

“Legal Safeguards to Press Freedom”

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Abstract:

Freedom of expression has always been highlighted as an important basis for the democratic functioning of a society. Freedom of press has continued an issue that has controlled to endless number of debates across the democratic world in the past few periods. The democratic authorizations of a state are judged today by the extent of the freedom press enjoys in that state. The press provides complete and objective information of all aspects of the country's social, political, economic and cultural life. The answer for the question whether the press has absolute freedom made under article 19 which is legal part to express whatever looks right to it has a mixed views in this research. The press is the fourth pillar of the constitution and hence it is considered as a most important organization in the society. The objective of the paper is to analyses whether press has got real freedom and for the freedom of press what are the legal safeguards are to be followed.

Keywords: press, freedom, democracy, legal, Article 19.

Introduction:

The press, rightly described as the fourth Estate, plays a very important role in a society. It is the source of information, education and entertainment. It is the watchdog of the government activities, it ensures individual's right to know and information, a basic and fundamental right that one can enjoys a democratic society. And this right can be protected only when the press is objective, independent and impartial.

A democratic society lives and grows by accepting ideas, by experimenting with them, and where necessary, rejecting them. It is therefore important that as many as possible of these ideas

which its members hold are freely put before the public. In other words, expressing of opinion should be free. Free flow of information is a must for every society as it helps it to grow and flourish. This can be done only when press enjoys certain freedoms with them it grows and without them it becomes sick and ultimate deceases.

In democracy a free type of press is very important and essential part for the effective functioning. It has also been described as the oxygen of democracy; anyone cannot survive without the other one. The actual experience after independence, and especially in the last decade it suggests that a free and observant press is vital to confine corruption and injustice at least to the extent that the public opinion can be provoked as a result of press investigations and comments.

The press serves as a powerful remedy to any misuse of power by government officials and as a means for keeping the elected officials responsible to the people whom they were elected to serve. The democratic authorizations of a state are judged today by the extent of the freedom press enjoys in that state. At this present stage of time, as all approached the sixth decade of the freedom, it is essential to keep in mind, the relevance of freedom of press, which is observed as the fourth column of democracy.

In addition the supplementary scopes to the freedom of expression is observed by the reality of mass society in which the communication among citizen can make place only through the use of media like the Press and also broadcasting and not by directly which flourishes both technical as well as in the Indian background, financial, the importance of the Press is even more crucial.

Press freedom or in other words media freedom is one of the principle that communicates and gives expression through various types of media, including printed media, electronic media, especially from published materials, should be considered as a right which can be exercised freely. Such types of freedom suggests the absence of interfering from the overreaching state; its protection may be required through the legal protections.

By observing the governmental information, any of the government may differentiate which materials are public or protected from the disclosure to the public. State materials are to be protected due to either of two issues: the classification of information is sensitive, classified or secret, or the importance of the information is to protect as national interest. Many governments

are also subject to "sunshine laws" or freedom of information regulation which are to be used to describe the domain of national interest and allow citizens to request access to government-held information.

The United Nations' 1948 Universal Declaration of Human Rights states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference, and to seek, receive, and impart information and ideas through any media regardless of frontiers".[1]

This type of idea is usually attended by regulation ensuring various degrees of freedom of scientific research (known as scientific freedom), publishing, and press. The complexity to which these laws are fixed in a country's legal system can go as far down as its constitution. The concept of freedom of speech is often covered by the same laws as freedom of the press, thereby giving equal action to spoken and published expression.

The origin and growth of the press over the years has a tremendous impact upon the process of communication. Press has played an important role in communicating ideas to the public. Nothing can be as significant as or more important than this since the whole development rests on it and may at any time collapse like a house of cards if it gets a severe surprise. Press is playing a crucial role in making the public politically conscious, socially responsible, economically developed and culturally advanced also. It should be committed, independent, objective and neutral in its approach. But as far as concern when observed it is not. Hence it has lost its credibility. So when it has tried to be so, it has been subject to pressures and restrictions. As a result, its freedom has been crushed. No council has succeeded in preventing it from becoming a target of attack by the authorities.

Efforts have been made to study the problem through various aspects. One should realize the significance of the press liberty in a democratic country. Freedom of press is included in the term like "Freedom of Expression" in the Indian constitution. Because these two concepts are the most precious values without which life would lose all the meaning. In fact, this cherished freedom is the very basic democratic form of Government. This type of freedom affords to the public an opportunity to keep them well informed and enables their participation in public issues by having the broadest choice of alternative solutions of the rising problems. With complexities

of modern era newspapers remained the cheapest source of seeking information, which helps people to generate a discussion of public issues as well.

This way the freedom of the press rests on the fundamental assumption that the widest possible dissemination from diverse sources is essential to the welfare of the public. Though the primary function of the press is to provide a detailed and objective information on all the aspects of the country's social, economic, political and cultural life, it has also an educative as well as mobilizing role. It plays a vital role in shaping and reshaping public opinion and also can be an instrument of peaceful social change. But the press can discharge all these functions only when it is free.

Therefore, the main purpose of this paper is to understand the questions, which have arisen for consideration under this study, are: what actually is the meaning of 'Freedom of press'? Whether the press enjoys this freedom? Do the public have the guarantee, legal or otherwise for preserving freedom of press? Whether the journalism is under attack? What preventive majors can be suggested for the safeguard of press freedom?

These and many other such questions are to be discussed by the researcher in present paper.

What is Freedom of Press?

The meaning of 'freedom' is nothing but absence of control, intervention or restrictions. So the expression of 'Freedom of press' means the right to print and publish without any interference from the state or any other public authority. But freedom can be complete and is subject to well-known exclusions acknowledge in the public interests, which in India are compute in Article 19(2) of the constitution. The basic purpose of the press freedom gives guarantee is regarded as a fourth institution outside the government as an extra check on the three official divisions like

- Executive.
- Legislative.
- Judiciary

Freedom of press – Implication:

Press is playing an educative and activating role in molding public opinion and it can be an instrument of social change also, for the freedom of press regarded as the mother of all other authorizations in a democratic society. The press helps as a powerful solution of the power by government administrators and as a mean of keeping the elected officials responsible to the public whom they were elected to serve. The freedom of press stands as one of the great translator between the Government and the public, so it has to be protected and at the same time, the freedom of individuals even in the press should be also protected, preserved and any attempt to violate the free press has to be prohibited.

Legal Safeguards for making press free:

Journalists trust on source protection to gather and disclose information in the public interest from confidential sources. Such sources may require secrecy to protect them from physical, economic or professional paybacks in response to their exposures. There is a strong tradition of legal source protection internationally, in credit of the function that confidential sources play in facilitating 'watchdog' or 'accountability' journalism. While professional journalistic practice involves multi-sourcing, verification and legalization, confidential sources are a key component of this practice. So for making the press free following are some legal safeguards discussed theoretically which helps some preventive majors:

1. **Access to courtrooms:** The Supreme Court first held that the press and the public had a First Amendment right to attend criminal trials in 1980. The Court has reasoned that public access to attend trials enhances trial fairness and confidence in the judicial system. The right is considered presumptive, but not absolute, allowing judges to close proceedings if closure promotes a higher interest. The Supreme Court has not directly addressed whether the First Amendment right of access extends to the use of audiovisual devices in the courtroom. However, several courts do allow news media cameras, though their use is often regulated through certain rules.
2. **Actual malice:** It is the legal standard established by the Supreme Court for libel cases to determine when public officials or public figures may recover damages in lawsuits against the news media.

3. **The Broadcast Decency Enforcement Act of 2005:** It is increased fines against broadcasters tenfold—from \$32,500 to \$325,000 per incident for broadcast networks, up to \$3 million per incident if aired on multiple stations—for violating obscenity and indecency standards. President George W. Bush signed the act into law on June 15, 2006.
4. **Cameras in the courtroom:**Placing cameras in the courtroom has historically stirred controversy. Opponents and proponents have invoked First Amendment provisions guaranteeing the public’s right to public information, the Sixth Amendment’s rights to a fair and public trial, and the 14th Amendment’s due process protection.

Broadcasters have waged perennial battles, petitioning the courts to allow them to record judicial proceedings. Concern about media coverage of trials stems in part from past media trial circuses.

5. **Censorship:**Censorship occurs when individuals or groups try to prevent others from saying, printing, or depicting words and images.

Censors seek to limit freedom of thought and expression by restricting spoken words, printed matter, symbolic messages, and freedom of association, books, art, music, movies, television programs, and Internet sites. When the government engages in censorship, First Amendment freedoms are implicated.

Private actors — for example, corporations that own radio stations — also can engage in forms of censorship, but this presents no First Amendment implications as no governmental, or state, action is involved.

6. **Chilling Effect:**Chilling effect is the concept of deterring free speech and association rights protected by the First Amendment as a result of government laws or actions that appear to target expression.

It is closely related to the over breadth doctrine, which prohibits the government from casting too wide a net when regulating activities related to speech and expression.

7. **Classified Documents:**The government of the United States, like others, protects against the dissemination of what it considers to be sensitive information. Under current law, it labels classified documents “confidential,” “secret,” and “top secret,” depending on their level of sensitivity. Attempting to protect government documents from public view is as old as the Republic.
8. **Confidential Sources:** Confidential sources provide information to journalists or other writers with the agreement that their identities will not be revealed in the reporting of the details that they have provided.

Many such sources feel comfortable supplying information based on reporter’s privilege, that is, the right of reporters and journalists to refuse to disclose their sources and information in court.

Most states and federal circuits recognize such a privilege, but the rules in each jurisdiction vary in their level of protection afforded reporters. More than half the states have adopted so-called shield laws protecting this privilege. In some jurisdictions, courts have upheld the concept of confidentiality of sources as a constitutional right.

9. **Contempt of Court:**Under English common law, courts had intended the power to punish individuals who showed contempt for their authority on the theory that such contempt’s were contempt’s of the king. In the U.S. system of government, civil contempt’s are directed at individuals who refuse to do something that a court has ordered done for the benefit of another party; complying with the order usually settles the issue at hand. Criminal contempt’s, which are more likely to raise First Amendment issues, involve trespassing against the dignity of the court itself.
10. **Criminal Libel:**Although libel or defamation is now primarily a civil claim, it once was primarily a criminal offense, prosecuted by the government and punishable by imprisonment or a fine.

In the United States, courts have based decisions regarding slanderous or libelous statements on the First Amendment rights of free speech and freedom of the press.

11. **Equal Time Rule:** The federal equal time rule requires broadcasters to treat a candidate for the same political office identically to every other candidate for that office. If a radio or television station sells air time to one candidate, the rule states that it must offer to sell the same amount of time to other candidates for that office.
12. **Fairness Doctrine:** A policy of the Federal Communications Commission (FCC), the fairness doctrine attempted to ensure that broadcast stations' coverage of controversial issues was balanced and fair. However, many journalists opposed the policy as a violation of the First Amendment rights of free speech and press.
13. **False Light:** False light invasion of privacy is a cause of action for portraying an individual unflatteringly in words or pictures as someone or something that person is not. Some states recognize the concept by either common law or statute, although several states have explicitly rejected it.
14. **Filming the Police:** Filming police officers as they perform their official duties in public has become an emerging First Amendment issue. Many cases have arisen where citizens face a range of criminal charges after attempting to videotape a traffic stop, arrest or other police activity. The issue resonates deeply in American consciousness, particularly as videos have gone viral of police shootings of citizens.
15. **Free flow of Information Act:** The Free Flow of Information Act would create a federal shield law, similar to those in almost all states, that would protect reporters from punishment for refusing to disclose their confidential sources in any federal criminal or civil case, unless those authorities meet strict criteria.

The Free Flow of Information Act, which has been regularly introduced in Congress since 2005, is largely a response to the Supreme Court decision in *Branzburg v. Hayes* (1972) and accompanying cases. These cases decided that reporters were not entitled to special exemption from testifying before grand juries about information they had received from confidential informants.

16. **Freedom of Information Act of 1966:** The First Amendment protects freedom of speech and press, but how can the citizenry hold a government or its members accountable for its actions if those actions take place behind closed doors? In 1966 Congress adopted the Freedom of Information Act (FOIA), acting on the principle that government should be transparent to the governed. In a democratic system, citizens have the right to hold government accountable for its actions by exercising First Amendment freedoms, by means of the election process, and by use of the court system to review legislative and executive actions.

FOIA establishes that records of the federal government agencies are accessible to the public. The act had little strength when it was initially passed, but in 1974 Congress strengthened it in the wake of the Watergate scandal, when citizens felt distrustful of government actions behind closed doors. The act was amended again in 1986 and 1996. The 1996 amendments, collectively known as E-FOIA, made provision for electronic publication and review of some materials.

17. **Gag Orders:** Gag orders — issued by a court, government, or private entity — require an individual to refrain from making public comments. Typically, judges issue injunctions barring trial participants — including attorneys, litigants, and witnesses — from discussing trial related material outside the courtroom. In general, courts have held that gagging people involved in trials is more acceptable than similar orders issued against the press.

18. **Indecency and the Electronic media:** The Federal Communications Commission (FCC) defines indecency in the broadcast industries as “language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory organs or activities.” Once established by the Communications Act of 1934, the FCC began to regulate the program content of television and radio broadcasts to prevent the airing of inappropriate material.

Indecency should not be confused with offensiveness. Obscenity refers to expression that receives no First Amendment protection. By contrast, indecency is often protected by the First Amendment, at least for adults.

19. **Internet:** The Supreme Court faces special challenges in dealing with regulation of speech on the Internet. The Internet's unique qualities, such as its ability to spread potentially dangerous information quickly and widely, as well as its easy accessibility by minors, have prompted lawmakers to call for tighter restrictions of Internet speech. Others argue that Congress and the courts should refrain from limiting the possibilities of the Internet unnecessarily and prematurely because it is a new, technologically evolving medium. For its part, the Supreme Court continues to balance precedents with the novel technological features of the medium.
20. **Media Concentration:** Media concentration is the ownership of the mass media by fewer individuals. Critics of this trend contend that media concentration threatens the marketplace of ideas and poses a threat to First Amendment freedoms. It was not until the end of the nineteenth and beginning of the twentieth centuries that national newspapers emerged. And it was not until the widespread availability of radio and then television in the twentieth century that national broadcast networks emerged alongside national newspapers and news services.
21. **Media Exemption to Antitrust laws:** The news media are sometimes treated differently in the application of antitrust laws in order to promote a diverse marketplace of ideas under the First Amendment.

Thus in some situations the media receive specific legal exemptions from the normal application of antitrust laws to the ownership of news services such as television, radio, and newspapers.

The different acts were intended to ensure that economic competition would prevent any business from using its economic power illegally to manipulate prices for its products or to prevent new competitors from entering the marketplace. Although a significant debate surrounds the wisdom, policy, and economics of the Sherman and Clayton acts, their

application to the media has raised some particularly unique issues because of the media's important function in a democratic society — providing citizens with the information they need to make informed decisions, as well as serving as a check on public officials.

22. **Open Meeting laws and Freedom of speech:** Open meeting laws, also called sunshine laws, require that, with notable exceptions, most meetings of federal and state government agencies and regulatory bodies be open to the public, along with their decisions and records.

Although open meeting statutes are closely related to the Freedom of Information Act of 1966, no national minimum standard defines “openness,” and it is not mentioned in the First Amendment. Much of the litigation over open meeting laws has centered on whether particular exceptions justify closing certain meetings of government bodies.

23. **Press Access:** The First Amendment's language appears to provide a special right for the press, for what has been termed “the Fourth Estate” – the fourth unofficial branch of government that serves as the watchdog of a free society and monitors the official three branches of government.

After all, James Madison and the Framers approved of a First Amendment that contains a separate Press Clause – “or of the press.” Many scholars have pointed out that freedom of the press had special relevance and importance in the Founding era.

24. **Prior Restraint:** Prior restraint is a form of censorship that allows the government to review the content of printed materials and prevent their publication. Most scholars believe that the First Amendment's guarantee of freedom of the press includes the restriction of prior restraints. In numerous cases, the Supreme Court has indicated that the Constitution establishes a strong presumption against such prior restraints.

25. **Public Figures and officials:** In libel cases, plaintiffs who are public figures or officials have to meet a more stringent standard (actual malice) than do private citizens (negligence) if they are to collect damages.

Thus, the status of a defamation plaintiff often affects the outcome of cases, as the courts balance the right of free press against an individual's reputation. When it comes to printed defamation (libel), several court decisions have defined public figures, including government officials, as having the burden of proving that defendants libeled them with actual malice.

- 26. Reporters Privilege:** The idea behind reporter's privilege is that journalists have a limited First Amendment right not to be forced to reveal information or confidential news sources in court. Journalists rely on confidential sources to write stories that deal with matters of legitimate public importance. Many reporters believe that the First Amendment provides them protection from testifying before a grand jury regarding their sources and prize their role as "neutral watchdogs and objective observers." According to the Reporters Committee for Freedom of the Press, courts traditionally have supported the idea that individuals may refuse to testify when there is a determination that the interests of society outweigh the need for full disclosure of evidence.
- 27. Right to Receive Information and Ideas:** The right to receive information and ideas is an important principle in First Amendment law that surfaces in a variety of contexts. Normally, the right emphasizes that in a given free-speech controversy, the First Amendment interests extend beyond the rights of the speaker and include the rights of the recipients to access information and ideas.
- 28. Right to respond and Right to apply:** The Federal Communications Commission (FCC), the government agency that regulates broadcast media, formerly held that individuals and groups unfairly criticized through broadcast messages or editorials had a right to respond to criticisms.
- 29. Sunshine Acts, Federal and State:** Passage of the Government in the Sunshine Act of 1976, typically referred to as the Sunshine Act, occurred at a time in U.S. history when the Watergate scandal had caused an outcry for increased government transparency and accountability.

Also known as the Open Meetings Act, its primary function is to ensure that decisions regarding the federal government that affect the public are open and accessible to the public.

30. **Taxation of newspapers:** Legal challenges to the imposition of taxation of newspapers in America go all the way back to the eve of the Revolutionary War. In fact, one of the immediate situations provoking the War was the British attempt to tax the sale and distribution of newspapers and legal documents through the Stamp Act. Because the tax had been imposed by the British parliament, the colonists based their protest on the principle of “no taxation without representation.” Controversies that have emerged since the writing of the First Amendment, and its subsequent application to the states via the Fourteenth Amendment, have largely focused on taxation used to penalize certain publications.

FREEDOM OF PRESS AND LEGISLATIVE PRIVILEGES:

What is legislative privilege?

To enable legislators to effectively perform their functions, to discuss and debate matters of importance without fear or favor, without interference or obstacle, the Constitution discusses special rights on Parliament and the State Legislatures.

Freedom of press and legislative privileges - conflict of:

The conflicts of freedom of press guaranteed under Art.19 (1)(a) and the legislative under Art.105 and Art.194 are unavoidable. ..

The Supreme Court *M.S.M. Sharma v. Sri Krishna Sinha*, held that under the scheme of the Constitution of India, the legislature have the right and privilege to prohibit absolutely the publication of the report of the debates and the proceedings in the floors of the houses and the houses are competent to impose punishment for breach of such privileges. Thus the freedom of speech and expression as contained in Art. 19(1) (a) is subjected to Art.105 (3) and Art.194 (3) of the Constitution. The privilege of Legislature prevails over the fundamental right to freedom of speech and expression. The reports of the proceedings in newspapers are protected under the Parliamentary Proceedings (Protection of Publication of Act. 1977).

The Parliament has the power to power to the publication of its proceedings and prescribe punishment the resolution of the house of Parliament. In case of conflict between the fundamental right to freedom of speech and expression and the privilege of Legislature, the privilege of Legislature shall privilege the fundamental fight freedom of speech and expression.

In case of any conflict between the privilege of the Parliament under Art.105 (3) of the Constitution and the freedom of speech and expression, the inconsistency has to be resolved by harmonious construction of the provisions. Article 19(1) (a) being general in nature must give away to the special provision under Art.105 (3) of the Constitution.

Recommendations for ensuring freedom of press:

➤ **Codification of Legislative Privileges:**

A complementary measure will be to maintain upon the systematization of legislative privileges, with the provision that where a opening of privilege is supposed, the legislature should only be permitted to file a grievance, the conclusion regarding whether contempt is proved and, if yes, the penalty to be given being left to a Court of Law. The idea that the legislature should itself be both the challenger and the judge might have had a past reason in England; but there is no reason for such a fundamentally unfair approach to be accepted in the context.

➤ **The Main Goal - Growth with Freedom:**

It should never be ignored when thinking of the Press in the Indian context is that it is only a free Press which can help to develop a body of citizens who are well informed both regarding current events and also about the problems facing the country; and the substitutes available for attempting them. A Press which can allow a young democracy like India to survive, and it helps the development in a way where social impartiality is ensured and the interests of the common people served.

➤ **Importance of Constitutional Amendment:**

All the difficulties in the way of ensuring that the Press can have the maximum freedom to carry out its function of collecting facts about different facets of national life, analyzing them and commenting upon them so as to keep the general body of citizens in our young democracy well informed show that the Press requires some special protection. Many authorities have held that the Right to Freedom of Speech conferred by Article 19(1) of the Constitution is adequate to

protect the freedom of the Press. Further, due regard has to be given to the recommendations made by the National Commission to Review the Working of the Constitution (NCRWC). They have recommended the inclusion of Freedom of Press-media under Article 19(1)(a).

➤ **Press Needs To Improve:**

The insufficiencies of the Indian Press need not be schemed. There is no doubt that private business and those who control it, are treated by most newspapers with toddler gloves. This partly is because of the ownership of many newspapers and therefore the attitude of those who are appointed to senior journalistic positions. It is seen that the editors and journalists cannot have satisfactory freedom of collecting and circulating facts and offering comments as they are under the pressure of the entrepreneurial owners. So, the pressure of the entrepreneurial owners should be minimized.

➤ **Positive Assistance To Independent Papers:**

At the same time, it is important that steps are taken positively to make it possible for independent papers to survive as well as to develop. Support should be provided through general institutions meant to help the growth of independent capitalists, including small ones.

➤ **The State, should stop becoming the Main Threat:**

This confrontation is necessary because experience all over the world, as well as our own experience since Independence, suggest that the State remains the source of the most potential threat to Press freedom.

Research Methodology:

A research methodology or involves specific techniques that are adopted in research process to collect, assemble and evaluate data. It defines those tools that are used to gather relevant information in a specific research study by using some tools like Surveys, questionnaires and interviews.

The overall research methodology adopted in this research will be discussed under following sub heads:

- **Research Design:** The research design is a detailed plan of action for the research. It contributes the blue print for collection, measurement, tabulation and analysis of the data.

Historical research turns history or the past to study the patterns, their impact on the present, process and so on. In this sense, this research can be termed as a historical research.

- **Research Instrument:** This research is based on the secondary data. And the secondary data has been collected from different types of sources as literature reviews, research papers, books, articles, journals and websites.
- **Research Area:** The study is based on the Press freedom and various safeguards for making press as free. Also the main objective of current paper is to analyse whether press has got real freedom and for the freedom of press what are the legal safeguards are to be followed.

Data Collection:

The data collection includes the collection through related research papers, newspaper articles, magazines, books, journals, research papers, reports and web sites etc. Mostly data is collected through Literature review.

A researcher collected the data through any or a combination of the following sources:

1. **Personal Experience/Knowledge of the existence of a problem:** Investigated new ideas and to be developed from hints or trends perceived from regular (daily/weekly) assignments related to the said topic.
2. **Discussion or tips from other people:** Discussion is done with friends, social associates also from listening to conversations in public offices, libraries, newsstands or newspaper vendors' locations.
3. **Reading.** Reading of local, national and international newspapers, magazines, websites, and subscription to relevant electronic mailing lists is done.
4. **News:** News on radio, television. It also includes paying attention to 'breaking news' and asking why or how what has been announced happened?

5. Previous projects by other researchers or academic projects. Problems already investigated may be re-looked under the following conditions: controversial findings, methodological weaknesses changes in time and place and suggestions for further investigations, which may be contained in previous studies.

Analysis:

The study is based on the Press freedom and various safeguards for making press as free. Also the main objective of current paper is to analyses whether press has got real freedom and for the freedom of press what are the legal safeguards are to be followed. The data is collected and reviewed by literature review for understandable form.

‘Literature’ in the context of this paper refers to the written or printed word -documents and files of public institutions, media publications, books, etc., The researcher had gathered relevant document, printed, handwritten form for review. ‘Review’ means comparing and contrasting the works, views, perspectives and findings of previous researchers. The similarities and differences in their views or findings, etc., are identified. By the literature review researcher is discussed some of the opinions, findings, etc. of those who had worked in similar areas in the past. This literature review served a number of purposes: it provided a theoretical basis for the work and offered the researcher an insight into the best methods, instruments for data gathering and the statistical tools for analyzing the data gathered, which previous researchers had used.

Conclusion:

On analyzing the current scenario, latest issues and developments of Freedom of Press, it can be concluded that although the Press is considered the watchdog of democracy, sadly, there is scant regard for this truism in a country which is, ironically, the world's largest democracy. In keeping with its affirmation that freedom of expression is “one of the essential foundations of a democratic society”, the Court has clearly shown a preference for freedom of press. In conclusion, it must be reiterated that the freedom of press and information are fundamental to healthy working of a democracy and therefore, must coexist with the freedom of speech and expression.

A free press is indispensable in a democratic society. The government may not interfere with what people say or write. Provided they do not break the law, everyone can say and write whatever they want. For protecting the freedom of press the government makes an active contribution to independent journalism and thus to safeguarding freedom of expression with grants from the Journalism Promotion Fund. The Fund targets not only newspapers and magazines but also journalistic websites.

Limitations:

Due to the very limited scope of this report, it was not feasible nor necessary to review the large number of studies based on the primary data about Legal safeguards to Press Journalism, which resulted in this report having focused/limited only for theoretical understanding of this area of research, but it would certainly be enlightening to get a more complete understanding. This report could be used as a first step towards building a theoretical framework. This paper discussed about the press freedom, expression freedom and different legal safeguards followed for making the press free.

Legal Safeguards to press freedom is a very vast and vague subject. It is the struggle since pre-independence period of the country. Such subject is very difficult task to study. This study had to be done in a very limited period of time. Area of research is limited to India only. The study is based on books, journals and other printed matter. Also the data for press and legislations are collected from only printed matters.

Topics for Further Research:

As compared the legal safeguards and freedom of press several topics are to be discussed earlier in literature review. But there are some topics which need to be discovered like:

- Freedom press as excellent energy
- The freedom of press and its Impact on Media
- Comparative study of Legal safeguards to make successful press freedom
- Virtual reality of press freedom: May it be the future of the media
- The press is under attack: Danger threat's to free speech

- Importance of press freedom in Indian Democracy

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