

**GOVERNMENT OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING**

RAJYA SABHA

**UNSTARRED QUESTION NO. 2633
TO BE ANSWERED ON 23-03-2023**

MISUSE OF FREEDOM OF EXPRESSION BY ELECTRONIC OR PRINT MEDIA

2633. SHRI ANIL DESAI

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether it is a fact that the freedom of expression is guaranteed under the Constitution of India;
- (b) whether the right is absolute or there is any restriction on the use or its misuse in electronic or print media;
- (c) whether any violation has been noticed by Government for the misuse of the same liberty by any electronic or print media; and
- (d) if so, the action taken thereon during the last three years under this section, the details thereof?

ANSWER

**THE MINISTER OF INFORMATION AND BROADCASTING; AND
MINISTER OF YOUTH AFFAIRS AND SPORTS
(SHRI ANURAG SINGH THAKUR)**

(a) to (d) Freedom of speech and expression is a constitutionally guaranteed Fundamental Right to citizens under Article 19(1) with restrictions as stated in Article 19(2). Under the Article 19(2), the State is empowered to impose reasonable restrictions on the operation of the Right in the interest of sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

In pursuance of its policy to uphold the freedom of press, the Government does not interfere in the functioning of the press. Press Council of India (PCI), a statutory autonomous body, has been set up under the Press Council Act, 1978 mainly to preserve the freedom of the Press and improve the standards of newspapers and news agencies in the country. PCI considers complaints filed 'by the Press' concerning curtailment of press freedom, physical assault/attack on journalists etc. under Section 13 of the Press Council Act 1978 and processed under the provisions of Press Council (Procedure for Inquiry) Regulations, 1979. PCI is also empowered to take suo-motu cognizance in matters on the pressing issues concerning freedom of Press and safeguarding of its high standards.

For Television, all TV Channels are required to adhere to the Programme Code under the Cable Television Networks (Regulation) Act, 1995, including that programmes should not contain anything obscene defamatory, deliberate, false and suggestive innuendos and half-truths;

For digital news publishers, the Government has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 under the IT Act, 2000 on 25th February, 2021, which inter alia provides for a Code of Ethics for adherence by digital news publishers.

Appropriate action is taken by the Government and the Press Council in case of violation of the Codes etc.

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