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ICTs for Surveillance and Suppression: The Case of the Indian Emergency 1975-1977

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ABSTRACT

Information and Communications technologies (ICT) pervade society. The Internet, wireless communication, and social media are ubiquitous in and indispensable in society today. As they continue to grow and mushroom, there are new and increased calls from various segments of the society such as technologists, activists, sociologists, and legal experts, who issue warnings on the more nefarious and undesirable uses of ICTs, especially by governments. In fact, government control and surveillance using ICTs is not a new phenomenon. By looking at history, we are able to see several instances when ICTs have been used by governments to control, surveil, and infringe on basic rights of their citizens. It is useful to document and study those instances, so that we may understand what is at stake, and how such situations can be perpetrated as well as prevented or at least curtailed. In this paper, I trace the case of the “Internal Emergency” that was promulgated in (democratic) India between 1975 and 1977 by then Prime Minister Indira Gandhi. The paper examines the use and abuse of ICTs by the Indian government against its own people, along with its ramifications.

Keywords: ICTs and their abuse, Surveillance, Privacy, Control, Freedom of expression, Censorship, Privacy laws, Cybersecurity

INTRODUCTION

In today's world, IT is everywhere. Organisations can no longer do without IT, and this paper examines the use and abuse of ICTs during post-independent India's arguably darkest period, the "National Emergency" which was set into motion by Prime Minister Indira Gandhi on June 25, 1975. Democracy was suspended for a period of 21 months. Over 100,000 citizens were arrested and detained without due cause or trial. Hundreds of thousands more were subjected to intimidation and harassment by police and extrajudicial actors working for the Prime Minister. Millions were sterilized in a bizarre effort at population control. The national press was severely censored or co-opted, and the foreign press was substantially controlled and muzzled. The primary instrument of this totalitarian control was ICTs – mostly communications technologies such as the radio, television, cinema and public hoardings and notices. The government owned the radio and television media and used them with clinical efficiency to spread its point of view. Media such as cinema, and other forms of art and expression such as popular music and their production were restricted, co-opted, or coerced into becoming instruments of government propaganda. These technologies were then used to effectively disseminate official propaganda combined with exhortations and thinly veiled threats to toe the government line "in the national interest." All dissent was snuffed, at times with violence. New laws and amendments to existing laws were passed, which gave even more control of the media to the government to surveil, censor and to disseminate its views. By controlling the radio waves, cinema, as well as telecommunications media, the government was able to completely reduce, in a very short period, a democratic state to one that was completely totalitarian. The emergency period finally came to an end on March 21, 1977, when Indira Gandhi, protected from the true sentiments of the people as a result of the very blockade of media that she had instituted, called for new elections, confident of victory. Instead, she was voted out of office by an overwhelming majority of the electorate. The Indian Emergency left a deep mark on Indian society and exposed, for a period, the frail nature of its democracy – which could be easily overtaken by totalitarian forces through the control of its information and communications technologies.

The paper explores the use and abuse of communications and other technologies in India during the national emergency and its aftermath. In doing so, it also delves deeper to look at the roots of media control, censorship, and surveillance in India that emanated from its colonial rulers. These methods of suppression were finetuned and used effectively by Indira Gandhi and her inner circle during the National Emergency. The paper thus addresses the following questions: (a) What is the historical background of media control, censorship and surveillance in India, starting from colonial times? (b)

What was the role of the media in post-independence India prior to the declaration of emergency? (c) How was media controlled during the emergency period? (d) What types of media and other communication technologies were actively controlled? (e) What, if any, are the lasting effects of the media control leading up to the present? The answers to these questions are achieved through historiographic research - interviews with principal actors, academics, historians, as well through archival research of published articles and policy documents from a wide variety of sources. The paper starts by addressing the first question: What is the historical background of media control, censorship and surveillance in India, starting from colonial times?

This study is of great relevance at the present time when control of ICTs and newer social media are increasing in several nation states. It should be noted at the outset that the “ICTs” that are addressed in this paper are primarily analog, such as newspapers and print media, radio, telegraph, television, cinema (video), etc. While current digital ICTs are much newer and more advanced than those described here, the scope, methods, as well as the results are likely to be the same, giving credence to this area of research. A historical examination of the control and surveillance possibilities of ICTs, along with their connections to cybersecurity, are important issues to consider as we move into an era of large-scale data gathering and sophisticated analysis technologies such as ML and AI, that can eventually be used for large-scale control.

We begin the paper by tracing the origins of media control starting from the British colonial period. Proceeding in this manner will illuminate how the colonial-era controls of information and media provided the antecedents and context for later media control practices that were practiced by the Indian government after independence.

THE ORIGINS OF MEDIA CENSORSHIP IN COLONIAL INDIA

In 1757, the East India Company (EIC) gained control of Bengal, and India effectively became a British colony, governed by the EIC, with Calcutta as its headquarters. In 1774, the British parliament set up the Supreme Court in Calcutta. While colonialism is quite different from totalitarianism, in many cases, exploitative colonization made use of totalitarian methods, such as control of the press and media, and harsh punishment of dissent. Such was the case in India. Press censorship emerged and grew with the British colonization. As noted by journalist Prasun Sonwalkar (Sonwalkar, 2015), the EIC “watched uneasily” when in 1780 an Irishman named

James Augustus Hickey started the first English-language newspaper in India, The Bengal Gazette. Initially Hickey was neutral, and the Gazette published news of

interest to the British as well as the native Bengalis, and was immensely popular. However, Hickey gradually shed his neutral stance and started publishing articles and critical of the East India Company, as well as the Governor-General Warren Hastings, and Chief Justice Sir Elijah Impey of the Supreme Court. This led to tensions between Hickey and the rulers, i.e. the East India Company as well as the Governor-General. Hastings and Impey punished Hickey by imposing fines, which escalated to raids, confiscation of his printing press, and imprisonment. Faced with the loss of his printing press, Hickey was forced to shut down the Gazette in 1782. He was followed by other entrepreneurs who were interested in launching newspapers and journals. Wary of this, the EIC Governor Lord Richard Wellesley introduced strict regulations for the press in 1799. The EIC interpreted any criticism of it by the press as “lurking Jacobinism” (after the famous Jacobin political club during the French Revolution). Wellesley’s regulations stipulated the no newspaper could be published without the approval of the entire newspaper, including all advertisements, by the colonial government (Sonwalkar, 2015). These were the first instances of media/press censorship in colonial India.

Despite these overt attempts at censorship, by early nineteenth century, there was a profusion of print journalism in India. As noted by Vinay Dharwadkar, the British rule brought with it a “multifarious culture of the print medium” to India (Dharwadkar, 1997). It was a matter of time before vernacular press appeared. In 1819 the Indian social reformer Raja Ram Mohan Roy founded the first vernacular newspaper, the Sampad Kaumudi, which published its first issue in 1821 in English and Bengali. Other Indian publishers followed. Babani Charan Bandopadhyay, a copublisher of Sambad Kaumudi, started his own newspaper, Samachar Chandrika in 1822. Another notable Indian journalist of the time was D. L. V. Derozio, an AngloIndian who edited the East Asian (Sarcar, 1958). This rise of the vernacular press deeply worried the colonial officers. They were concerned that an unfettered press may lead to subversion in the army, among other things. Therefore, on January 9, 1823, Governor-General John Adam promulgated a new Press Ordinance, making it mandatory for publishers and editors to secure licenses for their journals. Licensing thus became another instrument to control the press in India. However, as noted by Sonwalkar (2015), emerging notions of freedom of the press prevented successive governors from implementing this ordinance vigorously. The licensing ordinance was eventually cancelled in 1835 by Governor-General Charles Metcalfe.

But this nod to freedom of the press did not last long. In May 1857, a section of the Indian army (Indian soldiers under the British) stationed in the State of Uttar Pradesh rebelled against its British commanders to protest many actions it considered demeaning. This was the Sepoy Mutiny of 1857. Indian soldiers attacked their British superiors and freed rebels from prison.

This rebellion spread fast to many other regions. It eventually put down by the British soldiers only in 1859, after suffering several losses. The Indian mutiny increased the fears of the colonial rulers and accelerated restrictions to communications, i.e. the press. A ‘Gagging Act’ to censor the press was passed under Lord Canning in 1857. This Act brought back licensing to all Indian publications. This was made more stringent in 1878, when “The Vernacular Press Act” was passed. Its objective was ostensibly to curb “seditious writing” in “publications in oriental languages (Iyengar, 2017).” This legislation was much stricter than the earlier Gagging Act in the British efforts to control the Indian press. By the late 1800s, the Indian Nationalist Movement began to gather momentum, and reached criticality in 1885 with the formation of the Indian National Congress (INC). More Indian journals and newspapers began to appear, and many of them focused on issues deemed as threats to British rule. The British rulers reacted by imposing more restrictions and regulations, especially against the Indian publications. In response to the formation of the INC, Sections 124A and 153A were added to the existing Indian Penal Code of 1860, as noted by Reba Chaudhury (Chaudhury, 1955). These two sections specifically focused on sedition and provocation to cause riot – specifically aimed at the press. This was followed in quick succession by the Official Secrets Act of 1903, the Newspapers (Incitement to offenses) Act of 1908, the Press Act of 1910, the Prevention of Seditious Meetings Act of 1911, and the Defense of India Act of 1914. All of these acts imposed ever more restrictions on the freedom of the press, especially the vernacular press. The Press Act was in operation until 1922 when it was repealed by Rufus Isaacs, Marquess of Reading and Viceroy at the time (Raman, 1999). However, when Mohandas Gandhi started the “Salt Sathyagraha” to protest British tax policies, the stringent provisions of the Press Act were reintroduced in the Press Act of 1930. As the independence movement gained strength, a Criminal Law Amendment Act was passed in 1932, which enhanced the provisions of the new Press Act of 1930. These laws were enforced at various levels of stringency until 1946, when India’s independence became a certainty. By 1946, the extensive control of the press by the British government came to a gradual end (Chaudhury, 1955).

However, press censorship was not the only instrument of control under British colonial rule. The mid-nineteenth century saw the emergence of various new communications tools which were being incorporated into colonial Indian life. They, too, became objects of control by the British. We discuss those developments in the next section.

TECHNOLOGIES OF COLONIAL COMMUNICATION: TELEGRAPH, TELEPHONE, RAILROADS, RADIO AND CINEMA

The telegraph came to India in 1851. Initially, the lines were concentrated around Calcutta. The telegraph was greatly welcomed by the East India Company-appointed governor-general, Lord Dalhousie (James Ramsay). He saw it as an instrument not just to unify the extensive Indian landmass, but also to exercise control over it. The strategic importance of the telegraph as an instrument to project power became very apparent during the afore-mentioned Indian mutiny of 1857, when it was used successfully to direct British army movements against attacks by the Indians.

The telegraph was followed by the telephone. In 1881 the colonial government granted permission to the Oriental Telephone Company to set up telephone exchanges in five Indian cities (BSNL Calcutta Telecom District 2012). By 1884 the telephone was combined with the telegraph service, and telegrams began to be sent and received by telephones (Mann 2015). When the Indian Telegraph Act was passed in 1885, telephones came completely within the purview of the Telegraph Act. This act was another instrument of control. It granted exclusive rights to establish, maintain and operate wireless apparatus to the government (Kumar, 2003). It stipulated that the government was the sole authority to frame rules and guidelines. It allowed any authorized officer of the Central or State government to intercept messages sent through the telegraph and telephone network, if a situation was deemed to be a public emergency, or in the interest of public safety. Government officers solely decided on whether a situation threatened public safety, or whether it was a public emergency. Unauthorized persons were prohibited from intercepting and reading messages sent through the telegraph system. By completely controlling the telegraph and telephone, the British government maintained control over the transmission of messages and information among its subjects.

In parallel to the telegraph, the railway arrived in India in 1853. The first operational railway line opened in 1853 and connected Boribundar in Bombay (now Mumbai) and Thane, in the Western sector of the Great Indian Peninsula Railway. On Saturday, April 16, 1853, the first train departed from Bombay to Thane, carrying about four hundred passengers over a distance of 34 kilometers (21 miles). And similar to the telegraph and telephone, the railway was another important tool to project colonial dominance. Governor-general Lord Dalhousie clearly foresaw the benefits of a railway system.

It could be used to move raw materials and goods quickly to the ports for shipment to England, and bring back return shipments of finished goods to the Indian heartland. It could also serve as the prime vehicle to move British military personnel quickly between various regions in any part of South Asia if required (Marshman, 1867). Sure enough, during the Indian mutiny, railways were used to strategically move and position British army troops.

Another important communication media, the radio, officially came to India in 1927. The private Indian Broadcasting Corporation (IBC) was inaugurated on July 27, 1927 in Bombay, with a license to operate from the government. The IBC was however not successful, and shut down after three years. The British government then assumed control of all radio broadcasts. It revived the radio in 1930 as the Indian State Broadcasting Service (ISBS), under the Department of Industry and Labor. In 1936, the ISBS was changed to AIR (or All India Radio), as the government officials thought that this name was a more user-friendly name. With respect to the radio under the British, Partha Sarathy Gupta noted: “monopolistic control of information strengthens the authority of those in power, and one would expect a colonial state to make the most of this device (Gupta & Gupta, 2002).” However, historian Pinkerton (2008) noted that the British colonials did not seem to have mastered the art of propaganda similar to Russia. The government seems to have been confused about how to administer the radio – either run it completely as a commercial enterprise, or run it in a manner similar to the British Broadcasting Corporation (i.e. with a level of public support, focused mainly on providing information to the locals). Discussions during the time seemed to suggest that while the British wanted to use the radio to propagate their views, they also wanted it to remain somewhat neutral. This ambivalence eventually created a radio monopoly that did not exert much of an influence on the Indian people’s political views at the time of the freedom struggle. Pinkerton noted that Lionel Fielden, the first director of IBIS, voiced his frustration at “the gross incompetence - and, at times, rank 'stupidity' - of the Gol [Government of India]” in their failure to grasp the enormous political potentialities of radio during his term at the helm of Indian broadcasting. According to Pinkerton, “the period between 1935 and 1940 (Fielden's tenure) were one of the most (geo)politically and socially turbulent of all the years of British history in India and yet, curiously, the government of India - the defenders of the "jewel in the British imperial crown" - were unable, unprepared, or unwilling to utilize radio in either the service of empire or in the service of the Indian public (Pinkerton, 2008).”

However, while arguably failing to use the radio as an effective propaganda machine, the British did exercise control over the radio to effectively censor news coming into and going out of the country. News of the Indian freedom struggle, as well as of the movement's leadership, were especially censored. Historian Gautam Chatterjee noted that in response, the Indian National Congress launched its own "secret radio" channel in August 1942. However, the clandestine radio was discovered and shut down after three months of operation (The Hindu, 2004).

The British ambivalence towards using the radio for propaganda was apparent even during World War II. The Axis powers (Germany, Italy and Japan) built a propaganda campaign aimed at Indians who were seeking freedom from the British. To counter this, the British Far Eastern Bureau managed the propaganda campaign in India. But the instruments of propaganda were mainly the newspaper, radio, printed newsheets, and leaflets. The propaganda was mainly focused on the Indian troops, to provide them with news of the war as well as to rally them. In some cases, the British propaganda was also aimed at Indian troops who had joined the Germans and Japanese forces against the British. These soldiers were followers of Subhas Chandra Bose, an Indian freedom fighter who sought the help of the "Axis powers" to help gain freedom from the British. With the help of the Nazis, he created an anti-British propaganda radio called "Azad Hind Radio," whose broadcast themes were anti-British and pro-Nationalist.

Cinema arrived in India in the late 1800s. Indian movie pioneers were quick to realize the magical potential of movies, and the first Indian-made film, Raja Harishchandra, made by D. G. Phalke, was released in 1913. In 1917, a Bill introduced in the imperial legislative council noted "the rapid growth in the popularity of cinematograph and increasing number of such exhibitions in India," and recommended the creation of a law. The law's objective was to ensure not only the safety of the people, but also to protect the people from "indecent and other objectionable expressions" on cinema (Bhatia, 2018). A year later, the Cinematograph Act of 1918 was passed in India. This was also the start of film censorship in India. The law gave the District Magistrate the power to issue licenses to exhibitors after determining whether a movie was suitable for public viewing. The exact conditions to determine suitability was not specified. Censor Boards were set up in Bombay, Calcutta, Madras and Rangoon. During World War II, the British, noticing the propaganda films being distributed by the Axis powers, sought to protect and insulate Indians by adding stringent censorship rules. The British administered Censor Boards banned any depiction that seemed to ridicule the King, or suggested subversive activities.

News films (newsreels) were strictly prohibited from focusing on M. K. Gandhi or on the Indian freedom struggle.

Analyzing the above, it can be seen that the British deployed other early developments in communications technology to lay down deep foundations and establish precedence for communication control as well as surveillance. These were regularized and enforced through a series of statutes, most importantly the Telegraph Act of 1885 and the Indian Wireless Telegraph Act of 1933. These statutes, which show the colonizer's imperatives in maintaining control and projecting power over the colonized, survived unchanged for 87 years, well after India gained independence from the British in 1947.

TELECOM & MEDIA CONTROL AFTER INDEPENDENCE

The Constitution and Freedom of Expression

After almost two centuries of colonial rule, India became an independent nation on August 15, 1947. Independent India opted for a socialist secular democratic republic model, and adopted its Constitution in January 26, 1950. Article 19 (1) (a) of the Indian Constitution guarantees the right to free speech and expression. However, this right is not without some limitations. Article 19 (2) allows for "reasonable restrictions" to be imposed on all fundamental rights, including freedom of speech and expression, for reasons which impact: "...the 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 (National Portal of India, 2015)."

Post-independence Telecommunications, Radio, and Film

On August 1947, when India gained independence, the Congress Party came to power, and Jawaharlal Nehru became India's first Prime Minister. He prescribed a secular, democratic, but socialist agenda for India. All foreign telecommunications companies were nationalized to create the monolithic Posts and Telegraphs Department (P & T)¹, a state-run monopoly. Posts and telegraph, as well as radio and films were kept under the direct control, or indirect censorship of the government. Thus, the tools of autocracy was very much present and in use in India even after independence from British.

Upon independence, control of the All India Radio was assigned to the new Ministry of Information and Broadcasting (MIB).

¹ The P & T Department is also referred to variably as the PTT (Posts, Telegraphs and Telecommunications Department).

The Telegraph Act of 1885 remained unchanged, and thus the government controlled all aspects of broadcast radio throughout India. This remained so for over 100 years. In 1995 the Indian Supreme Court held that the airways belonged to the public and the government had no monopoly over them (Basu, 2012). Following this ruling, in 1997, the Telecom Regulatory Authority of India (TRAI) was set up under the TRAI Act, and radio became open to the private sector only in 1999. TRAI remained a government entity, set up to regulate telecommunications. TRAI also had a mission to create and nurture the growth of telecommunications in India. Shortly after being set up, it recommended that private FM channels be allowed to broadcast the news. However, the government was not ready to relinquish control easily. The MIB refused, arguing that it would be difficult to monitor all the channels for their news content. It allowed private FM channels only to broadcast AIR news bulletins, and that too without modifications. Radio channel frequencies were still issued by the MIB, and in addition, private radio channels had to get a wireless operating license from the Ministry of Communications and Information Technology (MoCIT).

The newly independent nation's government also sought quick control of another fast developing communications medium – film and movies. Movies have the tremendous power to influence the public, especially in India, where rural areas still have significant illiteracy. According to a recent study, Indian cinema produces more films watched by more people than any other country; in 2011, over 3.5 billion tickets were sold across the globe, 900,000 more than Hollywood (Matusitz & Payano, 2011). At the time of independence, there was a burgeoning interest in film and movie production in India, and the government clearly saw the mass communication (and propaganda) potential of movies. To capitalize on this potential, the Films Division of India (FDI) was established in 1948. It was also placed under the control of the MIB. It was charged with recording the newly independent nation's social, cultural, and political milieu. This government arm started producing documentary films and news segments that reflected the aspirations of a newly minted democratic state. From 1948 to 1974, every theater screening a feature film was mandated to screen a 6 to 12-minute documentary by the Films Division before the featured movie.

The Hindustan Times, in a 2016 article on this period, noted that movie audiences all over India stoically (and many times begrudgingly) sat through these films, which were thinly disguised government propaganda (Hindustan Times, 2016). In some cases, movie theaters even listed the times when the actual featured movies started, so that their audiences could plan their arrival, skipping the government “news reels!”

After independence, the practice of film censoring privately made films that was established by the British continued, but without any uniform standards. Different censor boards in different states used different measures and classifications to adjudicate a movie's suitability for public viewing.

This caused tremendous confusion, as a movie that was 'allowed' in one state was not, in another. To address this problem, the Indian government set up a Central Board of Film Censor in 1952. Everyone in the CBFC is a government appointee. Successive governments in India have used this provision to appoint party loyalists in the Censor Board. Section 5B of the Cinematograph Act states that 'any film that is against the "interests of [the sovereignty and integrity of India] the security of the State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of court or is likely to incite the commission of any offence" can be denied a certificate' (Bhatia, 2018). This provision has given the Indian government unbridled power in controlling the movies screened.

Thus, in the years after independence, the Indian state establishment did not really veer away from the autocratic structures that were established by the British government to control and engineer communications in India. In fact, many of the laws, such as the Telegraph Act, and the Wireless Telegraph Act remained unchanged for decades after independence.

It was a matter of time before one of Nehru's successors used these tools to grab the enormous powers granted by historical precedence to enforce his/her personal agenda on the nation. Nehru or other leaders of the Congress party could not have anticipated this in the heady days after gaining independence. However, this is precisely what happened when Nehru's daughter, Indira Gandhi, became Prime Minister of India after the deaths of Nehru and his successor, Lal Bahadur Shastri

INDIRA GANDHI – HER RISE AND THE MEDIA

Indira Gandhi is an iconic figure in India's politics. She is, to equal extent, revered and reviled by the people of India who were present during her rise to power and her political rule. Indira Gandhi was the only daughter of Jawaharlal Nehru. Growing up during India's freedom struggle, Indira Gandhi functioned as her father's trusted confidante and hostess during Nehru's tenure as Prime Minister. Indira Gandhi often accompanied her father during official trips across India, and soon garnered a mass popular following of her own. The media often celebrated her presence, hailing her as "daughter of the freedom movement." When Nehru died in 1964, he was succeeded by Lal Bahadur Shastri as Prime Minister. Shastri's succession was engineered by a group of powerful Congress party members known

as “the Syndicate.” Indira Gandhi had hoped for a prominent ministerial position in Foreign

Affairs, but Shastri appointed her to a much less prominent position as Minister of Information and Broadcasting. However, Mrs. Gandhi was not to be so easily subdued or dismissed. As noted by sociologist Sourabh Singh, in 1965, during the height of the anti-Hindi riots in Tamil Nadu, Mrs. Gandhi stepped over Shastri’s authority to directly negotiated with the chief minister of Tamil Nadu. When Shastri expressed his displeasure, Mrs. Gandhi indignantly retorted that she was not a mere minister for information and broadcasting, but one of the leaders of the country (Singh, 2012).

It is clear that Indira Gandhi did not want to be just a puppet of the Syndicate, but harbored ambitions of leading the country. She consciously distanced herself from gender-identity – being considered differently because she was a woman. When Shastri died unexpectedly in 1966, the Syndicate elevated Indira Gandhi to the Prime Minister’s office, hoping to rein-in and control Indira Gandhi to suit the Syndicate’s plans. However, Gandhi had different plans. She was aware of the mass popularity that she had garnered during trips with her father, and strategically embarked on a national campaign to eradicate poverty – a move that provided more grassroots support for her, and cemented her political position. In 1969, she split from the Syndicate, formed her own version of the Congress party, and won a resounding victory in the 1971 elections, cementing her position as supreme leader of India. The same year, India and Pakistan went to war over Bangladesh. The problem started when East Pakistan wanted to split away from ethnically different West Pakistan. Pakistan’s rulers and the army, most of whom were from West Pakistan, ruthlessly put down the revolt. Indira Gandhi saw the opportunity to weaken Pakistan and offered her support to the creation of Bangladesh. In the war that ensued, Indian forces defeated the Pakistani army and forced it to cede its Eastern territory, thus creating an independent nation, Bangladesh. This victory against Pakistan further enhanced Indira Gandhi’s popularity and position of power. She was widely lauded by the popular press as the “Iron Lady” of India, in an acknowledgement of her toughness in governing the country as well as her acumen in conducting its foreign affairs.

Seeking to further cement her authority, Gandhi managed to power through the Maintenance and Internal Security Act (MISA) in parliament in 1971. It gave her and Indian law enforcement agencies “super powers,” allowing them indefinite preventive detention of citizens, and to search and seize property without warrants. It also allowed the wiretapping of prominent people in order to quell civil and political disorder.

However, Indira Gandhi's honeymoon with the populace and the nation's press was short-lived. The period from 1971 to 1974 saw a downturn in India's economy. The Indian economy was hit, due to the war with Pakistan, the resulting influx of refugees from East Pakistan, and the global oil crisis of 1973. The rise in global oil prices caused a shortage of petroleum-based fertilizers, which greatly hit India's agricultural production, a mainstay of its economy (Weinraub, 1974). The problems were compounded by droughts, which was directly attributed to almost 70,000 deaths in the state of Maharashtra (Dyson & Maharatna, 1992), (Omvedt, 2012). The nation's unemployment rose, along with prices of staple goods. Factory workers organized large scale strikes protesting price hikes, and demanding pay raises. The opposition parties, sensing an opening to unseat the powerful Indira Gandhi's Congress party, blessed massive student protests. Jayaprakash Narayan (JP), an ardent follower of Mahatma Gandhi, led mass student protests against perceived government corruption. The media and the press covered the massive protests organized by JP, and became increasingly critical of Indira Gandhi's autocratic policies (Davar, 2017). This period of mass unrest heightened Indira Gandhi's paranoia and deepened her mistrust of the press and media.

INDIRA GANDHI AND MEDIA CONTROL

The situation came to a head on June 12, 1975, when the Allahabad High Court ruled that Indira Gandhi had committed some election violations during the 1971 elections. The opposition parties and the media called for Ms. Gandhi to step down from office. She appealed the verdict in the Supreme Court, which allowed a conditional stay on the Allahabad Court's decision – the condition being that Mrs. Gandhi could remain Prime Minister, but could not vote in the Parliament until the case was settled.

Almost immediately after the Allahabad court's ruling, Indira Gandhi and her inner circle began to set in motion detailed plans that would ensure that she could stay in power. On June 18, Congress MPs belonging to Gandhi's party met and pledged their total loyalty to Mrs. Gandhi's continued leadership. Journalist Coomi Kapoor noted that in that meeting, D. K. Barooah, the party's president, uttered the slogan "Indira is India and India is Indira" – ominous in its similarity to Rodulf Hess' 1934 declaration at the Nuremburg Party Rally: "Hitler is Germany; Germany is Hitler (Ostoyich, 2010)." Siddhartha Shankar Ray, the chief Minister of West Bengal, and one of Mrs. Gandhi's inner circle, and an Oxbridge-educated lawyer, circulated detailed plans on how to declare an "Internal Emergency." The reasons offered were that India's national security was at risk, and that various enemies of India were attempting to destabilize India. Lists of opposition leaders, union leaders and media personnel were drawn up with a view to having them arrested at short notice.

Detailed plans on media censorship were also drawn up, and party loyalists and state chief ministers belonging Mrs. Gandhi's party were called for meetings in New Delhi, to pre-warn them of imminent actions in the name of national security.

By June 25, arrangements for the mass arrests of political leaders and others were in place, and the final details were discussed at Mrs. Gandhi's aide, R. K. Dhawan's office (Kapoor, 2015). On the night of June 25, Indira Gandhi, along with Siddhartha Shankar Ray met the President, Fakhruddin Ali Ahmed, and urged him to declare an "Internal Emergency." The reasons given was that India's national security and stability was under attack. The President, who had been ushered into the ceremonial position at the behest of Indira Gandhi, acquiesced, and signed the proclamation of internal emergency under Article 352(1)² of the Constitution at around 11:45PM, June 25, 1975

The emergency period lasted for 21 months, until March 21, 1977. Forty-three years later, this emergency period is considered as the darkest moment that it has faced in its 71 years of existence as an independent, democratic state. During those 21 months, India veered precipitously towards a path that closely followed the script used by many totalitarian regimes in the twentieth century. During this period, simply referred to as "the emergency period," the fundamental rights of the citizens guaranteed by the Constitution were suspended. Many existing laws were amended to suit the whims of a small coterie close to Indira Gandhi, to enable them to retain control and to stamp out any resistance. As in many other totalitarian regimes, media and communications technologies were used to propagate and perpetuate the emergency.

MEDIA CONTROL AND ABUSE DURING THE INTERNAL EMERGENCY

The government had always controlled the major communications media, namely the telephone, radio, and television. The government also controlled the utility companies such as electricity and water. Now it used them to the fullest extent in projecting its authority, stamping down dissent, and spreading its propaganda. Other media industries not completely under the government's control, such as the press, the film industry, and the recording industry were also coerced into falling in line. In the following we discuss the governments control and abuse of these technologies.

² Article 352 of the Indian Constitution endows the president with the powers to proclaim an emergency, if he is satisfied that a grave national danger exists (Schoenfeld, 1963).

Power Utility

Immediately after the emergency proclamation was signed by the president, the Delhi Electric Supply Undertaking (DESU) was ordered to cut off electricity to all the newspapers located on Bahadur Shah Zafar Marg, which was where a majority of the newspapers' offices and printing presses were located. This technique was employed throughout the emergency period to control or punish those newspapers and magazines that were found to be critical of Ms. Gandhi or her son, Sanjay Gandhi.

Telephone

Wiretapping (or phone tapping) private citizen's telephones has routinely been employed by Indian security agencies at the behest of the government in power, mostly to harass opposition politicians. Even though this is a violation of the Constitution, the wording of the Telegraph Act of 1885 was ambiguous enough that the government often used this as a weapon, usually claiming that there existed a threat to society at large. Since the telecommunications sector was completely controlled and run by the government, this was easily achievable in practice. The Indian Telegraph Act 1885 was strengthened further by an amendment by H. N. Bahuguna, the Communications Minister. This amendment further reduced privacy protection by actually enhancing the powers of the government to intercept messages even if there was a threat of "incitement of offences" (Dhavan, 2000).

Telephone wiretapping was consistently used by the police at the behest of Ms. Gandhi's close associates, as well as the Chief Ministers of states who belonged to Ms. Gandhi's party. Ms. Gandhi wiretapped some of her own cabinet members because she was suspicious of them. Many senior members of her cabinet felt that they were being spied on by Mrs. Gandhi. Jagjivan Ram, a senior cabinet member, later confessed that his silence during the emergency excesses was because he was certain that his telephone was bugged on Ms. Gandhi's orders. Journalist Coomi Kapoor noted that her telephone, as well as that of other journalists, was tapped during the emergency (Kapoor, 2016). In addition to information gathering, the threat of surveillance was used to spread fear and suspicion among journalists. New York Times reporter William Borders wrote that an (Indian) editor politely requested that he not be contacted by phone anymore, as he feared that his phone was being tapped (Borders, 1975b).

Radio

At the time of the Emergency, the radio was the most popular and most accessible means of mass communication in India. Its low technology and reach made it the best communication mode suited for India's vast and varied geography. All India Radio (AIR), with its vast network of over 262 radio stations, covered 92% of India's total area, broadcasting in 23 languages and 146 dialects. Regional new units broadcast 469 daily news bulletins in 75 languages and dialects (Neelamalar, 2018). The radio was naturally one of the prime and early targets of the enforcers of the emergency. Ms. Gandhi's loyalists made every attempt to ensure that AIR became a critical tool of government propaganda. At the time the Minister for Information and Broadcasting (which controlled the radio) was Inder Kumar Gujral, who was considered to be too neutral by Ms. Gandhi's loyalists and her son, Sanjay Gandhi. Thus, immediately after the emergency was declared, Gujral was removed from his position, and another loyalist, V. C. Shukla was appointed as the interim head of the ministry of Information and Broadcasting (Kapoor, 2015).

After the emergency was declared, Ms. Gandhi's loyalists took complete control of the nation's radio. Ms. Gandhi used the radio for declaring the emergency. In her address, Ms. Gandhi defended the emergency and spoke about the reason for declaring the emergency, and promoted her program to revive the economy – the “20-Point Programme,” which was a list of social and economic enhancement themes. V. C. Shukla, the newly appointed Minister of Information and Broadcasting, ordered all AIR station directors to scrutinize and screen all subordinates, to identify any trace of subversion. All news was censored. He also ordered detailed background information to be prepared for all the editors and reporters, not only belonging to the Indian press cadre, but also the foreign press. P. C. Chatterjee, the director-general of AIR tried to directly appeal to Mrs. Gandhi, reasoning that the credibility of AIR would be lost if the government interfered with its code of objectivity. According to the Shah Commission report, Mrs. Gandhi retorted: “What credibility? We are the government! (Shah, 1978a)”

The foreign press members were given a censorship agreement that they were required to sign in order to continue reporting from India. When BBC (along with several other news agencies) refused to sign, its New Delhi correspondent Mark Tully was expelled from India with a 24-hour notice. However, despite the setback, BBC continued to broadcast news on India that it acquired from Reuters as well as citizen reporters. The BBC became the main news source for millions of citizens, including those imprisoned by the Indira Gandhi regime.

Faced with tremendous and all-encompassing restrictions, AIR simply became a mouthpiece of the government. Its focus was on promoting the speeches of Indira and Sanjay Gandhi and serve as a propaganda machinery. Soon after Indira Gandhi's 20-point program, Sanjay Gandhi came up with his own 5-point program for development, which consisted of: birth-control, literacy, planting trees, abolition of the caste system and abolition of dowry. These topics were constantly in the AIR news.

Another example of media control and censorship pertained to the treatment accorded to one of India's top pop-stars, the movie playback singer Kishore Kumar. When he was asked to sing in praise of Mrs. Gandhi's 20-point program, by officials of the MIB, he refused. In retribution, V. C. Shukla banned AIR's commercial stations from playing any recording by Kishore Kumar, in addition to banning the recording industry from making new recordings of the artist – a ban that remained in force for almost a year, until Kishore Kumar finally acquiesced to the authorities' demands.

Television

New Delhi was introduced to television in September, 1959. However, there was little growth in the next decade and a half. There was just one hour of broadcast each day, and the programs were on community health, citizens' duties and rights, etc. In 1961, broadcasts were expanded to include education programs for school children. In 1972 a second television station was opened in Bombay, and in 1975, there were seven television stations in India. The administration of television in the early years fell to AIR. In 1976, the government created Doordarshan, the national television network, with its own director-general (Chatterjee, 2012). Thus in 1975, the television in India was limited to big cities, and was mostly under AIR administration. Therefore all the censorship and control that was faced by AIR was also experienced by Doordarshan. Television programmes only featured Indira Gandhi, her son Sanjay Gandhi, and government propaganda. The aforementioned Kishore Kumar's music was also banned on Doordarshan. All movies starring Kishore Kumar were frozen from Doordarshan's programs (Kapoor, 2015). Doordarshan was also used in other ways to obstruct the opposition. In early 1977, Mrs. Gandhi, confident that she had completely solidified her power and diminished the opposition parties, announced surprise parliamentary elections. Her hope was that she would continue to have majority support from the people of India. When the opposition organized, and held massive rallies, her minister of information and broadcasting, V. C. Shukla, ordered Doordarshan to reschedule programs, so that people would have to choose between

viewing the most popular Bollywood films, versus watching an opposition party rally.

Kapoor notes that on February 6, 1977, V. C. Shukla ordered Doordarshan not only to change the timing of its usual replay of old feature films from 4PM to 5PM, but also to replace the (old) film by a new blockbuster film, Bobby.

This was done presumably to minimize the impact of an opposition party rally scheduled for 5PM on Sunday.

The Press

The emergency-period censorship and control of the telephone, radio, and television paled in comparison to the intensity with which Mrs. Gandhi's inner circle focused on curbing the (printed) press. As mentioned earlier, one of the first acts after the emergency declaration was to cut off the power supply to the newspapers all over India, so that they could be prevented from publishing any news at all. On the night of June 25, 1975, numerous newspaper editors and correspondents were arrested along with other political leaders. Numerous newspapers were summarily ordered to close down. At 8:00AM on June 26, Indira Gandhi addressed the nation on AIR and Doordarshan and made the emergency declaration. The AIR broadcast mentioned that press censorship was imposed, senior leaders were arrested, and fundamental rights had been suspended.

Newspapers did not appear for two days, and finally started appearing on June 28. Mrs. Gandhi claimed that vested interests that threatened national security had the backing of the press, which was distorting facts and spreading lies. One June 26, Mrs. Gandhi chaired a high-level meeting in which it was decided that a law should be passed to stop 'scurrilous' and 'malicious' writings in newspapers and journals. It was also decided during the meeting that the Press Council of India (PCI) would be wound up. The PCI was set up in 1966 as an independent body that focused on preserving press freedom, ensure that newspapers maintained professional standards and journalists adhered to a code of conduct. The Prime Minister's inner circle also decided to review the policies of the Directorate of Advertising and Visual Publicity concerning (government) advertisements to newspapers and journals. Government advertisements and notices were a big source of revenue for newspapers and magazines, and the idea was to choke those who did not toe the government line by cutting off advertisements (Kapoor, 2015).

When V.C. Shukla took over as minister of Information and broadcasting, he brought with him an assistant an ex-police officer, K. N. Prasad. In a scenario that seems similar to the Third Reich, Prasad's duty was to keep tabs on what was happening to the media. Prasad kept a close watch on media personnel and even requisitioned fourteen officers from the Indian Police Service to help him with the task.

These officers used the cover of Central Information Service (CIS) officers³ to keep tabs on journalists. Prasad later testified at an inquiry commission (the Shah Commission) that he had the Intelligence Bureau (IB) check the backgrounds of all journalists in order to see if any of them had prior associations with banned organizations (i.e. through the emergency declaration) such as the RSS. V.C. Shukla also appointed Harry D'Penha as Chief Censor. Any copy written by a journalist had to be submitted to D'Penha for approval (Sabharwal, 2001).

In some cases, the printing presses where a journal or newspaper was published was coerced into not publishing the journal/newspaper. One such publication was *Opinion*, a four-page newsletter. Found to be critical of the government, its editor was served notice. The presses where the newsletter was printed were coerced into refusing to print them anymore. Eventually the newsletter stopped publications altogether. Other small journals also faced a similar fate. While newspapers were censored, they were also simultaneously coerced to print positive news about the government, failing which the newspaper was "punished." News journalists and editors were required to sign a pledge of loyalty (to the 's 20-point program), failing which they were blacklisted, and excluded from government advertising. The censorship was very stringent and all encompassing, as noted by Chitra Kanungo (Kanungo, 2001).

Kapoor (2015) noted that 'anti-government' newspapers such as the *Statesman* came under pressure to appoint government directors on their board. The passports of *Statesman's* editor C. R. Irani was impounded, and he was warned that continued publication of anti-government news would result in the additional impounding of his printing press. K. N. Prasad's team collected and even created a database of editorial views and categorized as A (pro-government), B (anti-government), and C (neutral).

During the early days of the emergency, many newspapers reacted in protest to the curbs and censorship by printing blank pages, or pages with quotes from famous authors. Soon, however, this practice of subversion was banned by the government, because the censorship rules required that no publication could reveal that it was censored! (Kapoor, 2016). Given the enormous pressure from the state, many newspapers felt constrained to fall in line. Newspapers such as *The Times of India* and *The Hindu* are prime examples of newspapers that quickly fell in line with the government.

These newspapers then became quasi-propaganda tools, as they exclusively (or mostly) published only government news.

³ CIS officers are a cadre of civil service employees who were selected and trained to serve as information officers in various media units in the Ministry of Information and Broadcasting.

Films

The Ministry for Information and Broadcasting maintained the “Films Division” with the aim of producing educational as well as informative movies in India, as noted in an earlier section. This division of the government was put into full use during the emergency. Hindustan Times noted that by the time of the emergency, the government-produced newsreels had outlived their purpose (Hindustan Times, 2016). The Films Division, however, produced a list of propaganda movies that exalted or praised Indira Gandhi, her leadership, and her 20-point program. These movies were directly beamed into all households via Doordarshan, the only TV broadcaster in India at the time. Examples of these are:

Our – a sympathetic profile of a “modest and humble”; We have promises to keep – interviews with the public who praised the benefits that it had brought them; Sorry I am late – which lectured people on the importance of punctuality; Our Indira – another portrait of Indira Gandhi; and This is HMT time – a profile of India’s government-run Hindustan Machine Tools, a watchmaker, which was depicted as a government-run success story (Vij, 2014).

In addition to producing propaganda, the Ministry of Information and Broadcasting played an extensive role in censoring and banning certain movies during the emergency. The movie *Aandhi* (Storm), produced by Gulzar, and focusing on the theme of a woman politician, was banned. So was the satirical movie *Kissa Kursi Ka* (Tale of the Seat), produced by Amrit Nahata, which was not only summarily banned, but all prints were confiscated by the government on Sanjay Gandhi’s orders. When the producer petitioned the Supreme Court to get the film back, it was discovered that all copies had been destroyed. Later it was determined that the copies were burned in Sanjay Gandhi’s Maruti car factory (Kapoor, 2016; Shah, 1978b). A ban was also imposed on film actor Shatrugan Sinha, who was perceived to be unsympathetic to the Congress, and an open supporter of Jayaprakash Narayan, the leader of anti Indira Gandhi protests. The Information and Broadcasting minister, K. K. Tiwari, banned all films that featured the actor during the emergency (Razdan, 2009).

Hoardings and Billboards

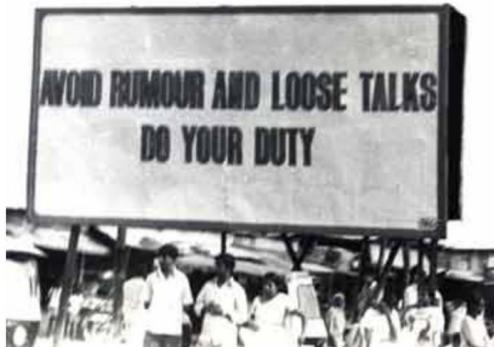
Another typical feature of government propaganda was the appearance of massive hoardings on main thoroughfares in various cities and towns all across India. We would like to call these “analog technologies.” These consisted of messages to the people, exhorting them to act in a particular manner, or in praise of Indira and Sanjay Gandhi’s programs. Some of the slogans or exhortations in the hoardings: “The emergency provides us a new opportunity to go ahead with our economic tasks!” (Borders, 1975a)

“The Nation is on the move!”
“Emergency ushers in era of discipline!”
“Less talk, more work!”
“Marching to a better tomorrow!”
“Emergency for a stronger more prosperous future!”
“Grave mischief has been done by irresponsible writing!”
“Silence is golden!”
“The only magic to remove poverty is hard work!”
“You too have a role in the emergency!”
“Work hard! Produce more! Maintain discipline!” (Tarlo, 2003)

A couple of these hoardings are reproduced below (from (Guruprasad, 2013; Madhavan, 2015)):



”The fruit of unlawful business – black face and strong punishment!” & “Slogan of the nation – More production”



Mass Sterilization

Of all the effects of curbs on information, the hiding of a mass, involuntary, sterilization of men in villages was the most odious. The drive to sterilize men began in the 1970s, when the Indian government embarked on an ambitious population control program. This gained momentum during the emergency, and was mostly hidden from public view by strict censorship of the press and other media. Population control was elevated into a high-level priority, and made into a “must-do” program across all states, especially those controlled by Mrs. Gandhi’s party. Targets were issued to various states, at various levels of the government bureaucracy. Those not meeting targets were punished. Hundreds of thousands of mostly poor people were coerced, and herded into large sterilization camps, and forcibly sterilized. Some were promised gifts and promotions at jobs. Often the camps did not have basic sanitary facilities. There was inadequate or no follow-up to these surgeries. Numerous men died as a result of botched surgeries. According to the BBC, some villages were simply cordoned off by the police, and men were virtually dragged into surgery. It is estimated that 6.2 million Indian men were sterilized in just one year – which is 15 times the number of people sterilized by the Nazis, according to science journalist Mara Hvistendahl (Biswas, 2014). All news of these mass efforts were completely hidden from the public’s view through the massive censorship of the press.

THE END OF EMERGENCY

In March 1977, Mrs. Gandhi, in a surprise move, announced new elections. By that time, the citizens, the intelligentsia, the press, including the foreign press, had begun to accept that the emergency and totalitarian control was for the long haul. It can be surmised that Mrs. Gandhi became either confident or complacent and was sure of the people’s support, and of her victory. However, in the elections, on March 20, 1977, the Congress party was comprehensively beaten and lost more than 200 seats in the parliament, on March 20, 1977. A coalition of opposition parties overwhelmingly won the election. The emergency was finally lifted on March 21, 1977, thus ending a dark period for the Indian democracy.

CONCLUSIONS

In the above, we have tried to provide a comprehensive narrative of the history of media control in India, focusing on how the legacy of control by the British continued even after India’s independence. In fact, looking at the history of control, it seems apparent that successive Indian governments have accepted and used the tools of media control with relish, against opposition parties as well as the general populace. The impact and extent of these controlling mechanisms became very

apparent when they were turned into “Totalitarian Technologies” by Indira Gandhi and her coterie of supporters during India’s emergency period.

What is interesting and disturbing is the fact that a majority of the Indian population and its media apparatus accepted the totalitarian tactics rather passively. In fact, a significant section of the population seemed to agree with and applaud the declaration of emergency and the subsequent suspension of fundamental rights. The propaganda mechanisms seemed to work completely with this section of India. Most of the press, which were run by businessmen, soon seemed to fall into order and stop questioning the overt government censorship and propaganda. The vast number of atrocities committed by the government under the guise of national security – such as the mass arrests of politicians, journalists, and citizens without warrants, their ill-treatment by the police, the mass sterilizations of men ordered by Sanjay Gandhi, and the destruction of properties under the guise of beautification of cities, were all successfully hidden from the general public. Only a section of the citizenry kept up with the news, by listening to foreign news broadcasts, such as the BBC. In fact, it is surprising and notable that as the emergency period extended into months, rather than weeks, even foreign governments came to accept it as a reality in India. This shows how tenuous the concept of democracy and democratization is, especially in the developing world. Forty-three years later, when we look at the emergency period, a few interesting and startling facts emerge. First, the opinions of the people about Indira Gandhi at the time was generally positive. While people agreed that she had “sinned,” they also felt that she was “sinned against.” More recently, as noted by journalist and author Inder Malhotra, sociologists and historians such as Andre Beteille, Bipan Chandra and Ramachandra Guha have noted that the anarchy that the JP movement promoted, and the authoritarianism that Indira Gandhi resorted to, are ‘two sides of the same coin.’ Some have questioned the wisdom of JP in asking the army and police to disobey the government (Malhotra, 2010).

Malhotra, writing about the emergency, stated that Indira Gandhi made sure that the Indian legal and constitutional apparatus would be under her control by appointing judges who were at her behest, prior to the emergency. This came in handy, as many of the Gandhi-appointed judges either overtly or indirectly supported many of Mrs. Gandhi’s excesses during the emergency (Malhotra, 2010). Moreover, the ordinances passed during the emergency or issues such as press censorship have been retained, decades after the event itself. Thus the emergency certainly had the effect of permanently changing the safeguards against totalitarianism.

While many analysts argue that the emergency did not fundamentally change India, we tend to agree with the opinion presented by Arvind Rajagopal. According to him, the emergency is a watershed in India’s post-independence history. It showed that coercion was tightly linked to state-led development. Further, at every stage,

it used coercion, and sought to disguise it as consent (Rajagopal, 2011). Indeed, the slogans that were presented earlier emanated as much from the government apparatus as they did from intellectuals, politicians, bureaucrats, and even journalists. Many journalists, journals and newspapers found it appropriate to accept and express loyalty to the government (Tarlo, 2003). In most cases, the slogans reverberated with Indian's middle class, as noted by Rajagopal.

Now, forty-three years later, India is under a new administration, led by the Bharatiya Janata Party. Many of the leaders now in government were members of the opposition during the emergency – and thus at the wrong end of the totalitarian efforts of the time. However, many political analysts and sociologists are expressing unease and the recent moves of the ruling party – at the tone of authoritarianism that is beginning to be adopted by the ruling party, in the guise of national security and economic development – similar to Indira Gandhi! It is therefore important Indians and historians to reach back into history and recognize these symptoms for the danger that they could cause. It is important for Indian citizens, intelligentsia, the judiciary, and the free press to continuously and monitor and determine how their institutions could and should be strengthened so as to preserve India's long and hard-fought independence and growth as a democratic nation.

Future research should be conducted on this topic by extending this to the current time, when we have a serious proliferation of social media technologies associated with machine learning and AI capabilities that threaten the security and privacy of individual citizens in various countries at present.

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