith in, the printed word, where the influence of the press is in proportion to the ignorance of the vast majority of its readers, and where, unfortunately, the more violent and scurrilous a newspaper becomes, the more its popularity grows among the very classes that boast of their education. They are by no means obscure papers, and some of them, such as the Kal, the Hind Swarajya, and especially the Yugantar, which became at one time a real power in Bengal, achieved a circulation hitherto unknown to the Indian press....hatred and violence which have been the stock-in-trade not only of the most popular newspapers in the vernaculars, but some even of the leading newspapers published in English, but edited and owned by Indians. 102

Further he observed:

The Native press, whether printed in the vernacular tongues or in the language of the British tyrant, reached the extreme limits of license, and when it did not actually preach violence it succeeded in producing the atmosphere which engenders violence. When passions were wrought up to a white heat by fiery orators and still more fiery newspapers writers, who knew how to draw equally effectively on the ancient legends...103

102Chirol, Sir Valentine, op. cit., p. 22.
The Nineteenth Century of London under the heading "Danger in India," editorialized:

The Native press, whether issued in English or the Vernacular, is filled with the most abominable vituperations against government and its servants. To consider all the minor grievances which are constantly set forth in the press and on the platform would take more space than could here be afforded. 104

The same paper wrote as follows:

...There is no one at all who doubts that the present deplorable state of things in India is mainly due to the writings of a considerable section of the press, that to these writings must be largely attributed the preparedness of the soil for the reception of the seed of sedition and anarchy, and also the sowing of that seed in particular cases. In 1898, the law of sedition was revived to make it comprehensive so that sedition and mischievous writing could be controlled. 105

The tone of the Indian press became so intolerable for the authorities that the Spectator of London commented thus:

...If we had newspapers here (England) which daily preached high treason, the levying of war against the nation's government, and further, advocated individual assassination, such newspapers, either under the Acts which punish high treason or else under the common law, would get but a short shrift....The truth is that the liberty of the press, like representative and democratic institutions, will not bear transplantation to the Indian soil and climate. 106

The Press Helps Nationalism

The press had come very far in stimulating the national consciousness in the people. With the growth of nationalism, the press began to occupy an important place in the life of the country:

A new phase in the history of the Indian section (by far the larger section) of India's press came with the growth of nationalism and the development in importance of the Indian National Congress. It was no longer a general educator as much as a political tutor. The demand for self-government changed the character of the writing in many newspapers by giving a lively and inspiring cause that provided the material for urgent daily comment. The tactics changed. Occasional broadsides would no longer do. Continual rifle and machine-gun fire took their place. Did government expose a head or finger it was shot at. So, we may almost say, a new way of writing English or vernacular, quickly grew up; leader writers brought into use vigorous supple language that discarded burdens so as to be always alert and ready for effective action. 107

How far the press in India was contributing to the progress of the country can be seen from the extracts of Gopal Krishna Gokhale's following remarks:

....That the Indian press had been, in the main, a potent instrument of progress; it had quickened national consciousness; it had spread in the country ideas of justice and equality not only between man and man but also between class and class; it had stimulated public spirit; it had set higher standards of public duty. 108

Tilak was an extremist. As has been indicated not only he was an effective orator, but he wielded a strong pen. Twice he had to court imprisonment due to his writings in the papers he edited. He advocated a revolutionary political program. In Bengal, part of the press had adopted an unrestrained style of writing which led the government to fear the development of a countrywide seditious movement. Anarchical ideas were undoubtedly gaining ground, largely as the result of discontent over the partition of Bengal. While reviewing the situation, the government cited several newspapers which had, in their view, exceeded the bounds of responsible criticism and it was maintained that the ordinary law could not be applied in these instances. Therefore, it was that fresh legislation would be required to meet the situation.

The Press Act of 1908

The government passed the Newspapers (Incitement to Offenses) Act in 1908. This Act empowered the authorities to take judicial action against the editor of any paper which published matter which in their view was

109Ibid., p. 327.
an incitement to rebellion. In all, nine prosecutions were instituted under this Act. Seven resulted in the confiscation of presses; four in Bengal, two in the Punjab and one in Bombay. All these prosecutions took place within a year.

The main provision of the Act were as follows:* 

An act for the prevention of incitements to murder and to other offences in newspapers. This Act may be called the Newspapers (Incitements to Offences) Act, 1908.

1. In cases, where, upon application made by order of or under authority from the local government, a magistrate is of opinion that a newspaper printed and published within the province contains any incitement to murder or any offence under the Explosive Substances Act, 1908, or to any act of violence, such magistrate may make a conditional order declaring the printing press used, or intended to be used, for the purpose of printing or published such newspaper is, or at the time of the printing of the matter complained of was, printed and all copies of such newspaper wherever found, to be forfeited to His Majesty, and shall in such order state the material facts and call on all persons concerned to appear before him, at a time and place to be fixed by the order, to show cause why the order should not be made absolute.

2. In cases of emergency or in cases where the purposes of the application might be defeated by the delay the magistrate may, on or after the making of a conditional order make a further order ex parte for the attachment of the printing press or other property.

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*Ibid., p. 325.

* Only the main provisions of the Act have been included here.
3. Any person who prints or published any newspaper under the order of prohibition shall be liable, on conviction, to the penalties of a fine not exceeding five thousand rupees (1,500), or imprisonment for a term not exceeding two years, or both. 111

The Press Act of 1910

The promulgation of the Press Act of 1908, was considered insufficient to meet the situation. So another Act more stringent than the previous one was passed to control the press. In the statement of objects and reasons appeared the following words:

The continued recurrence of murders and outrages has shewn that measures which have hitherto been taken to deal with anarchy and sedition require strengthening and that the real source of the evil has not yet been touched. Prosecutions have invariably proved successful, but have produced no permanent improvement in the tone of the press. 112

Sir Herbert Risley, a member of the Viceroy's Council in introducing the new bill to control the press said:

We see the most influential and widely-read portion of the Indian press incessantly occupied in rendering the government by law estabished odious in the sight of the Indian people...Every day the press proclaims openly or by suggestion or allusion, that the only cure for the ills of India

112 Barns, Margarita, op. cit., p. 327.
is independence from foreign rule, independence to be won by heroic deeds, self-sacrifice, martyrdom. These things are the natural necessary consequence of the teachings of certain journals. They have prepared the soil in which anarchy flourishes; they have sown the seed and they are answerable for the crop. This is no mere general statement; the chain of causation is clear. Not only does the campaign of violence date from the change in the tone of the press, but specific outbursts of incitement have been followed by specific outrages.113

In 1910, the press Act was passed. Under the new press Act the government was empowered to instruct the government solicitor to go before the presidency magistrate to demand security from any newspaper publishing matter considered offensive. In other words, punitive action could be taken at the discretion of the executive.

The main provisions of the Act were as follows:*

Sixteen different groups of offences were listed as seditious and an effort was also made to safeguard the princes and chiefs of the Indian States against attempts by the press in British India to bring them into hatred and contempt or to excite disaffection among their subjects. The penalties imposed and the methods adopted to enforce them were very ingenious. Every keeper of a printing press or publisher of a newspaper established subsequent to the passage of the law was required to deposit a security of not less than rupees 500 ($150) and not more than rupees 2,000 ($600), according to the local magistrate in each case. If an offence was committed under any of the categories referred to above, the provincial government could order the deposit forfeited. After that, if the printer or publisher wished to continue in business, he must make a new deposit of


* The provisions of the act have been summarized here.
from 1,000 to rupees 10,000 ($3,000). In the case of a second offense, the security was again forfeited and the press confiscated. Presses and newspapers that were already in existence when the act was passed were not required to make an initial deposit until they had committed an offense, but the subsequent procedure was about the same as it was in the case of new establishments. Although appeals were allowed in all of these cases to a high court of justice, the offenses that might be committed were so numerous and so carefully described that there was very little opportunity for really effective judicial intervention. The provincial authorities were authorized, for example, to take action if they believed that any paper, pamphlet, or book, printed or published within their jurisdiction, had a tendency, directly or indirectly, by inference, suggestion, allusion, metaphor, implication, or otherwise, to bring into hatred or contempt the government of India or any class of people in British India. 114

The passage of this bill was strongly opposed by a large majority of the Indian members of the Legislative Council, including moderates as well as the extremists. Mr. G. K. Gokhale, the leader of the moderate faction at that time, declared that it would enable the provincial governments not only to protect themselves against revolutionary attacks, but also to suppress perfectly legitimate and reasonable criticism. He further said that a reactionary government could muzzle the press completely. Attention was also called to the fact that the bill in its original form discouraged the establishment of new printing presses even by people who were not

114 Smith, William R., Nationalism and Reform in India, Yale University, p. 244.
interested in politics and who had no intention of printing or publishing any kind of political literature. The act was rigidly enforced. Several presses and newspapers established after the act's passage forfeited their deposits and had to suspend. The most famous case was that of the Zamindar Press which published the Daily Zamindar of Lahore. It was required to make the maximum initial deposit of rupees 2,000 ($600) and when that was forfeited, the maximum additional deposit or rupees 10,000 ($3,000). This also declared forfeited together with the press itself. On appeal being made to the chief court of the Punjab, the action of the government was sustained by the chief court.

Of the older printing establishments (those that antedated the passage of the Act of 1910), fourteen presses and thirteen papers were suppressed by the close of 1913. Among these were the Manohar Press (Poona), the Kshatramat Printing Press (Bombay), and the newspapers Kal (Poona), Sakli (Surat), and the Daily Hitavadi (Calcutta), all of which were unable to meet the demand that was made for the deposit of the maximum security.

115Ibid., p. 244.
116Ibid., p. 245.
In other instances the deposits were put up and forfeited. The maximum security was also required of Tilak's paper the Kesari of Poona, and the still more famous Amrita Bazar Patrika of Calcutta. During the war of 1914-18 the Hindoo, New India, the Independent, the Amrita Bazar Patrika and the Bombay Chronicle forfeited their deposits, but were not suppressed.

Effect of the Press Act of 1910

The effect of the passing of this Act had on the press was thus summarized in a cable sent to the Prime Minister and the Secretary of State for India by the secretary of the Indian Press Association, on the 2nd July, 1919:

The Press Association of India begs to invite attention to repression of the Indian Press under Press Act, 1910, resulting in suppression of legitimate expression of Indian opinion, creating great alarm in public mind. Act since enactment, penalized over 350 presses, 300 newspapers, demanded securities amounting over 40,000 pounds ($160,000), proscribed over 500 publications. Owing to demand of security over 200 presses, 130 newspapers not started. Since 1917, Act even more rigorously administered. Leading, influential Indian English journals like Amrita Bazar Patrika Bombay Chronicle, Hindu, Independent, Tribune, Punjabi, leading vernacular papers like Basumati, Swadeshimitr, Vijaya, Hindvasi, Bharatmitra, subjected to its rigours. Several Indian newspapers arbitrarily barred from different

117 Ibid., p. 245.
provinces. On other hand, violent provocative writings in Anglo-Indian press entirely immune. Government refused last September open inquiry into operation of Press Act urged by Indian members in Imperial Council. Legitimate criticism on Rowlatt Act, Punjab martial law and other grievances crippled by executive action. Influential journals disappearing because of existing Act and its administration. Unventilated expression public opinion bound to discontent, unrest underground. Extreme and unjustifiable severity to which journalists are subjected is painfully evidenced by arbitrary deportation of Mr. Horniman, editor, Bombay Chronicle and president of the Association. 

Gandhi Convicted of Sedition

The year 1922 saw two things; first arrest and conviction of Mahatma Gandhi for seditious articles in his paper Young India; second the repeal of various Press Acts.

In 1922, Mahatma Gandhi was arrested for writing seditious articles in the Young India. The law officers of the Crown were "puzzled and perplexed" as to the choice of Gandhi's articles published from week to week. Which were seditious? Gandhi always held that it was his duty to propagate sedition and he said that if his articles were not sufficiently seditious, it meant his pen was weak. In the end the Crown lawyers selected three of

the articles headed "Tampering with Loyalty", "The Puzzle and its Solution" and "Shaking the Manes".119

Gandhi pleaded guilty and made a statement in the court that his political disaffection had begun long before his connection with Young India. He said:

"...I should be failing in my duty if I do not do so. It is the last article of my faith. But I had to make my choice. I had either to submit to a system which I considered has done an irreparable harm to my country, or incur the risk of the mad fury of my people bursting forth when they understood the truth from my lips....I am here, therefore, to invite and submit to the highest penalty that can be inflicted upon me for what, in law, is a deliberate crime and what appears to me to be the highest duty of a citizen."

The judge sentenced Gandhi to six years' imprisonment as was the case, with Bal Gangadhar Tilak, who had been sentenced to the same term of imprisonment for seditious writing in the past.

Repeal of the Press Acts

There was great opposition to the various press Acts. The press had suffered immensely, and questions were raised in the Imperial Council to repeal the Acts because the time had changed and there was no danger to the government. Besides, the Acts had worked as a great deterrent on

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120 Ibid., p. 238.

**Indian States Act**

The repeal of the press Acts did not relieve the newspapers of restrictions put upon them by the government. Another Act to safeguard the Princes was introduced on September 23, 1922 in the Legislative Assembly to prevent the dissemination by means of books, newspapers, and other documents of matter calculated to bring into hatred or contempt, or to excite disaffection against princes or chiefs in India or the government or administrations established in such States. This measure was not passed by the Legislature but certified by the Viceroy and made into a law.

This measure was called the Indian States (Protection against Disaffection) Act, 1922. It differed in several particulars from the clauses of the Press Act of 1910 that dealt with the Indian States. The Press Act applied only to publishers and keepers of printing presses, while the new Act dealt with editors and authors. Under

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121 Barns, Margarita, *op. cit.*, p. 349.
the Press Act the penalty was forfeiture of security and in extreme cases the confiscation of the press. Under the new Act a seditious attack upon a prince was now declared to be a penal offense and was made punishable by fine or by imprisonment for not more than five years or by both fine and imprisonment. Provision was also made for the forfeiture of offending publications and for their detention in the course of transmission through the mails. In this respect, the new measures were more severe than the old.

The measures of censorship that have been discussed in this chapter present a picture of the press in India and its manifold difficulties. From the foregoing discussions it appears that there was a perpetual tug between the two principles, freedom and control. Suppression of newspapers and printing presses became an order of the day for the government. But the press despite forfeitures and seizures continued to maintain its freedom.

It has been shown that the government resorted to several measures to control the press in the early part of the 20th century. The effects upon the press were disturbing. The measures of the censorship retarded the

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growth of newspapers and printing presses in the country. But the press on the whole struggled hard to keep its head high even amongst the repressive measures of the government. The story of forfeiture and seizure of the security and printing presses tell the tale of the fight of the press to maintain its freedom.
Chapter VI
THE PRESS ORDINANCE OF 1930 AND THE INDEPENDENCE MOVEMENT

India on the War Path

India had ceased to be a servile nation. Centuries of subjection was giving way before the onrush of people's might. India had found its voice in Gandhi. Not only had it a leader but it had a technique of fight. The Lahore Congress in December 1929, had already given the nation the green light to launch a peaceful and non-violent movement for the achievement of independence.

Independence Pledge

On January 26, 1930, the working committee of the Indian National Congress asked the nation to pledge itself for the freedom fight. The independence day celebrations all over the country revealed the pent-up feeling, enthusiasm and readiness of the people. Desire for sacrifice was uppermost in the minds of the people. Centuries of loyalty was thrown to the four winds overnight. The nation showed its readiness to stake all for freedom. Independence pledges were adopted in public
meetings all over India. Extracts of the pledge ran thus:

We believe that it is the inalienable right of the Indian people, as of any other people, to have freedom and to enjoy the fruits of their toil and have necessities of life, so that they may have full opportunities of growth. We believe also that if any government deprives a people of these rights and oppresses them, then people have further right to alter it or to abolish it. The British government in India has not only deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally and spiritually. We believe therefore that India must sever the British connection and attain Purna Swaraj or Complete Independence. 123

Gandhi Launches The Fight

The All-India Congress Committee authorized Gandhi and his followers in faith to start civil disobedience. Thereby Gandhi sent a letter to the Viceroy, Lord Irwin, informing him of the plan to start civil disobedience movement, and also requested him to concede to the demands of the people for independence. The Viceroy turned down his request.

In a rejoinder Gandhi said:

On bended knees I asked for bread and I am not surprised by the Viceroy's reply. The only public peace the Nation knows is the peace of the public prison. India is a vast prison-house. I repudiate

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this (British) Law and regard it as my sacred duty to break the mournful monotony of compulsory peace that is choking the heart of the Nation for want of free vent.  

The country was immediately plunged into turmoil. Thousands of congress men and women joined in the campaign of civil disobedience and broke the law. The press reflected the various points of view. The nationalist press supported the campaign both in editorials and displaying news of the movement. The Liberal and the Anglo-Indian press on the other hand opposed the congress activities. From Bombay the illicit Congress-Bulletin used to be edited and printed and was circulated far beyond. The authorities did their best to discover the staff of this publication, but they remained anonymous throughout the campaign. So at last the government promulgated the Indian Press Ordinance, 1930, "to provide for the better control of the press."

Press Ordinance Promulgated

Lord Irwin, the Viceroy promulgated the Press Ordinance in 1930, and he put forward the reason quoted below:

On various occasions since 1922 the evil effects of writings in the Indian press in

\[\text{124 Ibid., p. 377.}\]
\[\text{125 Barns, Margarita, The Indian Press, London, 1940, p. 370.}\]
promoting a spirit of revolution and stirring up extreme hatred of the government established by law in British India have been brought prominently to my notice by certain local governments. It has been recognized that the anticipations formed in 1922 have not been fulfilled, but, on the contrary, the tone of certain section of the press is growing almost steadily worse with its immunity from effective control. The measure of effectiveness of the Press Act has been shown very clearly by the remarkable accentuation since its repeal of those features which it was intended to check.

Prosecutions from time to time have been instituted in the worst cases, but it has been recognized that these provide only partial remedy, and looked at broadly, are ineffective to control the ceaseless output of extreme seditious and revolutionary propaganda.

Nevertheless, my government looking to constitutional developments that are anticipated, and confidently expecting these would operate to remove many of the causes, which underlie the extreme hostility of a section of the press, have consistently refused to deal merely with symptoms while they are engaged in a search for more far-reaching remedies.

The developments however since the initiation of the civil disobedience movement have made it necessary to approach this problem no longer as one of general policy, but as one which constitutes serious and dangerous emergency. The civil disobedience movement, whatever may have been the professed object of those who launched it, is rapidly developing, as all reasonable men foresaw, into violent resistance to constituted authority...The spirit of revolution fostered by the civil disobedience movement is beginning to emerge in dangerous forms.

Nothing at the present moment is operating so powerfuly to promote that spirit as the writings in the press, many inciting openly to violent and revolutionary actions; others, by consistent laudation of civil disobedience movement, are encouraging a
spirit of lawlessness throughout the country.

In these circumstances I have felt it my duty to promulgate an ordinance which revives the powers of the Press Act of 1910, with certain amendments which the conditions of the present time appeared to require. 126

Under the terms of the ordinance, magistrates were empowered, in their discretion, to demand securities of not less than five hundred or more than two thousand rupees ($6,00) from any person keeping a printing press who was required to make a declaration under the Press and Registration of Books Act, 1867. From publishers of newspapers under the same Act, the same amount of security was required. Security was to be forfeited when it appeared to the local government that any matter published was likely to have a tendency, directly or indirectly, whether by influence, suggestion, allusion, metaphor, implication or otherwise:

(a) to incite to murder or to any offence under the Explosive Substances Act, 1908, or to any act of violence, or

(b) to seduce any officer, soldier, sailor or airman in the Army, Navy or Air Force of His Majesty or any police officer from his allegiance or his duty, or

(c) to bring into hatred or contempt His Majesty or the government established by law in British India or the administration of justice in British India or any Indian

Prince or Chief under the suzerainty of His Majesty, or any class or section of His Majesty's subjects in British India, or to excite disaffection towards His Majesty or the said government or any such Prince or Chief, or

(d) to put any person in fear or to cause annoyance to him and thereby induce him to deliver to any person any property or valuable security or to do any act which he is not legally bound to do, or to omit to do any act which he is legally entitled to do, or

(e) to encourage or incite any person to interfere with the administration of the law or with the maintenance of law and order, or commit any offence, or to refuse or defer payment of any land-revenue, tax, rate cess or other due or amount payable to government or to any local authority, or any rent of agricultural land or anything recoverable as arrears of or along with such rent, or

(f) to induce a public servant or a servant of local authority to do any act or to forbear or delay to do any act connected with the exercise of his public functions or to resign his office, or

(g) to promote feelings of enmity or hatred between different classes of His Majesty's subjects, or

(h) to prejudice the recruiting of persons to serve in any of His Majesty's forces, or in any police force, or to prejudice the training, discipline, or administration or any such force. 127

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127 Barns, Margarita, op. cit., p. 370.
On forfeiture of one security the printer while making a fresh declaration had to deposit with the magistrate before whom such a declaration was made, a further amount of not less than one thousand or more than ten thousand rupees ($3,000). From the publisher, securities could be demanded of amounts between one thousand and ten thousand rupees. If this further security were forfeited, the local government might, by notice in writing, forfeit the further security, the printing press and all copies of the offending publication to His Majesty. When these forfeitures were declared the local government might direct a magistrate issue a warrant to seize and detain the forfeited property and to enter any premises for the search of such property.

Gandhi Condemns the Ordinance

As a protest Gandhi's Young India began to be issued cyclostyled. Later on even the cyclostyled papers were not allowed to be taken out. Gandhi subsequently asked the manager of his Navajivan press to allow it to be forfeited rather than deposit security, if security was demanded by the government under the Press Ordinance.

128Ibid., p. 371.
The Navajivan fell, and with it the journals issued by the press. Denouncing the Press Ordinance Gandhi in a press statement declared:

Revival, in the form of an Ordinance, of the Press Act that was supposed to be dead was only to be expected, and, in its new form, the Act contains additional provisions making the whole piece deadlier than before.

Whether we realise it or not, for some days past, we have been living under a veiled form of martial law. After all, what is martial law, if it is not the will of the commanding officer? For the time being, the Viceroy is that officer and wherever he considers it desirable, he supersedes the whole of the law; both Common and Statute, and imposes ordinances on a people too submissive to resent or resist them. I hope, however, the time for tame submission to dictation from the British rulers is gone for ever.

I hope that the people will not be frightened by this ordinance. Press-men, if they are worthy representatives of the public opinion, will not be frightened by the ordinance. Let us realise the wise dictum of Thoreau that it is difficult, under tyrannical rule, for honest men to be wealthy, and if we have decided to hand over our bodies without murmur to the authorities, let us also be equally ready to hand over our property to them and not sell our souls.

I, would, therefore, urge Press-men and publishers to refuse to furnish security, and if they are called upon to do so, either to cease publication or challenge the authorities to confiscate whatever they like. When freedom is actually knocking at our doors, and when, for the same of wooing it, thousands have suffered tortures, let it not be said of press representatives that they were weighed and found wanting. They may confiscate the type and machinery. They will not confiscate the pen and still less the speech, but I recognise they can succeed in stifling,
what is after all the thing that matters, the thought of the Nation. 129

What the Press Did

The Indian press did not submit to the fiat of the Viceroy. In the various dispatched of the London Times are found references to the reactions of the Indian press against the new measures to control the press. Although the restrictions on the press were not a new thing for the press-men, the time had advanced very far in the twentieth century and this type of severe control of the entire press was very arbitrary. The ordinance was so wide and severe in its application that it did not leave any room for freedom of action for the press. The London Times published the following dispatch from its correspondent concerning the protest lodged by the all-India journalists conference:

Bombay, May 15—A meeting of the All-India journalists' and press-owners' conference was held here today under the presidency of Mr. Rangaswami Aiyengar, editor of the Hindu, and was attended by about 300 delegates. Mr. Nataranjan, the editor of the Indian Social Reformer, chairman of the reception committee, and Mr. Aiyengar criticized the reintroduction of the press Act.

129
Sitaramayya, B., op. cit., p. 390.
Mr. Aiyenger urged that newspapers should not play into the hands of government by ceasing publication directly the government attacked them. He particularly criticized the fact that the grounds for demanding security from newspapers were not disclosed. Newspapers should pay the security and challenge forfeiture by carrying on according to their previous policy. Then, if the government seized the security, the government would be bound to state the nature of the objectionable publication. 130

The following Reuters dispatch appeared in the Times about the press ordinance:

Simla, April 30—The press ordinance has been put into force with utmost promptness in the province of Delhi, the government demanding a security of 5,000 rupees ($1,500) each from the Hindusthan Times, Tel and the Arjun, three nationalist daily newspapers; a security of 4,000 rupees from the Miyasat, and a security of 2,000 rupees from the Millat. The stipulation is made that unless the securities are deposited this evening the journals will be deemed to have ceased publications from tomorrow—Reuter.

Delhi, April 29—In view of a demand for a total of 50,000 rupees ($15,000) security from the Indian newspapers of this province under the press ordinance, the committee representing them has decided that no newspapers shall be published from tomorrow till further notice. The committee has requested the news organizations to discontinue their services, and resolved to publish one skeleton bulletin daily representing the several newspapers that have voluntarily ceased publication. 131

130 The London Times, May 16, 1930.
131 Ibid., April 30, 1930.
The same correspondent of *The London Times* sent another dispatch to his paper telling how the papers from whom security was asked had to cease publication:

Calcutta, May 2 --- Although Advance, Liberty, *Amanda Bazar Patrika*, and one other vernacular newspaper made no appearance this morning, the other Calcutta newspapers were published, including *Basumati* and *Amrita Bazar Patrika*. Attempts were made to interfere with the distribution of these newspapers, and of the *Statesman*, in accordance with a resolution passed by the Indian journalists that all newspapers should suspend publication till the press law was repealed. 132

Bombay, May 4---Agitation in Bombay against the press Act is becoming more pronounced and widespread. At a meeting a number of Indian journalists and newspaper proprietors protested against the Act as being 'affront to independent journalism opposed to all the canons of civilized government and calculated to give a death blow to the printing trade. 133

Simla, May 7, Bombay Indian Merchants' Chamber made the following representation to the government of India against the press ordinance:

The Ordinance (Chamber said) is a significant symptom of the condition to which the country is being reduced as a result of the present state of affairs. The danger of abuse of the power vested in the local governments and officers is grave and cannot be exaggerated, and the stoppage of the dissemination of news on which the trade, commerce, and industries and the ordinary daily routine of life depend must produce a steady but sure impediment to the movements of commodities required by areas where there may be restlessness. When news is denied in the ordinary course, wild rumours take place and are a most dangerous and unreliable substitute. 134

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Before we examine the losses the press underwent due to forfeiture of securities, suspension of publication and seizure of printing presses, a few more censorship measures imposed by the government should be discussed at this place.

**The Indian Press Act of 1931**

The Press Ordinance that the Viceroy imposed on the country in 1930 was pushed through the Central Legislature and passed as a new measure which was called The Indian Press (Emergency Powers) Act of 1931. It mostly contained the same provisions that were in the press ordinance. As the ordinance was only for a temporary period, so the Viceroy wanted it to be placed on the Statute Book.

It is needless to discuss the provisions of the Act at this place because they have already been dealt with in details in the foregoing paragraphs where the press ordinance was mentioned. The power conferred by the Act was very wide and extended so far as the national movement was concerned. The local governments were authorized to prohibit the publication of the names and also the portraits of well-known leaders of civil disobedience campaign as "the publication of such pictures
tends to encourage the movement." Other restraints included the prohibition of the publication of congress propaganda of any kind including messages from prisoners in jails, exaggerated reports of political events, notices and advertisements of meetings, processions and other activities tending to promote the civil disobedience movement.

**The Foreign Relations Act of 1932**

The government was not satisfied with what it had done to control the Indian press. So it introduced the Foreign Relations Bill the object of which was to penalize publications calculated to interfere with the maintenance of good relations between His Majesty's government and friendly States adjoining the frontiers of India. This measure was designed to defend the rulers of such States from the defamatory articles in the press. It became the Foreign Relations Act of 1932.

**The States Act of 1934**

In 1934, the Indian States (Protection) Act was passed. This measure was designed to prevent criticisms

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of and attacks on the administration of Indian States in the newspapers of British India, and to provide the authorities in British India with powers to deal with demonstrators who wanted to take the seditious movement into Indian States.

These measures against the press would seem to demonstrate how stringent was the censorship the Indian press had to face. It seems as if the national growth of the country was a thing the government would not tolerate, and that is why time and again the press was faced with restrictive measures.

Review of Punitive Measures

The newspapers which were supporting the congress program of civil disobedience came under the fire of the Indian press Act of 1931. Throughout the country newspapers were being penalized under its provisions. The printer and publisher of the Bombay Chronicle were called upon to deposit 3,000 rupees ($900) each for publishing an article by Mr. B. G. Horniman. The printer and publisher of the Ananda Bazar Patrika each received demands for 1,000 rupees ($300). A security of 6,000 rupees was

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demanded from the Amrita Bazar Patrika. Rupees 6,000 were deposited by Liberty, of Calcutta, part of which was later forfeited. A security of 6,000 deposited on behalf of the Free Press Journal was declared forfeited by the Bombay government.

When the Salt Satyagraha (movement) started in 1930, there began also the rule of ordinances. The first ordinance passed was the press ordinance (ordinance II of 1930) which exacted a total of 240,000 rupees ($80,000) from 131 newspapers during the first six months of its relentless sway and was followed by the Indian Press Emergency Powers Act. It is interesting to know that the maximum demanded of a single journal went up to 30,000 rupees ($10,000). But the horror lay not in the deposits paid by those incapable of being paid. About 450 newspapers failed to deposit the security. In the year 1935, action was taken against 72 newspapers and a total security of 100,000 rupees ($30,000) was demanded. Only 15 newspapers furnished the required security.

138 Ibid., p. 384.
It has been seen how during the thirties the press faced a great ordeal. The government did not allow the press any relief. During the twenties there was quite a few cases of forfeitures and seizures, but with the advent of independence fight the press faced the severe measures of censorship, and this chapter bears a testimony to it. But the press every time very violently reacted to the imposition of the governmental interference.
Chapter VII
QUIT INDIA AND CENSORSHIP MEASURES

The Quit India Resolution

On August 8, 1942 the All-India Congress Com­mittee passed the "Quit India" resolution. It was an ultimatum to the British to quit the country. The congress urged the people of India to continue the fight till independence was achieved. On the same night Mahatma Gandhi, Pandit Jawaharal Nehru and other congress leaders were arrested, and the congress declared unlawful. The whole country was plunged into a revolution. With the outbreak of revolt, the government launched a reign of terror and repression. The first axe of repression fell on the press.

The first thing the government did on the heels of the arrest of the congress leaders was to enact a press control measure:

The central government in an order dated August 8, 1942, New Delhi, prohibited the print­ing or publishing by any printer, publisher or editor, of any factual news (which expression should be deemed to include reports of speeches or statements made by members relating to the mass movement sanctioned by the All-India Congress Committee) or to the measures taken by government
against that movement, except news derived from and stated in the newspaper which published it to be derived from
(a) official sources, or

(b) the Associated Press of India, the United Press of India or the Orient Press of India, or

(c) a correspondent regularly employed by the newspaper concerned and whose name stands registered with the district magistrates of the district in which he carries on his work. 140

A period of repression for the press had begun that was unprecedented in the history of India's fight for freedom.

Gandhi's Appeal to the Press

Gandhi was the originator of the resolution. The Bombay congress authorized him to lead the freedom fight. While recommending the Quit India resolution for the impending struggle, Gandhi made the following appeal to the Indian press to contribute its mite in the achievement of independence:

The press should discharge its obligations and duties freely and fearlessly and not allow itself to be cowed down or bribed by government. Let the press be ready to be closed down rather than allow itself to be misused by the authorities; and then to be prepared to sacrifice their buildings, machinery and big establishment. Let the

press disown the undertaking given to the government by the editors' conference standing committee. Let that be their reply to Puckle Sabib.* Let it not sacrifice its self-respect and submit to humiliations. 141

The Press Protests Restrictions

The executive committee of the journalists' association of India lost no time in meeting in Bombay on August 23, 1942 to protest the restrictions placed on the press. The committee asserted that "the press can at no time abdicate its function of being the guardian of public interests and of the rights of the citizen. At present juncture, when the legislatures are under suspension in a majority of the provinces, an extra responsibility is thrown on the press." 142

The protest lodged by the editors' committee had a temporary effect upon the government, and the central government by an order dated August 29, 1942, cancelled its order of August 8, so far as it applied to editors, printers and publishers. This cancellation applied to the province of Delhi only.

141 Ibid., p. 718.

* Sir Frederick Puckle, secretary to the government of India had issued a confidential circular against the activities of the congress.

142 Iyer, Vishwanath, The Indian Press, Bombay, 1945, p. 47.
Confidential Circular

It is interesting to know that long before the launching of the mass movement, the government had sent a confidential circular to all the editors. The circular is quoted below:

Confidential, URGENT
P. W. D. Secretariat, Bombay,
August 4, '42.

Dear Sir,

In connection with the mass civil disobedience movement referred to in the congress working committee resolution, I am to inform you that while there is no desire on government's part to restrict discussion of the constructive portion of the resolution and interpretation of the congress party's viewpoint, it is most undesirable that support should be given to a movement which, in Mr. Gandhi's own words, would be tantamount to "open rebellion" and which has yet to be formally approved by the All-India Congress Committee. In your own interests, therefore, I advise you to refrain from giving publicity to statements and articles which contain direct or indirect incitement to support the threatened movement and/or which are intended to further the plans of those who are instigation such a movement.

2. I am to remind you that as the avowed object of such a movement would be the embarrassment of the administrative machinery of government, it would inevitably hinder the prosecution of the war and support of it in the press would therefore be a clear contravention of the various undertakings given by the all-India newspaper editors' conference.

To

Yours faithfully,

All Editors of (Sd) Hyam S. Israel,
Newspapers in Special Press Adviser.
Bombay City.
(True Copy)
ALL INDIA NEWSPAPER EDITORS' CONFERENCE

Confidential. 

Kasturi Building, Mount Road,
Madras, 31st July, 1942.

Dear Friend,

I invite your attention to the following telegram received by me last night from the govern­
ment of India Home department and shall be glad if you will communicate contents to other papers in
your area.

Srinivasan President, All-India Newspaper
Editors' Conference,

Hindu, Madras.

We have seen much in press of late which can only be construed as direct incitement to mass
movement against government. We would remind you that terms of Delhi Agreement preclude support by
press of any movement which must inevitably seriously hinder prosecution of war. We would be glad if
you would consider immediately notifying all members of editors' conference and conveners of all pro­
vincial committees to this effect. Home."

Yours Sincerely,

(Sd) K. Srinivasan. 143

Simultaneously with this Home department order,

the chief commissioner, Delhi, issued the following order:

Whereas the chief commissioner is satisfied that for the purpose of securing the public safety,
the maintenance of public order and the efficient prosecution of the war it is necessary to make the
following order:

Now, therefore, in exercise of the powers conferred by sub-rule (1) of rule 41 of the Defence
of India Rules the chief commissioner is pleased to

143Sitaramayya, B., op. cit., p. 721.
make this order and to address the same to printers, publishers and editors generally in the Delhi province.

(1a) Requiring that all factual news, photographs and pictures relating to the mass movement sanctioned by the All-India congress committee in its meeting in Bombay on August 8, 1942, the demonstrations and disturbances which have taken place in various parts of India since that meeting, the measures taken by the authorities to deal with that mass movement and those demonstrations and disturbances, and the trial of all cases arising out of that movement and those demonstrations and disturbances, shall, before being published in any newspapers or other document, be submitted for scrutiny to Lala Savitri Prasad, assistant press adviser, Delhi or other officer appointed by the chief commissioner for the purpose; and (b) prohibiting the printing or publishing in any newspaper or other document of any matter specified in clause (a) above unless it has been submitted for scrutiny as required by that clause and has been passed by the appointed authority as suitable for publication. 144

Protest Against the Circular

The all-India newspapers editors' conference met in Delhi in October, 1942, passed a number of resolutions protesting the way in which censorship worked, the telegraphic delay in the transmission of press messages and arrest and detention of working journalists. The conference also opposed any scheme of pre-censorship. It demanded that newspapers should be free to publish without

144
Ibid., p. 722.
previous scrutiny objective accounts of any incidents in connection with the mass movement or disturbances.

The president of the editors' conference lost no time in sending a note to the Home department which said:

The number and nature of restrictions seem to vary from province to province, and there is in consequence lack of uniformity as regards procedure. To mention only a few of these, the standing committee regard the registration of correspondents as designed to bring them completely under the control of local officials and close to editors all avenues of receiving impartial reports of events direct from their correspondents. Compulsory press advising, the restrictions placed on the number of messages relating to the disturbances, on headlines and on the space to be devoted to news of these disturbances, can have, in the view of the standing committee, but one meaning, namely, that government seek, in the most comprehensive manner possible, to control at every stage not only publication, but even the character of factual news. 146

A charge-sheet against "press-advising" was brought up before the Council of State on September 28, 1942, by the Honorable Pandit H. N. Kunzru, who exposed government policy and urged abolition of pre-censorship of news except for military needs. Pandit Kunzru moved

145 Ibid., p. 725.
146 Ibid., p. 723.
the following resolution in the Council of State:

This Council recommends to the Governor-General-in-Council that the restrictions imposed on the press which have given rise to serious dissatisfaction should be modified so as to take fuller account of the rights of the press and the public and that, in particular, pre-censorship of news reports and statements should be abolished except in so far as it may be necessary for military purposes. 147

**Delhi Agreement**

The result was the Delhi agreement. The government realized the gravity of the situation and found that the press was prepared to face any eventuality in order to safeguard its interests. So the government offered the editors' conference a voluntary censorship similar that of wartime Britain. Any restrictions on the press would be laid down by the government in consultation with the representatives of the press. The government was ready to withdraw the October order and accept the suggestion of the conference to form a small advisory committee of representatives of the press. This committee would reside in Delhi to advise the government on matters concerning the press.

147 Ibid., p. 723.
148 Iyer, Vishwanath, op. cit., p. 49.
The Press Applies Sanctions

During the month of August, 1942, in Chimur in the Central provinces, government troops were charged with having committed excesses upon women. Professor Bhansali, a member of Gandhi's group resorted to a fast unto death until an inquiry was made into the incident. The Central province government banned the news regard Bhansali's fast from publication.

On December 12, 1942, the C. P. government issued the following order under the Defence of India Rules:

1. No printer, publisher or editor shall make print or publish in the Central provinces any document or any matter relating directly or indirectly to

   (a) Prof. Bhansali of Sevagram or his activities;

   (b) this order or any reference whatever to this order; and

   (c) No press in the Central provinces shall be used for the printing of any document or matter. 149

This prohibition was a clear breach of the agreement between the government and editors' conference.

149 Gandhi, Devadas, India Unreconciled, Delhi, 1943, p. 460.
So the standing committee of the all-India newspaper editors' conference passed the following resolution on December 21, 1942, in Bombay:

As a protest against a recent order passed by the certain provincial governments, involving a flagrant breach of the agreement reached with the A. I. N. E. C., the standing committee of the All-India Newspapers Editors' Conference recommends to all newspapers in India to suspend publication for a day to be fixed and announced by the president.

It also recommends to them not to publish until the order is withdrawn or otherwise directed by the president:

1. All circulars from government houses;
2. New Year Honours List; and
3. All speeches of the members of the British government, the government of India and provincial governments except portions thereof which contain decisions and announcements will take effect from the 1st of January 1943, and continue in force until further notice.

When the negotiations finally failed to move the government, Mr. K. Srinivasan, president of the A. I. N. E. C., made the following announcement on December 30, 1942:

In accordance with the resolution of the standing committee of the AINEC passed at its meeting held in Bombay, I have fixed January 6,

Ibid., p. 460.
111

1943, for the observance of the hartal (suspension of publication) throughout India for a day. It is requested that managements abstain from publishing newspapers bearing that date. The co-operation of all newspapers in India is solicited to make the day of protest a success.

The second part of the resolution will take effect from the 1st January 1943 and continue in force until further notice.

I am reluctantly compelled to give effect to this resolution as all efforts during the past week to persuade the government of India to intervene have failed. 151

The newspapers blacked out the Honours List on January 1, 1943. Over a hundred newspapers responded to call of one-day suspension of publication. From the same day the black-out of government news came into force. This was enough to anger the bureaucracy. The Madras government then withdrew all press privileges from the offending papers and also instructed government departments not to advertise in them. The chief secretary to the government of Madras sent to the editors of English and Vernacular papers in Madras which did not publish the New Year's Honours list, the following letter, dated the 2nd January, 1943, as a refusal:

I am directed to state that, as you have not published the New Year's Honours list, the government have decided to withdraw the facilities given

151 Ibid., p. 461.
to your reporters to go over to the secretariat to receive copies of press communiques, press notes and other materials officially released to the press. This decision will take effect immediately. The government of Madras have cancelled the identification cards for visiting scenes of air raids issued to representatives of the newspapers which did not publish the New Year's Honours list. 152

The protest lodged by the press was so effective that by January 12 1943, the government came to terms with the AINEC and removed the ban of news on Prof. Bhansali's fast. The press also announced the cancellation of the protest measure.

Louis Fischer's Writings Banned

In June 1943, Louis Fischer's writings and speeches were prohibited from being published in any newspaper except on being press-advised. Louis Fischer, an American author and journalist had lectured and written on India after his return from that country. He delivered a lecture on the Indian situation in San Francisco which was published in some of the Indian dailies in May 1943. The order read in part:

It is announced that in exercise of the powers conferred by Rule 41 of the Defence of India Rules the Central government is pleased to direct 'that all matter relating to India, 152

written or spoken or purporting to have been written or spoken, by Mr. Louis Fischer, the American journalist and author shall, before being published in British India whether in the original or in a translation in any book, pamphlet, newspaper or other document, be submitted by the printer, publisher, or editor of the document, to the chief press adviser, New Delhi for scrutiny.

(b) That no such matter as aforesaid shall be published by any printer, publisher, or editor in British India except with the written permission of the chief adviser, New Delhi. 153

This ban on the writings and speeches of Louis Fischer was a breach of agreement on the part of the government. The All-India Newspaper Editors' Conference protested the ban, and reminded the government of the breach of the gentlemen's agreement.

The Censorship Ends

Thus the press in India underwent a stormy period which is not unusual for the press of a nation which was not free. The press had greater responsibility because of country's subjection. The question of censorship continued to plague the minds of both parties—government and the press right through 1944. But soon the world war second terminated.

153 Ibid., p. 739.
The dark chapter of press censorship ended on the 14th August, 1945, when victory over Japan was secured. It was followed by a notification by the chief press adviser, government of India, issuing instructions not to "press-advise messages any longer."
Chapter VIII

CONCLUSION

Censorship of the press in India has been a dominant factor in the continuous struggle between the authorities and the press. With India under foreign domination, its press was beset with those difficulties that the press in countries under alien rule face. The press as well as the public could not be assured that everything was in the best interests of the country. As the watchdog of the public interest the press had to take upon itself the function of being a perpetual critic of the government.

Time and again the rulers had emphasized the point that British rule could never be popular with the people of India. So the freedom of the press was incompatible with despotic rule in India. But it was English men who were pioneers in the field of journalism in this country. Even they had to face deportation at the hands of their own brethren for criticizing the administration. Though the English journalism in India switched on to the side of the authorities later on, they
showed the native press how to fight for their own rights.

In this thesis an attempt has been made to study all the measures of the censorship that were applied to the Indian press generally between 1857 and 1945. The press was interlinked with the growth of nationalism in the country. With the rise of national consciousness in the people, the press came to occupy an important place in the body politic of the nation.

The growth of political ideas was naturally linked with the development of the press. When the Indians revolted in 1857, one of the first things that the authorities did was to control the press. Since then, the fight for freedom progressed and with it progressed the government plan to control the press. During a period of ninety years the press was the first victim whenever there was national awakening. It worked both ways. The writings of the press reflected the image of the nation. Any national awakening therefore was a threat to foreign rule, and the authorities turned their attention to control of the press. As the freedom fight assumed greater proportions, more stringent measures were imposed on the press.

The censorship measures that were applied to the
Indian press in ninety years bear a testimony that the press became great educator of the public. The punitive measures could not suppress the press. The greater the control of the press, the bigger and deeper was the impact upon the nation. The authorities tried their best at suppression, but the press never submitted to the dictates of its rulers. That the various censorship Acts did not crush the spirit of the press has been shown. It might be that progress was retarded at times but never was the onward march of the press completely stopped.
### APPENDIX A

**SOME STATISTICS OF THE PRESS IN INDIA**

*An article by T. A. Raman on the Indian press from the Government of India Information Services, Washington, D. C.*

<table>
<thead>
<tr>
<th>Description</th>
<th>British India</th>
<th>States</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Number of daily newspapers</td>
<td>156</td>
<td>13</td>
</tr>
<tr>
<td>2. Number of daily newspapers in English</td>
<td>45</td>
<td>1</td>
</tr>
<tr>
<td>3. Number of daily newspapers in Indian Languages</td>
<td>111</td>
<td>12</td>
</tr>
<tr>
<td>4. Number of dailies bilingual in English and a vernacular</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td>5. Number of principal Indian languages used</td>
<td>15</td>
<td>8</td>
</tr>
<tr>
<td>6. Total circulation of daily newspapers</td>
<td>1,365,900</td>
<td>65,000</td>
</tr>
<tr>
<td>7. Circulation of dailies in English</td>
<td>518,100</td>
<td>1,000</td>
</tr>
<tr>
<td>8. Circulation bilingual dailies (English and vernacular)</td>
<td>85,000</td>
<td>38,500</td>
</tr>
<tr>
<td>9. Circulation of dailies in Indian languages</td>
<td>762,800</td>
<td>26,000</td>
</tr>
<tr>
<td>10. Number of newspapers and journals other than daily in English</td>
<td>56</td>
<td>2</td>
</tr>
<tr>
<td>11. Number of newspapers and journals in Indian languages</td>
<td>221</td>
<td>62</td>
</tr>
<tr>
<td>12. Number of newspapers and journals other than daily bilingual</td>
<td>9</td>
<td>11</td>
</tr>
</tbody>
</table>

*Note: The figures for British India are for 1945.
<table>
<thead>
<tr>
<th></th>
<th>British India</th>
<th>States</th>
</tr>
</thead>
<tbody>
<tr>
<td>13. Total circulation of newspapers and journals other than daily</td>
<td>1,252,100</td>
<td>182,250</td>
</tr>
<tr>
<td>14. Total circulation of all newspapers and journals daily and other</td>
<td>2,643,000</td>
<td>247,250</td>
</tr>
</tbody>
</table>
APPENDIX B

THE TWELVE DAILIES OF GREATEST CIRCULATION*
1945

<table>
<thead>
<tr>
<th>No.</th>
<th>Newspaper</th>
<th>Where published</th>
<th>Language</th>
<th>Circulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Ananda Bazar Patrika</td>
<td>Calcutta</td>
<td>Bengali</td>
<td>72,000</td>
</tr>
<tr>
<td>2.</td>
<td>Times of India</td>
<td>Bombay</td>
<td>English</td>
<td>60,000</td>
</tr>
<tr>
<td>3.</td>
<td>Statesman</td>
<td>Calcutta</td>
<td></td>
<td>58,563</td>
</tr>
<tr>
<td></td>
<td></td>
<td>and Delhi</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Hindu</td>
<td>Madras</td>
<td></td>
<td>38,824</td>
</tr>
<tr>
<td>5.</td>
<td>Matribhumi</td>
<td>Calcutta</td>
<td>Bengali</td>
<td>33,000</td>
</tr>
<tr>
<td>6.</td>
<td>Basumati</td>
<td></td>
<td></td>
<td>31,500</td>
</tr>
<tr>
<td>7.</td>
<td>Amrita Bazar Patrika</td>
<td></td>
<td>English</td>
<td>30,545</td>
</tr>
<tr>
<td>8.</td>
<td>Jugantar</td>
<td></td>
<td>Bengali</td>
<td>30,000</td>
</tr>
<tr>
<td>9.</td>
<td>Hindusthan Standard</td>
<td></td>
<td>English</td>
<td>26,500</td>
</tr>
<tr>
<td>10.</td>
<td>Advance</td>
<td></td>
<td></td>
<td>26,000</td>
</tr>
<tr>
<td>11.</td>
<td>Dinamani</td>
<td>Madras</td>
<td>Tamil</td>
<td>25,000</td>
</tr>
<tr>
<td>12.</td>
<td>Tribune</td>
<td>Lahore</td>
<td>English</td>
<td>23,000</td>
</tr>
</tbody>
</table>

*An article by T. A. Raman on the Indian press from the Government of India Information Services, Washington, D. C.
APPENDIX C

CURRENCY OF LANGUAGES IN THE DAILY NEWSPAPERS IN INDIA IN ROUND FIGURES*
1945

<table>
<thead>
<tr>
<th>Language</th>
<th>Number of Papers</th>
<th>Circulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>44</td>
<td>350,000</td>
</tr>
<tr>
<td>Bengali</td>
<td>7</td>
<td>200,000</td>
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<tr>
<td>Urdu</td>
<td>52</td>
<td>175,000</td>
</tr>
<tr>
<td>Hindi</td>
<td>23</td>
<td>149,000</td>
</tr>
<tr>
<td>Gujarati</td>
<td>16</td>
<td>104,000</td>
</tr>
<tr>
<td>Tamil</td>
<td>9</td>
<td>86,000</td>
</tr>
<tr>
<td>Marathi</td>
<td>11</td>
<td>83,000</td>
</tr>
<tr>
<td>Malayalam</td>
<td>9</td>
<td>44,000</td>
</tr>
<tr>
<td>Kanarese</td>
<td>5</td>
<td>24,000</td>
</tr>
<tr>
<td>Oriya</td>
<td>3</td>
<td>15,000</td>
</tr>
<tr>
<td>Sindhi</td>
<td>5</td>
<td>12,000</td>
</tr>
<tr>
<td>Punjabi</td>
<td>3</td>
<td>10,000</td>
</tr>
<tr>
<td>Telegu</td>
<td>2</td>
<td>9,000</td>
</tr>
</tbody>
</table>

* An article by T. A. Raman on the Indian press from the Government of India Information Services, Washington, D. C.
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B. Periodicals (Continued)


G. Newspapers