

Media Gagging: Concern raised by SC

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Context

- The Supreme Court has a worry about billionaires using their pre-action injunctions that ultimately makes all media quietened. They voice that respect to these three elements would guarantee the safeguard of the free speech of the people and the people's right of accessing information.

Media and Freedom of Press in India

- Media is the most significant factor in educating and forming both new and old society, linear or broad-minded. It wields an influence that has the power to keep rulers having honest actions and the people well-informed.
- Moreover, it can be considered as the backbone of the State, as it fulfils the most important role in comparison to the others. Freedom of the press is a crucial need for the necessary relay of the public demands and the transparency of the information, which makes the society possible.
- The Indian Constitution does not lay down in Article 19 the explicit concept of a press that is free, but the notion is to be interpreted as the specific freedom of speech, expression, and thoughts similar to that of all citizens.
- Article 19(1)(a) covers freedom of expression, which includes the right to hold an independent opinion, and the right to use any method to convey their opinions like writing, speaking and gestural.
- An important aspect of freedom of expression equals that of people communicating

and publishing their opinions. Nevertheless, the government has the prerogative to put on some necessary restrictions over the exercise of the right as a maintenance of disciplined public order, freedom of thought and morals.

About the issue and the concern raised by SC

- At present, media in India is under strong criticism for being biased and self-seeking which often gives preference for the parties, persons and subjects which are capable of attracting more attention and reaching the desired objective such as personal interests.
- Problem of the Indian Press is that it is facing many issues which make it work less effectively. Journalists very often face threats and physical harm when reporting about matters of the richian nature, which poses a worrying situation considering the fact that the media ownership is concentrated, which results in biases and self-censorship among journalists.
- Political parties and powerful corporations have unlimited access to media organisations via their cash donations; this tilts the balance in the sense that the media organisations become ineffective and lack impartiality.
- Moreover, application of defamation laws and reversal of sedition charges against media practitioners is seen as processes to muzzle criticism and investigative reporting.
- The Grave Nature of media censorship for Journalists and the Danger of blocking pretrial interim injunctions by court is hence to be taken into account.
- The court pointed out what is called 'SLAPP Suits,' which is a court case triggered by the wealthy ones to limit the freedom of informing the members of the public about the significant issues.
- Judges were forbidden from issuing interim apprehensions on the deterioration of free speech and public participation in cases that hit on defamation.
- The court recommendation pointed that the rare emergency situations were where the pre-trial injunctions should be issued and then if not, the trials ought to be held first before an order is passed.

Conclusion

Crossing the line for the independent press is very vital and having an honest and transparent administration are the channels through which the incumbent could deal with the systemic concern systematically. Multiple company leadership could bring a single media company to the top and as a result it would take control of the numerous media outlets and become the main independent media. Then, the federal government should make sure that there is equality among the various companies in the mass media sector to avoid such a scenario.

Source: [The Hindu](#)

Q. Discuss the implications of the Supreme Court's recent expressions of concern regarding media gagging, highlighting the importance of safeguarding freedom of speech and public access to information.