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Free Speech An Aid To Good Governance: Arun Jaitley

Sardar Patel Memorial Lecture

New Delhi, India, 27.10.2015, 16:01 Time

USPA NEWS - The Union Minister for Finance, Corporate Affairs and Information & Broadcasting, Mr. Arun Jaitley delivering the “Sardar Patel Memorial Lecture “” 2015”, organised by the All India Radio, in New Delhi on October 26, 2015.

Jaitley Delivers Sardar Patel Memorial Lecture-2015

Minister for Finance, Corporate Affairs and Information and Broadcasting Mr. Arun Jaitley said that free speech is an aid to good governance in view of the changes taking place in the media landscape and the scope and content of issues related to Right to freedom of Speech and Expression. The overall scenario was also influenced by technological tools that brought about a change in the form, style and method of dissemination.

These developments also impacted the definition of News, which today was increasingly being influenced by the camera and channel driven mode. Mr. Jaitley stated this while delivering Sardar Patel Memorial Lecture-2015 on the topic “Is it possible to impose reasonable restriction on Freedom of Speech & Expression given today’s media landscape”^[?] organized by Prasar Bharti on October 26.

Elaborating further, the Minister lauded the judiciary for its role in expanding the scope of Right to freedom of Speech and Expression over the years. Various judicial pronouncements had underlined the spirit of the idea behind the Right to freedom of Speech and Expression under the Constitution and correlated contemporary developments, issues and changes in the media space.

The Minister also referred to the debates in the Constituent Assembly regarding issues related to Freedom of Speech and Expression and the philosophy of the idea of reasonable restrictions as propounded by the distinguished members of the Constituent Assembly. Judicial pronouncements subsequently in specific cases focused on issues pertaining to the idea of reasonableness related to restrictions under the Article 19 (2) of the Constitution in the interest of sovereignty, security and public order.

Nonetheless due to the pluralistic character of the media space, it was important to exercise caution taking into account public order and sensibilities. He said that these restrictions could only be imposed by law and were specific rather than general so as to prevent misuse.

Regarding the media landscape, Mr. Jaitley said satellite televisions had brought about a sea change in the presentation of news, in the current scenario the recipient of information had the right to information and knowledge which was also being considered part of the debate under Right to Freedom of Speech and Expression.

While the dissemination process in the social media space also impacted the information flow and contributed to the public debate and setting of agendas in the policy framework. Social media had led to the empowerment of citizens by giving them a voice. Decision makers were increasingly using social media to gauge public sentiments on government policies making public reactions, among other things, the new agenda setters for governance.

Paying homage to the Late Sardar Patel, the Finance Minister said that India today owed its present geographical unity and integrity to him. The identity of India today was crafted by the twin issues pursued tirelessly by him namely transfer of power and integration and unification of states in the post-independent India. These developments provided the foundation for the country’s identity as one unified nation. The vision of Sardar Patel had provided Indian democracy the roadmap for the future.

During the course of his address, the Minister referred to the evolution of media and the right to freedom of speech and expression. Citing global examples, Mr. Jaitley brought out the finer aspects of the freedom of speech vis-À-vis privacy; need to protect the source of information in public interest and media restraint with regard to matters that were sub-judice. He said that these issues had generated discussions amongst academicians, media fraternity and other concerned stakeholders.

During his address Mr. Jaitley touched upon the global practices being followed in the context of social media restrictions. He further referred to the “‘right to be forgotten’ incorporated by the European Court of Human Rights, which empowered the state authority to remove the reference of the aggrieved person from internet citing citizen’s right to privacy. He also spoke about the jurisdictional principles with respect to reasonable restrictions on Freedom of Speech and Expression in the light of changes and issues raised.

The Minister also mentioned that in the context of the various sensitivities prevalent in multicultural society like India, it was imperative to strike a fine balance between freedom of speech and expression and the reasonable restrictions so as to maintain public order and integrity and sovereignty of India.

The lecture is a part of the annual series of “Sardar Patel Memorial Lecture“^[7] organized by All India Radio as a mark of respect to Sardar Vallabh Bhai Patel who was India’s first Minister of Information and Broadcasting.

These lectures started in 1955 and the first Memorial lecture was delivered by Sri C. Rajagopalachari. In this series, the speakers in the previous years included Dr. Zakir Hussain, Shri Morarji Desai, Dr. A.P.J. Abdul Kalam and such luminaries.

Picture Description; The Union Minister for Finance, Corporate Affairs and Information & Broadcasting, Mr. Arun Jaitley delivering the “‘Sardar Patel Memorial Lecture ‘‘ 2015’ , organised by the All India Radio, in New Delhi on October 26, 2015. The Minister of State for Information & Broadcasting, Col. Rajyavardhan Singh Rathore and the Chairman, Prasar Bharati, Dr. A Surya Prakash are also seen.

Article online:

<https://www.uspa24.com/bericht-5961/free-speech-an-aid-to-good-governance-arun-jaitley.html>

Editorial office and responsibility:

V.i.S.d.P. & Sect. 6 MDSIV (German Interstate Media Services Agreement): Doruvu Paul Jagan Babu

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Editorial program service of General News Agency:

UPA United Press Agency LTD
483 Green Lanes
UK, London N13NV 4BS
contact (at) unitedpressagency.com
Official Federal Reg. No. 7442619