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## Press Freedom under Article 19(1)(a) of Indian Constitution & Journalist's Safety in India: A Human Right Issue

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### Abstract

Freedom of the press is a crucial pillar of any democratic society, ensuring openness, accountability, and the free flow of information. In India, press freedom is constitutionally protected under Article 19(1)(a) of the Constitution, which ensures the right to freedom of speech and expression. Although the Constitution does not directly mention "freedom of the press," the judiciary has consistently construed this right to include press freedom. However, in fact, journalists in India suffer various hurdles, including threats to their safety, censorship, political pressure, legal harassment, and violence. These obstacles raise serious concerns about the state of press freedom and emphasize its connection to broader human rights issues. This research study critically explores the limits and limitations of press freedom under Article 19(1)(a), coupled with justifiable constraints placed under Article 19(2). It also investigates the increased threats encountered by journalists in India, including physical attacks, intimidation, and misuse of laws such as sedition and anti-terror legislation. By reviewing legal provisions, judicial pronouncements, and actual case studies, the article examines whether the current framework effectively protects journalists and preserves democratic norms. The report also situates journalists' safety within the framework of human rights, underlining that threats to media professionals impair not only individual rights but also the public's right to information. Finally, the study offers reforms and legislative initiatives to reinforce legal protections, ensure accountability, and create a safer environment for journalists in India.

**Keywords:** *Freedom of Speech and Expression; Journalists' Safety; Media Freedom; Legal Restrictions; Democracy.*

## 1. INTRODUCTION

The phrase “press” or “media” is not explicitly included in the Constitution of India. It is regarded as a vital aspect of this right, allowing media companies and individual journalists to publish, circulate, and transmit information. “Press freedom is defined as the ability of journalists as individuals and collectives to select, produce, and disseminate news in the public interest, independent of political, economic, legal, and social interference and in the absence of threats to their physical and mental safety<sup>1</sup>.” The rights have been given in the form of the right to know or the right to information. Article 19(2) of the Constitution, however, provides the State with the ability to put “reasonable restrictions” on this freedom. These limits are aimed to preserve the interests of the sovereignty and integrity of India, the security of the State, cordial relations with other governments, public order, decency, morality, and also to avoid contempt of court, defamation, or incitement to a crime. The balancing act between maintaining free expression and applying constraints to protect other fundamental interests has been a subject of substantial judicial deliberation and interpretation. The freedom of the press and of expression is maintained by the very First Amendment to the US Constitution, which clearly lays down that this freedom be in no way abridged by the laws. Jawahar Lal Nehru expressed his thoughts: “I would rather have a completely free press, with all the dangers involved in the wrong use of that freedom, than a suppressed or regulated press.” At the international level, the right to freedom of expression is first enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR), which asserts that everyone has the right to seek, receive, and impart information and ideas through any means and regardless of frontiers<sup>2</sup>. This foundational principle is further reinforced and given legal weight by Article 19 of the International Covenant on Civil and Political Rights (ICCPR), which guarantees the right to hold opinions without interference and the freedom of expression through any medium of one’s choice, including oral, written, artistic, or other forms<sup>3</sup>.

The exercise of this right nevertheless carries with it duties and responsibilities and may accordingly be subject to certain restrictions, provided such restrictions are prescribed by law and are necessary for (a) respect for the rights or reputations of others; and (b) the protection of national security, public order (ordre public), or public health or morals.

### 1.1 Meaning and Scope of Press Freedom in India

Press freedom, or freedom of the press, denotes the entitlement of media—newspapers, television, radio, internet platforms, and journalists—to collect, publish, and distribute information without excessive intervention or censorship from the government or other authorities. In simple terms, it is the ability of the media to operate as a watchdog of democracy, exposing corruption, informing citizens, and voicing varied perspectives.

**Essential Aspects:** This constitutes a facet of the freedom of speech and expression enshrined in Article 19(1)(a) of the Indian Constitution. It is not absolute; it is subject to reasonable constraints under Article 19(2), which permits limitations for state security, social order, decency or ethics, disrespect for the court, defamation, and provocation to commit a crime.

**Scope.** The scope refers to the areas and boundaries within which the press can work. It includes:

**A. Reporting News and Information:** Journalists can report events, government policies, social issues, and public affairs. Investigative journalism is encouraged to uncover corruption, injustice, and misconduct.

**B. Editorial Independence:** Newspapers and media houses can convey opinions through editorials, columns, and features. They can criticise government policies, political leaders, and public institutions, as long as it does not break legal prohibitions.

**C. Public Awareness and Debate:** The press teaches citizens, facilitating informed public opinion. It encourages debates on social, political, and economic concerns, thereby improving democracy.

**D. Limitations / Restrictions:** While press freedom is guaranteed, it can be restricted in instances

<sup>1</sup> Methodology Used for Compiling the World Press Freedom Index 2025 (RSF), available at [https://rsf.org/en/methodology-used-compiling-world-press-freedom-index-2025?year=2025&data\\_type=general](https://rsf.org/en/methodology-used-compiling-world-press-freedom-index-2025?year=2025&data_type=general)

<sup>2</sup> United Nations, Universal Declaration of Human Rights, United Nations, available at <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

<sup>3</sup> International Covenant on Civil and Political Rights, available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

like: security of the State (e.g., reporting that concerns national security); defamation (disseminating false claims hurting an individual's reputation); contempt of court (releasing material that undermines judicial authority); obscenity or decency (media content must follow society's norms); and public order (avoiding the promotion of violence, riots, or hostility).

**Judicial Interpretation.** *Romesh Thapar v. State of Madras* held that freedom of the press is a basic right under Article 19(1)(a). *Bennett Coleman v. Union of India* established that the press is a crucial safeguard on government power. *Secretary, Ministry of I&B v. Cricket Association of Bengal* held that the press cannot be unilaterally censored.

**Practical Challenges.** Government constraints, censorship, and defamation laws sometimes impede investigative reporting. Media ownership concentration can harm editorial independence. Threats to journalists and attacks on press freedom are important problems in India.

## 1.2 Article 19(1)(a) of the Constitution of India

Article 19(1)(a) of the Indian Constitution provides citizens the basic right to freedom of speech and expression. Freedom of the press is a vital aspect of this right. However, Article 19(2) imposes certain reasonable restrictions on this freedom in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency and morality, contempt of court, defamation, and incitement to an offense. Although the word "press" is not officially used, the Supreme Court has, since the Republic's first years, recognized that the liberty of the press is a necessary species of that genus, anchored on democratic accountability, public reason, and the people's right to receive information. The Court's approach is structural as well as textual: the press is an institutional mechanism through which the public conversation occurs; constraining it is, therefore, typically a limitation on the polity's ability to know, consider, and criticize. Article 19(2) authorizes "reasonable restrictions" on this right in the interests of sovereignty and integrity of India, State security, friendly relations with other States, public order, decency or morality, contempt of court, defamation, and incitement to a crime. The clause sets two guardrails. First, a restriction must be by "law,"

not unfettered executive discretion. Second, it must be "reasonable," a criterion the Court has developed case-by-case, often questioning whether the remedy is properly tailored to a constitutionally enumerated damage with adequate procedural safeguards. The Press Council of India is established under the Press Council Act of 1978 and is a statutory body that functions as a watchdog for preserving the standards of journalism and safeguarding the freedom of the press. The council consists of members from the media, the government, and the public and gives a platform for grievances and redressal processes. The freedom of speech and press are not directly stated in the clause but are implied through the right to freedom of speech and expression protected by Article 19(1)(a)<sup>4</sup>.

*Romesh Thapar v. State of Madras*<sup>5</sup>: This important case established that the freedom of speech and expression encompasses the freedom of the press. The top court concluded that pre-censorship of a journal or newspaper is a restriction on the freedom of speech and expression and should only be applied in extraordinary situations.

*Bennett Coleman & Co. v. Union of India*<sup>6</sup>: In this decision, the Supreme Court upheld the value of media freedom and recognized the function of the press as a watchdog. The court concluded that the government's attempt to control and restrict the advertisement policy of newspapers would amount to a violation of the freedom of the press.

## 1.3 Reasonable Restrictions on Freedom of the Press in India

The right to freedom of speech and expression is not unlimited, and its exercise is subject to constraints authorized under paragraph (2) of Article 19. These constraints apply equally to the freedom of the press. The Union Parliament or the State Legislature may lawfully pass a law that establishes restrictions on the right to the freedom of speech and expression, provided such restrictions are related to one or more objects mentioned in Article 19(2)<sup>7</sup>. These limits have to be acceptable. In *Janaki Ballav Patnaik v. Bennett Coleman and Co. Ltd.*<sup>8</sup>, the Supreme Court declared that the press does not have the unrestricted right to publish any material. Grounds on which freedom of

<sup>4</sup>*Express Newspapers (P) Ltd. v. Union of India*, 1959 SCR 12; *Bennett Coleman v. Union of India*, (1973) 2 SCC 788.

<sup>5</sup> AIR 1950 SC 124.

<sup>6</sup> (1973) 2 SCC 788.

<sup>7</sup> Government of India, "Report of the Press Commission", Part I, 357 (Manager Publications, Delhi, 1954).

<sup>8</sup> AIR 1988 ORISSA 225.

speech and freedom of the press might be curtailed include:

1. Integrity and sovereignty of India;
2. Public order;
3. State security;
4. Friendly ties with foreign nationals;
5. Morality or decency;
6. Contempt of court;
7. Defamation; and
8. Incitement to an offense.

The right to freedom of speech and expression brings with it the right to propagate and circulate thoughts, and the freedom of the press means essentially the right to publish without any previous license or control. A regulation limiting the entry and distribution of journals in a State was deemed unlawful in *Romesh Thapar v. State of Madras*<sup>9</sup>. The court ruled that there is no debate that freedom of speech and expression includes freedom of idea propagation and that this freedom is strengthened by freedom of movement. Legislation that exempts itself from the allowable limits under section (2) and demands the imposition of restrictions on the basis of “public safety” or the “maintenance of public order” is unlawful and illegal.

## 2. PRESS FREEDOM AS A HUMAN RIGHT

The freedom of the press and media, integral to the broader right of freedom of speech, constitutes a significant, albeit increasingly eroded, element of international human rights instruments, beginning with the Universal Declaration of Human Rights<sup>10</sup> and extending through the International Covenant on Civil and Political Rights (ICCPR) and various regional treaties. The Universal Declaration elevates it in the preamble, which asserts, ‘The emergence of a world where individuals experience freedom of speech and belief, as well as freedom from fear and want, has been declared the paramount aspiration of the populace.’<sup>11</sup>

**2.1 Article 19 states,** ‘Everyone possesses the right to freedom of opinion and expression; this right

encompasses the freedom to hold opinions without interference and to seek, receive, and disseminate information and ideas through any medium and irrespective of borders.’<sup>12</sup> Article 19 of the ICCPR says, “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

**2.2 Article 19(3)** also says that limits can be put on this right: “The exercise of the rights provided for in paragraph 2 of this Article carries with it special duties and responsibilities.” It might have some limits, but only those that the law allows and that are necessary: (a) to protect the rights or reputations of others; and (b) to protect national security, public order (ordre public), public health, or morals. The ICCPR not only lets governments put limits on certain reasons, but it also says that some types of speech must be banned. Article 20 says: (1) any propaganda for war shall be forbidden by law; and (2) any advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence shall be prohibited by law.

**2.3 The European Convention** for the Protection of Human Rights and Fundamental Freedoms and the American Convention on Human Rights both guarantee the basic right of freedom of expression in a way that is similar to Article 19 of the ICCPR. Article 10 of the European Convention goes into more detail about the reasons why restrictions can be put in place: “The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions, or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity, or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.”<sup>13</sup>

<sup>9</sup> Supra note 4.

<sup>10</sup> Universal Declaration of Human Rights, December 10, 1948, available at <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

<sup>11</sup> International Declaration on the Protection of Journalists, May 11, 2016, available at <https://ipi.media/international-declaration-on-the-protection-of-journalists/>

<sup>12</sup> Adam Hochschild, *King Leopold's Ghost: A Story of Greed, Terror and Heroism in Colonial Africa*, Houghton Mifflin (1999).

<sup>13</sup> Sen, ‘Freedom and Needs’, *The New Republic*, 10 January 1994.

**2.4 Article 13 of the American Convention** also tries to protect freedom of the press and the media from indirect controls. It says, “The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions.” It allows censorship of certain types of speech: “Notwithstanding the provisions of paragraph 2 above, public entertainments may be subject by law to prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence.” It also directs the parties to stop hate propaganda and incitement, just as the ICCPR does: any propaganda for war and any advocacy of national, racial, or religious hatred that incites lawless violence or any similar illegal action against any person or group on the basis of race, colour, religion, language, or national origin shall be deemed offenses punishable by law<sup>14</sup>.

### 3. CHALLENGES TO PRESS FREEDOM IN INDIA

Press freedom is a cornerstone of democracy, facilitating the free flow of information, accountability of the government, and informed citizen engagement. In India, freedom of the press is implicitly protected under Article 19(1)(a) of the Constitution, which ensures freedom of speech and expression. However, this freedom is not absolute and encounters many problems in practice. Despite being the world’s largest democracy, India has witnessed growing worries over the independence and safety of its journalists.

**(1). Legal and Regulatory Constraints.** One of the greatest problems to press freedom in India is the prevalence of restrictive legislation. Provisions such as sedition (Section 124A of IPC), criminal defamation, and legislation under the Unlawful Activities (Prevention) Act (UAPA) are regularly condemned for being exploited against journalists. These regulations generate a chilling effect, inhibiting critical reporting against the government or powerful entities. Additionally, vague regulations connected to national security and public order allow authorities to curtail journalistic independence. Frequent internet

shutdowns, especially in sensitive regions, further impede the spread of news.

**(2). Political Pressure and Influence.** Political influence substantially affects media independence. Governments at both central and state levels are regularly accused of exerting pressure on media houses through various techniques such as rejection of government advertisements, threats of legal action, or direct censorship. Media organizations can employ self-censorship to avoid conflict with people in authority. This degrades the role of the press as a watchdog and undermines democratic accountability.

**(3). Corporate Ownership and Commercialization.** The increasing corporatization of media is another important problem. Large corporate houses controlling media channels can influence editorial policies to satisfy business goals. This leads to biased reporting and censorship of news that may hurt business stakeholders. The dependence on advertising money further weakens journalistic freedom, as media firms may avoid reporting against important advertisers.

**(4). Threats and Violence Against Journalists.** Journalists in India sometimes experience physical threats, intimidation, and even violence. Cases of intimidation, assault, and killings of journalists have created major worries about their safety. Investigative journalists and those reporting on sensitive areas such as corruption, crime, or politics are particularly exposed. Lack of adequate legal protection and sluggish judicial processes intensify the issue, resulting in a culture of impunity.

**(5). Rise of Fake News and Misinformation.** The fast rise of digital media has contributed to the dissemination of fake news and misinformation. Social media sites often propagate unverified material, which weakens the trust of actual journalism. In reaction, authorities sometimes create regulations that may inadvertently restrict press freedom. The problem lies in balancing misinformation control without restricting legitimate journalism.

**(6). Decline in Ethical Journalism.** Sensationalism, paid news, and biased reporting have harmed the quality of journalism in India. Competitive pressure to obtain attention and income has led to a decrease in ethical standards. The phenomenon of “paid news,” when favourable coverage is given in

<sup>14</sup> ‘Encounters: National Human Rights Commission to issue notice’, The Hindu, 6 August 1997; ‘Punjab resorted to secret cremations’, The Hindu, 23 July 1999.

exchange for money, threatens journalistic ethics and misleads the public.

**(7). Digital Surveillance and Privacy Concerns.** Advancements in technology have generated new challenges such as digital spying. Allegations of surveillance employing spyware on journalists raise worries about privacy and freedom of expression. Such actions might frighten journalists and prevent them from pursuing sensitive investigations.

**(8). Weak Institutional Safeguards.** Although bodies like the Press Council of India exist, their powers are restricted. They lack adequate enforcement measures to penalize transgressions effectively. The absence of adequate institutional support for journalists lowers accountability and protection within the media ecosystem.

#### 4. SAFETY AND PROTECTION OF JOURNALISTS IN INDIA

The safety and protection of journalists are crucial for ensuring press freedom and the efficient functioning of democracy. Journalists operate as watchdogs by exposing corruption, human rights breaches, and misuse of authority. However, in India, journalists regularly suffer enormous risks, including threats, harassment, and assault, which impede their capacity to report openly and courageously.

**(1). Current Scenario of Journalists' Safety in India.** India has had multiple episodes of attacks against journalists, ranging from physical assaults to online harassment and even killings. Journalists covering sensitive themes such as politics, crime, environmental problems, and corruption are particularly endangered. Rural and local journalists suffer significantly greater risks due to lack of institutional backing and limited awareness of their situations. Freelance journalists are equally subject to threats without organizational safety.

##### (2). Types of Threats Faced by Journalists

**(a) Physical Violence:** Journalists in India are often vulnerable to physical attacks, mob violence, and targeted killings. Investigative reporters working on contentious themes are at more risk.

**(b) Legal Harassment:** The misuse of laws such as sedition, criminal defamation, and anti-terror laws like UAPA is a big concern. Journalists are occasionally incarcerated or face extensive legal fights for their reporting.

**(c) Online Harassment and Threats:** With the rise of digital media, journalists increasingly endure trolling, harassment, and threats on social media sites. Women journalists are frequently targeted with gender-based harassment.

**(d) Economic Pressure:** Media houses may terminate or pressure journalists owing to political or business influence, harming their job security and independence.

**(3). Government Initiatives and Measures.** Some state governments have suggested or adopted measures for journalist protection. For example, Maharashtra established a Journalist Protection Act to curb violence against media persons. At the national level, discussions have been undertaken regarding a centralized law, but no comprehensive legislation has been adopted so far.

#### 5. ROLE OF JUDICIARY IN PROTECTING PRESS FREEDOM

The judiciary has a critical role in defending journalists' rights. Courts in India have regularly backed freedom of expression and intervened in cases of wrongful arrests or harassment of journalists. However, delays in judicial processes often decrease the effectiveness of legal remedies.

##### Challenges and Gaps in Protection

**Lack of Specific Legislation:** Absence of a dedicated national statute for journalist protection.

**Impunity:** Low conviction rates in situations of attacks on journalists fuel additional violence.

**Political Interference:** Pressure from authorities can impact investigations.

**Digital Surveillance:** Concerns about surveillance inhibit investigative journalism.

**Weak Institutional Support:** Limited power of regulatory bodies like the Press Council.

##### Measures to Improve Journalists' Safety

**(a) Enacting a Strong Protection Law:** A comprehensive national law expressly geared at protecting journalists is necessary.

**(b) Ensuring Accountability:** Fast-track courts and harsh punishment for crimes against journalists can lessen impunity.

**(c) Strengthening Institutions:** Empowering bodies like the Press Council of India with enforcement powers can promote accountability.

**(d) Digital Safety Measures:** Policies to handle online harassment and preserve journalists' digital privacy are essential.

**(e) Training and Awareness:** Providing safety training and legal understanding to journalists can help them handle dangers successfully.

## 6. CRITICAL ANALYSIS OF PRESS FREEDOM AND JOURNALIST'S SAFETY IN INDIA

Press freedom and the protection of journalists are important to a democratic society. In India, these concepts are constitutionally supported by Article 19(1)(a), although their practical execution reveals substantial conflicts. While India has a robust and diverse media ecosystem, mounting worries about censorship, violence, and institutional deficiencies raise serious questions about the state of press freedom.

**1. Constitutional Promise versus Ground Reality.** India's Constitution provides freedom of speech and expression, forming the cornerstone of press freedom. However, the absence of a clear constitutional provision for press freedom generates ambiguities. In fact, the state regularly uses "reasonable restrictions" under Article 19(2), often curtailing journalistic independence. Reports indicate that colonial-era laws such as sedition and defamation continue to be utilized to stifle dissent, generating a "chilling effect" on media freedom. This exposes a disconnect between constitutional principles and actual reality.

**2. Declining Global Rankings: Indicator of Structural Issues.** India's standing in global press freedom rankings indicates systemic difficulties. It ranks 151st out of 180 countries in 2025 and continues to remain in the "very serious" category. This poor ranking reflects deeper issues such as political interference, economic control of media, and threats to journalists' safety. The persistence of such rankings implies that the problem is not transient but structural.

**3. Legal Framework: Tool of Protection or Suppression?** A major issue is the dual role of law. While laws are supposed to safeguard citizens, they are often exploited against journalists. Anti-terror laws and sedition measures are being applied to journalists. New legislation such as data protection regulations

may restrict access to information and investigative reporting. This creates a paradox: the legal structure created to preserve democracy occasionally becomes a tool to curtail journalistic freedom.

### 4. Safety of Journalists: A Serious Concern

**(a) Violence and Killings.** India has had several incidences of journalist killings and attacks. For example, investigative journalists reporting on corruption have been murdered, underscoring the perils of ground-level reporting<sup>15</sup>. Recent data also shows continued incidences of killings, arrests, and intimidation of journalists in 2025.

**(b) Culture of Impunity.** One of the most serious challenges is low conviction rates in crimes against journalists. This fosters a culture where attackers are rarely punished, promoting further attacks.

**5. Political and Corporate Influence.** Press freedom in India is severely affected by the relationship between politics and corporate ownership. Media houses typically rely on government advertisements, resulting in indirect pressure. Corporate ownership influences journalistic policies, limiting critical reporting. This results in self-censorship, where journalists avoid contentious themes to protect their careers or organizations.

### 6. Digital Era: New Opportunities, New Threats

**(a) Surveillance and Data Control.** Modern surveillance technologies and data laws bring new concerns. Journalists fear monitoring, which hampers investigative reporting.

**(b) Misinformation vs Regulation.** While false news is a serious problem, government regulation to curb misinformation sometimes leads to overreach, impacting legitimate media.

**7. Institutional Weakness.** Institutions like the Press Council of India lack enforcement authority. Their recommendations are advisory, not binding, which limits their usefulness. Judicial action has sometimes safeguarded press freedom, although delays in justice lessen its impact.

## 7. SUGGESTIONS AND RECOMMENDATIONS

**1. Enactment of a Comprehensive Journalists' Protection Law.** India should adopt a dedicated

<sup>15</sup> Krishn Kaushik, "World Press Freedom Index: India retains 142 of 180 spot, remains 'one of the world's most dangerous countries' for journalists", Indian Express, Apr. 21, 2021, available at

<https://indianexpress.com/article/india/world-press-freedom-index-india-remains-one-of-the-worlds-most-dangerous-countries-for-journalists-7281362/>

national law expressly geared at safeguarding journalists from violence, harassment, and intimidation. This law must clearly define offences against journalists and impose strong punishments for violators.

**2. Reform of Restrictive Laws.** Colonial-era legislation such as sedition and those pertaining to criminal defamation should be reviewed and amended to prevent misuse against journalists. Legal safeguards must ensure that these laws are not utilized to repress dissent or critical reporting.

**3. Strengthening Institutional Mechanisms.** Institutions like the Press Council of India should be endowed with enforcement ability rather than being advising entities. Establishing an independent media regulating organization with quasi-judicial powers can increase accountability and openness.

**4. Ensuring Accountability and Fast-Track Justice.** Special fast-track tribunals should be set up to handle cases involving attacks on journalists. Ensuring speedy investigation and sentencing will lessen the culture of impunity and deter future offenses.

**5. Protection Against Political and Corporate Pressure.** Policies should be developed to lessen the dependence of media organizations on government marketing and corporate support. Transparent systems for media financing can assist in maintaining editorial independence.

**6. Digital Safety and Privacy Protection.** The government must provide strong data protection and privacy legislation to safeguard journalists from spying and unlawful data access. Clear rules should be set to reconcile national security considerations with press freedom.

**7. Combating Online Harassment.** Strict steps should be adopted to handle internet abuse, trolling, and threats against journalists, especially women journalists. Social media platforms must be held accountable for monitoring and eliminating dangerous content.

**8. Capacity Building and Training.** Journalists should be provided with training on legal rights, digital security, and risk management. Media organizations should also implement safety protocols for journalists operating in conflict or high-risk areas.

**9. Promoting Ethical Journalism.** Media houses must enhance internal codes of ethics to combat sensationalism, fake news, and sponsored news

practices. Encouraging responsible journalism will boost public trust in the media.

**10. Role of Civil Society and International Organizations.** Civil society organizations and international entities should aggressively monitor press freedom breaches and help journalists through advocacy and legal assistance.

## 8. CONCLUSION

In conclusion, press freedom under Article 19(1)(a) of the Indian Constitution constitutes the foundation of a democratic society, guaranteeing openness, accountability, and the unrestricted dissemination of information. This freedom is not absolute and is subject to reasonable constraints under Article 19(2), which often necessitates a delicate balance between governmental interests and individual liberty. This equilibrium has often shifted, raising apprehensions regarding the diminishing room for independent journalism. The safety of journalists in India has become a significant human rights concern, since rising occurrences of harassment, threats, assault, and legal intimidation jeopardize individual security and the overall democratic structure. The inability of journalists to execute their responsibilities without apprehension directly undermines the public's right to knowledge, hence diminishing democratic engagement and governance.

Notwithstanding constitutional assurances and judicial acknowledgment of press freedom as a fundamental aspect of freedom of speech and expression, considerable deficiencies persist in the execution and safeguarding procedures. The lack of robust legal safeguards, ineffective enforcement, and escalating political and business pressures further enhance the vulnerability of journalists. Consequently, safeguarding press freedom and the protection of journalists should be regarded as a paramount human rights need. Enhancing legislative protections, advancing institutional accountability, and cultivating a culture of respect for independent journalism are vital measures for preserving democracy. A free and secure press is not just a constitutional principle but also an essential prerequisite for safeguarding all other rights and maintaining democratic norms in India.

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