

***Law Audience Journal, Volume 6 & Issue 1, 20<sup>th</sup> Sep 2025,  
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.954, Published  
at <https://www.lawaudience.com/volume-6-issue-1-2/>, Pages: 729 to  
747,***

***Title: From Colonial Control To Digital Governance: The  
Transformation Of Print Media Regulation In India Through The PRP  
Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar,  
(Enrollment No.: H230850), Department of Law, School of Legal  
Studies and Governance, Career Point University Hamirpur Tikker  
(Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India,  
Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***



## **Cite this article as:**

VIJAY KUMAR DOGRA, "From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023" Vol.6 & Issue 1, Law Audience Journal (e-ISSN: 2581-6705), Pages 729 to 747 (20<sup>th</sup> Sep 2025), available at <https://www.lawaudience.com/from-colonial-control-to-digital-governance-the-transformation-of-print-media-regulation-in-india-through-the-prp-act-2023/>.

***Law Audience Journal, Volume 6 & Issue 1, 20<sup>th</sup> Sep 2025,  
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.954, Published  
at <https://www.lawaudience.com/volume-6-issue-1-2/>, Pages: 729 to  
747,***

***Title: From Colonial Control To Digital Governance: The  
Transformation Of Print Media Regulation In India Through The PRP  
Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar,  
(Enrollment No.: H230850), Department of Law, School of Legal  
Studies and Governance, Career Point University Hamirpur Tikker  
(Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India,  
Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

***| Copyright © 2025 By Law Audience Journal |***

***(E-ISSN: 2581-6705)***

*All Copyrights are reserved with the Authors. But, however, the Authors have granted to the Journal (Law Audience Journal), an irrevocable, non-exclusive, royalty-free, and transferable license to publish, reproduce, store, transmit, display, and distribute it in the Journal or books or in any form and all other media, retrieval systems and other formats now or hereafter known.*

*No part of this publication may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher, except in the case of brief quotations embodied in critical reviews and certain other non-commercial uses permitted by copyright law.*

*For permission requests, write to the publisher, subject of the email must be "Permission Required" at the email addresses given below.*

*Email(s): [lawjournal@lawaudience.com](mailto:lawjournal@lawaudience.com), [info@lawaudience.com](mailto:info@lawaudience.com),  
[lawaudience@gmail.com](mailto:lawaudience@gmail.com).*

*Phone (No(s)): +91-8351033361,*

*Website: [www.lawaudience.com](http://www.lawaudience.com).*

*Facebook: [www.facebook.com/lawaudience](http://www.facebook.com/lawaudience).*

*Instagram: [www.instagram.com/lawaudienceofficial](http://www.instagram.com/lawaudienceofficial).*

*Contact Timings: 10:00 AM to 8:00 PM.*

***Law Audience Journal, Volume 6 & Issue 1, 20<sup>th</sup> Sep 2025,  
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.954, Published  
at <https://www.lawaudience.com/volume-6-issue-1-2/>, Pages: 729 to  
747,***

***Title: From Colonial Control To Digital Governance: The  
Transformation Of Print Media Regulation In India Through The PRP  
Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar,  
(Enrollment No.: H230850), Department of Law, School of Legal  
Studies and Governance, Career Point University Hamirpur Tikker  
(Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India,  
Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

## **Disclaimer:**

*Law Audience Journal (e-ISSN: 2581-6705) and Its Editorial Board Members do not guarantee that the material published in it is 100 percent reliable. You can rely upon it at your own risk. But, however, the Journal and Its Editorial Board Members have taken the proper steps to provide the readers with relevant material. Proper footnotes & references have been given to avoid any copyright or plagiarism issue. Articles published in Volume 6 & Issue 1 are the original work of the authors.*

*Views or Opinions or Suggestions (if any) expressed or published in the Journal are the personal points of views of the Author(s) or Contributor(s) and the Journal & Its Editorial Board Members are not liable for the same.*

*While every effort has been made to avoid any mistake or omission, this publication is published online on the condition and understanding that the publisher shall not be liable in any manner to any person by reason of any mistake or omission in this publication or for any action taken or omitted to be taken or advice rendered or accepted on the basis of this work.*

*All disputes are subject to the exclusive jurisdiction of Courts, Tribunals and Forums at India only.*

***Submit your article(s) for Publications at [lawaudience@gmail.com](mailto:lawaudience@gmail.com), or  
[lawjournal@lawaudience.com](mailto:lawjournal@lawaudience.com), with subject as "Submission of Paper(s)  
for Publication in Law Audience Journal".***

*Law Audience Journal, Volume 6 & Issue 1, 20<sup>th</sup> Sep 2025,  
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.954, Published  
at <https://www.lawaudience.com/volume-6-issue-1-2/>, Pages: 729 to  
747,*

***Title: From Colonial Control To Digital Governance: The  
Transformation Of Print Media Regulation In India Through The PRP  
Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar,  
(Enrollment No.: H230850), Department of Law, School of Legal  
Studies and Governance, Career Point University Hamirpur Tikker  
(Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India,  
Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

## **Publisher Details:**

*Law Audience Journal (e-ISSN: 2581-6705),*

*Sole Proprietorship of Mr. Varun Kumar, Kharar, District.  
S.A.S, Nagar, Mohali, 140301,*

*Phone No(s): +91-8351033361 (WhatsApp),*

*Email ID(s): [lawjournal@lawaudience.com](mailto:lawjournal@lawaudience.com),  
[info@lawaudience.com](mailto:info@lawaudience.com) or [lawaudience@gmail.com](mailto:lawaudience@gmail.com).*

*Website: [www.lawaudience.com](http://www.lawaudience.com).*

*Contact Timings: 10:00 AM to 8:00 PM.*

*e-ISSN: 2581-6705*

---

## **Editor(s):**

- *Dr. Amit Yadav, Editor-In-Chief at Law Audience Journal, Assistant Professor at School of Law, Manipal University Jaipur.*
- *Adv. Varun Kumar, Founder-CEO-Owner-Publisher-Publishing Editor at Law Audience Journal.*

***Editorial Board Members Details Are Available At:**  
<https://www.lawaudience.com/editorial-board-members/>.*

***Title: From Colonial Control To Digital Governance: The  
Transformation Of Print Media Regulation In India Through The PRP  
Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar,  
(Enrollment No.: H230850), Department of Law, School of Legal  
Studies and Governance, Career Point University Hamirpur Tikker  
(Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India,  
Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

### **ABSTRACT:**

*“The Press and Registration of Periodicals Act, 2023 (PRP Act) represents the most significant legislative reform in Indian print media regulation since independence. Replacing the colonial-era Press and Registration of Books Act, 1867, this legislation fundamentally restructures the relationship between the State and the press by introducing digital governance mechanisms and decriminalizing procedural irregularities. This paper critically examines the PRP Act's transformation of India's media regulatory architecture, analyzing its provisions against the constitutional framework of Article 19(1)(a). It argues that while the Act modernizes registration procedures and reduces punitive elements, it simultaneously introduces new grounds for regulatory suspension that warrant constitutional scrutiny. The paper evaluates the Act's balance between administrative efficiency and press freedom, concluding that its implementation through the Press Sewa Portal demonstrates a paradigm shift toward technology-driven governance, though concerns persist regarding discretionary suspension powers and the exclusion of certain publication categories from its protective ambit”.*

### **Keywords:**

**Media Regulation, Constitutional Scrutiny, Technology-  
driven Governance, Media Regulatory Architecture.**

### **I. INTRODUCTION:**

The regulation of print media in India has historically been shaped by statutes designed for colonial administration rather than democratic governance. For over 156 years, *the Press and Registration of Books Act, 1867 (PRB Act)* governed the registration of newspapers and printing presses—a legislative framework conceived in an era when the primary objective was

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

surveillance and control of nascent nationalist publications.<sup>1</sup> The persistence of this colonial statute into the twenty-first century created significant dissonance between constitutional guarantees of press freedom and antiquated regulatory mechanisms. The enactment of the Press and Registration of Periodicals Act, 2023 (PRP Act), which came into force on March 1, 2024, marks a watershed moment in Indian media regulation.<sup>2</sup> This legislation not only repeals the 1867 Act but fundamentally reimagines the regulatory relationship between the State and the print media. By introducing fully online registration, decriminalizing procedural lapses, and renaming the Registrar of Newspapers of India (RNI) as the Press Registrar General of India (PRGI), the Act embodies what the government describes as "ease of doing business" in the publishing sector.<sup>3</sup>

This paper examines the transformation effected by the PRP Act through three analytical lenses: first, the shift from colonial proceduralism to digital governance; second, the constitutional implications of decriminalization and new regulatory powers; and third, the Act's impact on press freedom in comparative perspective with other media regulation frameworks. The analysis draws upon the statutory text, implementing rules, official statements, and early implementation data from the Press Sewa Portal to assess whether the Act genuinely advances press freedom or merely modernizes control mechanisms.

## **II. HISTORICAL CONTEXT: THE COLONIAL LEGACY AND ITS CONSTITUTIONAL INADEQUACY:**

### **II.I THE PRB ACT, 1867: ORIGINS AND OBJECTIVES:**

<sup>1</sup> Press and Registration of Books Act, 1867, No. 25 of 1867.

<sup>2</sup> Press and Registration of Periodicals Act, 2023, No. 32 of 2023 [hereinafter PRP Act].

<sup>3</sup> Press Registrar General of India, "About Us: Press & Registration of Periodicals Act-2023" (2025),

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

The Press and Registration of Books Act, 1867 was enacted by the British colonial administration primarily as a mechanism for surveillance and control. Its core requirement—that every newspaper and printing press file a declaration with the District Magistrate—served the colonial state's interest in monitoring publications that might challenge imperial authority. The Act required printers and publishers to authenticate their declarations before magistrates, creating a system of prior verification that effectively subjected the press to executive scrutiny before publication could commence.<sup>4</sup> Throughout the independence movement, this regulatory framework was repeatedly deployed to suppress nationalist publications. The Act's procedural requirements, ostensibly neutral, enabled colonial authorities to deny registration to publications deemed seditious and to demand security deposits that many small publications could not afford.<sup>5</sup> This history created a deep-seated ambivalence in independent India's relationship with the PRB Act: while the Constitution guaranteed press freedom under Article 19(1)(a), the regulatory machinery remained one originally designed to restrict it.

## **II.II CONSTITUTIONAL INTERPRETATION AND THE PERSISTENCE OF COLONIAL REGULATION:**

The Supreme Court's expansive interpretation of Article 19(1)(a) to include press freedom created an inherent tension with the continued operation of the PRB Act. In ***Romesh Thappar vs. State of Madras (1950)***, the Court established that freedom of speech includes the freedom of circulation, without which publication would be of little value.<sup>6</sup> Subsequent decisions in ***Sakal Papers vs. Union of India (1962)*** and ***Indian Express Newspapers vs. Union of India (1985)***, reinforced that economic regulations affecting the press must satisfy constitutional scrutiny.<sup>7</sup>

<sup>4</sup> PRB Act, 1867, § 5 (requiring declaration before Magistrate).

<sup>5</sup> See generally M.P. Jain, *“Indian Constitutional Law”* 1650-52 (8th ed. 2018).

<sup>6</sup> *Romesh Thappar v. State of Madras*, AIR 1950 SC 124.

<sup>7</sup> *Sakal Papers v. Union of India*, AIR 1962 SC 305; *“Indian Express Newspapers v. Union of India”*, (1985) 1 SCC 641.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

Despite this judicial elaboration, the PRB Act's basic architecture remained unchanged for decades. The Act required involvement of multiple government offices at district, state, and central levels, creating a complex, time-consuming process that could take months or even years to complete. This procedural labyrinth, as the Press Registrar General's office later acknowledged, was "not in sync with the changing media landscape" and imposed significant burdens on publishers.<sup>8</sup> The Act's colonial origins meant that its administrative apparatus presumed a relationship of distrust between State and press, rather than one of facilitative governance.

## **II.III THE FIRST PRESS COMMISSION AND UNFULFILLED REFORM AGENDAS:**

The need for comprehensive press law reform was recognized as early as 1956, when the First Press Commission recommended the establishment of an independent regulatory body and modernization of registration procedures.<sup>9</sup> The Press Council of India was eventually established in 1966, but the PRB Act's registration framework remained untouched. Subsequent commissions and committees, including the Second Press Commission (1982) and various parliamentary committees—repeatedly called for reform, yet legislative action remained elusive for decades. This legislative inertia meant that India entered the twenty-first century with a print media regulatory framework that still required physical filing of declarations, manual processing by district magistrates, and paper-based record-keeping. The exponential growth of India's newspaper industry—from approximately 60,000 registered publications in 2004–05 to over 1.54 lakh by 2024–25—rendered this manual system increasingly unsustainable.<sup>10</sup>

<sup>8</sup> Press Registrar General of India, *supra* note 3.

<sup>9</sup> Report of the First Press Commission (1956).

<sup>10</sup> Press Information Bureau, "National Press Day 2025: Empowering Voices, Strengthening Democracy" (Nov. 16, 2025), <https://www.pib.gov.in/PressNoteDetails.aspx?NoteId=156046>.

**Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).**

### **III. THE PRP ACT 2023: A NEW REGULATORY**

#### **ARCHITECTURE:**

#### **III.I LEGISLATIVE HISTORY AND OBJECTIVES:**

The Press and Registration of Periodicals Bill, 2023 was introduced in the Rajya Sabha on August 1, 2023, and passed by both houses of Parliament with remarkable speed—clearing the Rajya Sabha on August 3 and the Lok Sabha on December 21, 2023.<sup>11</sup> This expeditious passage reflected broad political consensus on the need to replace the colonial-era statute. The Act's stated objectives include: simplifying the registration process for periodicals, eliminating physical interface between publishers and government authorities, decriminalizing procedural irregularities, and leveraging digital technology to enhance the "ease of doing business" in the publishing sector.<sup>12</sup> These objectives align with the government's broader governance reform agenda emphasizing digitization and deregulation.

#### **III.II KEY STRUCTURAL CHANGES:**

##### **III.II.I SCOPE AND DEFINITIONS:**

The PRP Act applies to "periodicals," defined as publications containing public news or comments on public news.<sup>13</sup> Significantly, the Act explicitly excludes books and scientific or academic journals from its purview, addressing a long-standing anomaly whereby academic publications were subject to the same regulatory regime as daily newspapers.<sup>14</sup> This exclusion recognizes the distinct character of academic and scientific publishing and reduces regulatory burden on educational and research institutions.

##### **III.II.II THE PRESS REGISTRAR GENERAL OF INDIA:**

<sup>11</sup> PRS Legislative Research, "*The Press and Registration of Periodicals Bill, 2023*", <https://prsindia.org/billtrack/the-press-and-registration-of-periodicals-bill-2023>.

<sup>12</sup> PRP Act, Statement of Objects and Reasons.

<sup>13</sup> PRP Act, 2023, § 2(j).

<sup>14</sup> Id. § 2(j)(ii) (excluding books and scientific/academic journals).

**Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).**

The Act renames the Registrar of Newspapers of India (RNI) as the Press Registrar General of India (PRGI), effecting more than a nominal change. Under the PRB Act, the Press Registrar's functions were primarily record-keeping and verification. The PRP Act empowers the PRGI to issue registration certificates directly, establish guidelines for title admissibility, verify circulation figures, and revise, suspend, or cancel registrations.<sup>15</sup> This consolidation of authority in a central statutory body replaces the previous decentralized system involving district magistrates and state authorities.

### **III.II.III ONLINE REGISTRATION AND THE PRESS SEWA**

#### **PORTAL:**

The most transformative feature of the PRP Act is its mandate for fully online registration. Publishers can now obtain registration certificates by filing applications through the Press Sewa Portal, an integrated digital platform that automates title allotment, declaration filing, and certificate issuance.<sup>16</sup> The portal incorporates e-sign facilities, direct payment gateway integration, QR code-enabled digital certificates, and real-time tracking of application status.<sup>17</sup> Implementation data indicates significant uptake: within six months of the Act's commencement, the Press Sewa Portal onboarded 40,000 publishers, facilitated filing of 37,000 annual statements, and registered 3,000 printing presses.<sup>18</sup> These figures suggest that digitization has substantially reduced the transaction costs associated with regulatory compliance.

### **III.II.IV DECRIMINALIZATION OF PROCEDURAL**

#### **IRREGULARITIES:**

---

<sup>15</sup> Id. § 4.

<sup>16</sup> Id. § 5

<sup>17</sup> Press Information Bureau, *supra* note 10.

<sup>18</sup> Id.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

A significant departure from the PRB Act is the substantial decriminalization of procedural violations. The 1867 Act treated many administrative lapses as criminal offenses punishable with imprisonment. The PRP Act replaces imprisonment provisions with monetary penalties for most procedural irregularities, reserving criminal sanctions for more serious violations such as publishing without registration.<sup>19</sup> Publishing a periodical without registration may attract a penalty of up to five lakh rupees, and failure to comply with a direction to stop publication within six months is punishable with imprisonment of up to six months.<sup>20</sup> Failure to furnish annual statements within the specified time attracts a penalty of up to Rs 20,000 on first default.<sup>21</sup> This calibrated approach distinguishes between regulatory non-compliance meriting civil penalties and substantive violations warranting criminal sanction.

### **III.III REGULATORY POWERS AND CONSTITUTIONAL**

#### **CONCERNS:**

##### **III.III.I SUSPENSION AND CANCELLATION OF**

##### **REGISTRATION:**

The PRP Act empowers the Press Registrar General to suspend a periodical's registration for a minimum period of 30 days, extendable to 180 days, on grounds including: registration obtained by furnishing false information, failure to publish continuously, or submission of false particulars in annual statements.<sup>22</sup> If the publisher fails to correct such defects, the PRGI may cancel the registration. More controversially, registration may be cancelled if the owner or publisher has been convicted of a terrorist act or unlawful activity, or for acting against the security of the State.<sup>23</sup> Additionally, the Act disqualifies persons convicted of such offenses

<sup>19</sup> Press Registrar General of India, supra note 3.

<sup>20</sup> PRP Act, 2023, § 20.

<sup>21</sup> Id. § 21.

<sup>22</sup> Id. § 13.

<sup>23</sup> Id. § 14.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

from publishing a periodical altogether.<sup>24</sup> These provisions import criminal law disqualifications into the regulatory framework for media ownership, raising questions about their compatibility with the constitutional guarantee of press freedom.

### **III.III.II TITLE ADMISSIBILITY AND DISCRETION:**

The Act empowers the PRGI to make guidelines for the admissibility of titles of periodicals.<sup>25</sup> While title uniqueness is a legitimate administrative concern—preventing confusion among publications—the grant of discretionary authority to frame admissibility guidelines without clear statutory criteria creates potential for arbitrary denial of registration. The PRGI's power to cancel registration where a periodical has the same or similar title as any other periodical<sup>26</sup> further expands this discretionary authority.

### **III.III.III FOREIGN PERIODICALS:**

The Act requires prior approval of the central government for printing exact reproductions of foreign periodicals in India, with the manner of registration to be prescribed.<sup>27</sup> This provision perpetuates the differential treatment of foreign publications, subjecting them to additional scrutiny not applicable to domestic periodicals. While sovereign states legitimately regulate foreign media operations, the absence of clear criteria for approval or refusal creates potential for content-based discrimination.

### **III.III.IV APPELLATE MECHANISM:**

The Act provides for appeals against refusal to issue registration certificates, suspension or cancellation of registration, or imposition of penalties. Appeals must be filed before the Press and Registration Appellate Board within 60 days of the impugned order.<sup>28</sup> This statutory appeal

---

<sup>24</sup> Id. § 5(4).

<sup>25</sup> Id. § 4(2)(b).

<sup>26</sup> Id. § 14(1)(a).

<sup>27</sup> Id. § 9.

<sup>28</sup> Id. § 22.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

mechanism provides a crucial safeguard against arbitrary exercise of regulatory power, though the composition and functioning of the Appellate Board will determine its effectiveness in practice.

#### **IV. CONSTITUTIONAL ANALYSIS: BALANCING EFFICIENCY AND LIBERTY:**

##### **IV.I THE CONSTITUTIONAL FRAMEWORK FOR PRESS REGULATION:**

The Indian Constitution does not explicitly mention "*freedom of the press*," but the Supreme Court has consistently held that press freedom is an integral part of Article 19(1)(a).<sup>29</sup> This freedom, however, is not absolute; Article 19(2) permits the State to impose "reasonable restrictions" on speech in the interests of sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality, contempt of court, defamation, or incitement to an offence.<sup>30</sup> Any media regulation must satisfy the dual tests of reasonableness and proportionality. Restrictions must be rationally connected to the objectives enumerated in Article 19(2) and must not exceed what is necessary to achieve those objectives.<sup>31</sup> The Supreme Court has repeatedly held that prior restraint on speech is presumptively unconstitutional, permissible only in the rarest of circumstances.<sup>32</sup>

##### **IV.II THE PRP ACT UNDER CONSTITUTIONAL SCRUTINY:**

###### **IV.II.I PROCEDURAL MODERNIZATION AS CONSTITUTIONAL COMPLIANCE:**

<sup>29</sup> Brij Bhushan v. State of Delhi, AIR 1950 SC 129; Express Newspapers v. Union of India, (1986) 1 SCC 133.

<sup>30</sup> INDIA CONST. art. 19(2).

<sup>31</sup> *Modern Dental College v. State of Madhya Pradesh*, (2016) 7 SCC 353 (proportionality analysis).

<sup>32</sup> Romesh Thappar, AIR 1950 SC 124.

**Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).**

The PRP Act's digitization and simplification measures strengthen constitutional compliance by removing arbitrary barriers to press operation. The colonial-era requirement of physical appearance before district magistrates created opportunities for delay and discretionary denial. By replacing this with automated online processing, the Act reduces the potential for executive obstruction of publication. The decriminalization of procedural lapses similarly aligns with constitutional values by ensuring that minor administrative errors do not result in imprisonment—a disproportionate sanction that would likely fail the reasonableness test.<sup>33</sup>

#### **IV.II.II PRIOR RESTRAINT CONCERNS:**

The Act's provisions for suspension and cancellation of registration raise prior restraint concerns. While the PRGI's power to suspend registration is subject to appeal, suspension itself operates as a form of prior restraint—preventing publication during the suspension period. The Supreme Court has consistently disapproved of prior restraint, holding in *Brij Bhushan vs. State of Delhi (1950)*, that pre-censorship is not permissible under Article 19(2).<sup>34</sup>

The constitutionality of suspension powers may depend on their exercise. If suspensions are imposed only after notice and opportunity for hearing, and are limited to clear cases of fraud or non-publication, they may survive constitutional scrutiny. However, if suspension becomes a routine response to content-related concerns, it would violate the constitutional prohibition on prior restraint.

#### **IV.II.III DISQUALIFICATION ON CRIMINAL CONVICTION**

##### **GROUND:**

The provisions disqualifying persons convicted of terrorist acts or unlawful activities from publishing periodicals<sup>35</sup> implicate the intersection of criminal law and media freedom. While

<sup>33</sup> *Shreya Singhal v. Union of India*, (2015) 5 SCC 1 (striking down vague and overbroad speech restriction).

<sup>34</sup> *Brij Bhushan*, AIR 1950 SC 129.

<sup>35</sup> PRP Act, 2023, §§ 5(4), 14(1)(b).

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

the State may legitimately regulate media ownership to prevent abuse, the categories of disqualification must be narrowly tailored to serve compelling state interests.

The undefined term "unlawful activity" raises particular concerns. If interpreted broadly, it could encompass a wide range of conduct not directly related to media operations, potentially excluding individuals from media ownership for offenses having no connection to journalistic integrity or public trust. The constitutionality of such provisions will depend on whether they satisfy the proportionality standard—whether the disqualification is rationally connected to a legitimate aim and whether less restrictive alternatives exist.<sup>36</sup>

#### **IV.II.IV EQUALITY AND NON-DISCRIMINATION:**

The differential treatment of foreign periodicals raises questions under Article 14's equality guarantees. While classification based on foreign origin is permissible if rationally related to legitimate state interests, the absence of clear criteria for approval creates potential for discriminatory application. The requirement that "exact reproductions" of foreign periodicals seek prior approval<sup>37</sup> may also impose burdens on publications that seek to disseminate foreign news and commentary to Indian audiences.

#### **IV.III THE EMERGING JURISPRUDENCE OF DIGITAL MEDIA REGULATION:**

The PRP Act's digital governance framework must be understood in the context of broader judicial developments concerning technology and speech. In *Shreya Singhal vs. Union of India (2015)*, the Supreme Court struck down Section 66A of the Information Technology Act, 2000, holding that vague and overbroad restrictions on online speech violate Article 19(1)(a).<sup>38</sup> The Court emphasized that restrictions on speech must be narrowly tailored and

<sup>36</sup> *Anuradha Bhasin v. Union of India*, (2020) 3 SCC 637 (proportionality in speech restrictions).

<sup>37</sup> PRP Act, 2023, § 9.

<sup>38</sup> *Shreya Singhal\**, (2015) 5 SCC 1.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

clearly defined. This principle applies equally to digital media regulation. While the PRP Act's online registration system enhances efficiency, the discretionary powers conferred on the PRGI must be exercised within clearly defined parameters to avoid the vagueness concerns that invalidated Section 66A. The development of title admissibility guidelines and suspension criteria will therefore be crucial to the Act's constitutional sustainability.

## **V. IMPLEMENTATION AND EARLY ASSESSMENT:**

### **V.I PRESS SEWA PORTAL: TECHNOLOGICAL**

#### **TRANSFORMATION:**

The Press Sewa Portal represents the most ambitious digitization initiative in Indian media regulation. Its features—online application, e-signatures, digital certificates, QR code verification, and real-time tracking—collectively create a paperless ecosystem that significantly reduces compliance burden.<sup>39</sup> The portal's integration of a dedicated module for press keepers and an AI-based chatbot for grievance resolution further demonstrates the government's commitment to technology-enabled governance.<sup>40</sup> Early adoption data is encouraging. Within six months of launch, 40,000 publishers onboarded the portal, suggesting that the digital transition has been relatively smooth.<sup>41</sup> The filing of 37,000 annual statements through the portal indicates that publishers are embracing the online platform for ongoing compliance as well as initial registration.

### **V.II INSTITUTIONAL TRANSITION: FROM RNI TO PRGI:**

<sup>39</sup> Press Registrar General of India, \*FAQ on the Press and Registration of Periodicals (PRP) Act, 2023\* (updated May 17, 2024), <https://prgi.gov.in/faq-press-and-registration-periodicals-prp-act-2023> [https://perma.cc/XXXX-YYYY].

<sup>40</sup> Press Information Bureau, \*supra\* note 10.

<sup>41</sup> Id.\*

**Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).**

The transition from RNI to PRGI involves more than nomenclature change. Under the PRB Act, RNI's functions were largely reactive—maintaining registers and verifying declarations forwarded by district magistrates. The PRGI, by contrast, plays a proactive role in title allotment, registration, and compliance monitoring.<sup>42</sup> This institutional transformation requires capacity building and development of new expertise, particularly in managing the digital portal and adjudicating registration disputes.

### **V.III STAKEHOLDER RESPONSES:**

The publishing industry has generally welcomed the PRP Act's simplification and digitization measures. The removal of physical interface with district magistrates eliminates a significant source of delay and uncertainty. Decriminalization of procedural lapses reduces the personal legal risk faced by editors and publishers, aligning with industry demands for regulatory reform. However, concerns persist regarding the Act's discretionary powers. Industry associations have called for transparent guidelines on title admissibility and clear criteria for suspension and cancellation.<sup>43</sup> The provision linking registration cancellation to criminal convictions has also attracted criticism for potentially excluding individuals from media ownership based on offenses unrelated to journalistic integrity.

## **VI. COMPARATIVE PERSPECTIVES:**

### **VI.I UNITED KINGDOM: SELF-REGULATION AND STATUTORY**

#### **BACKDROP:**

The United Kingdom's media regulatory framework presents an interesting contrast to India's statutory model. Following the Leveson Inquiry into press ethics, the UK established a system of self-regulation with statutory underpinning through the Royal Charter on Self-Regulation of

<sup>42</sup> PRP Act, 2023, § 4.

<sup>43</sup> Editors Guild of India, "Statement on the PRP Act Implementation" (Mar. 15, 2024).

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

the Press (2013). Publishers may join recognized regulators such as the Independent Press Standards Organisation (IPSO) or Impress, which enforce editorial standards and handle complaints.<sup>44</sup> This model relies on industry self-regulation rather than direct statutory control, though the recognition process involves oversight by the Press Recognition Panel.

India's PRP Act, by contrast, maintains direct statutory regulation of media registration while leaving content regulation to the Press Council of India's ethical guidelines. The difference reflects distinct constitutional and historical contexts, though the UK experience suggests that robust self-regulation can reduce the need for direct state involvement in media governance.

## **VI.II UNITED STATES: THE ABSENCE OF PRIOR REGISTRATION:**

The United States represents the opposite end of the regulatory spectrum, with no federal system for prior registration of newspapers. The First Amendment's prohibition on laws "abridging the freedom of speech, or of the press" has been interpreted to preclude licensing or registration requirements that operate as prior restraints.<sup>45</sup> While newspapers must comply with general business registration requirements, there is no specialized media registration regime comparable to India's PRP Act. This American approach reflects a constitutional commitment to minimizing state involvement in media operation. However, it also means that the US lacks the data on media ownership and circulation that India's registration system generates—information that can be valuable for understanding media landscapes and concentrations.

## **VI.III DEMOCRATIC SOCIETIES AND REGISTRATION REGIMES:**

Many democratic societies maintain some form of media registration, though typically less intrusive than India's historical regime. Germany requires registration of publications with

<sup>44</sup> Leveson Inquiry, "An Inquiry into the Culture, Practices and Ethics of the Press" (2012).

<sup>45</sup> *Near v. Minnesota*, 283 U.S. 697 (1931).

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

imprint details, but this serves primarily to ensure accountability and transparency rather than to grant permission to publish. France's press registration system similarly focuses on identifying responsible publishers rather than controlling access to publication.<sup>46</sup>

The PRP Act's shift toward facilitative registration aligns India more closely with these European models. By reducing the regulatory barriers to starting publications, the Act moves from a permission-based system toward one focused on transparency and accountability—a significant conceptual shift.

## **VII. CONCLUSION:**

The Press and Registration of Periodicals Act, 2023 represents the most significant reform of Indian print media regulation since independence. By replacing the colonial-era PRB Act with a modern, digital-first framework, the legislation addresses long-standing concerns about procedural complexity, regulatory delay, and punitive overreach. The decriminalization of procedural lapses, introduction of online registration through the Press Sewa Portal, and consolidation of authority in the Press Registrar General of India collectively advance the objective of making it easier to publish periodicals in India. Yet the Act is not without constitutional concerns. The discretionary powers conferred on the PRGI—particularly regarding title admissibility, suspension, and cancellation—require careful exercise to avoid arbitrariness. The provisions linking registration cancellation to criminal convictions for "unlawful activity" raise proportionality questions that may ultimately require judicial clarification. The differential treatment of foreign periodicals perpetuates a restrictive approach that may warrant reconsideration. The constitutional balance struck by the PRP Act will ultimately depend on its implementation. If the PRGI exercises its powers transparently, with clear guidelines and robust appellate review, the Act may fulfill its promise of modernizing regulation while respecting press freedom. If discretionary powers are used to penalize content

<sup>46</sup> See generally ARTICLE 19, "Media Regulation and Press Freedom: Comparative Models" (2020).

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

or exclude disfavored publishers, the Act could become a vehicle for the very control it purports to replace. For India's vibrant and growing print media sector—which now encompasses over 1.54 lakh registered publications<sup>47</sup>—the PRP Act offers the prospect of regulatory relief and administrative simplicity. Realizing this prospect requires continued vigilance by publishers, journalists, and the judiciary to ensure that the Act's implementation remains faithful to its objectives and to the constitutional guarantees that underpin India's free press.

---

## **References:**

---

### **Books:**

- Austin, Granville, *Working a Democratic Constitution: A History of the Indian Experience* (Oxford University Press, 1999).
- Barendt, Eric, *Freedom of Speech* (2nd edn., Oxford University Press, 2005).
- Basu, Durga Das, *Law of the Press* (6th edn., LexisNexis, 2022).
- Chandrachud, Abhinav, *Republic of Rhetoric: Free Speech and the Constitution of India* (Penguin Random House, 2017).
- Jain, M.P., *Indian Constitutional Law* (8th edn., LexisNexis, 2018).
- Kagzi, M.C. Jain, *The Press and the Law* (3rd edn., Metropolitan Book Co., 1999).
- Khosla, Madhav, *The Indian Constitution* (Oxford University Press, 2012).
- Mehta, Pratap Bhanu, *The Burden of Democracy* (Penguin Books, 2003).
- Mendel, Toby, *Freedom of the Press: A Jurisprudential Study* (UNESCO, 2012).
- Nariman, Fali S., *Before Memory Fades: An Autobiography* (Hay House, 2010).

---

<sup>47</sup> Press Information Bureau, 'supra' note 10.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

- Noorani, A.G., *Constitutional Questions in India: The President, Parliament and the States* (Oxford University Press, 2000).
- Rajan, Nalini, *Practising Journalism: Values, Constraints, Implications* (Sage Publications, 2005).
- Robertson, Geoffrey and Nicol, Andrew, *Media Law* (5th edn., Penguin Books, 2008).
- Sathe, S.P., *Judicial Activism in India* (Oxford University Press, 2002).
- Seervai, H.M., *Constitutional Law of India* (4th edn., N.M. Tripathi, 1991).
- Singh, M.P., *V.N. Shukla's Constitution of India* (13th edn., Eastern Book Company, 2019).
- Thakurta, Paranjoy Guha, *Media Ethics: Truth, Fairness, and Objectivity* (Oxford University Press, 2012).

### **Articles:**

- Bhushan, Prashant, 'Freedom of Press in India: Constitutional Dimensions and Judicial Interpretations' (2020) 62(3) *Journal of the Indian Law Institute* 289.
- Chandrachud, Abhinav, 'Proportionality and the Constitutional Review of Speech Restrictions in India' (2020) 32(1) *National Law School of India Review* 45.
- Datar, Arvind P., 'Media Regulation and Constitutional Freedoms: An Uneasy Relationship' (2023) 8 *Supreme Court Cases (Journal)* 1.
- Divan, Madhavi, 'Prior Restraint and Press Freedom: From Romesh Thappar to the Digital Age' (2022) 4 *Supreme Court Cases (Journal)* 17.
- Gowda, M.V. Rajeev, 'The Colonial Legacy in Indian Media Laws' (2021) 56(12) *Economic and Political Weekly* 34.
- Mathew, Sebastian, 'Decriminalisation of Media Offences: Analysing the PRP Act 2023' (2024) 5 *Kerala Law Times* 21.

***Title: From Colonial Control To Digital Governance: The Transformation Of Print Media Regulation In India Through The PRP Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar, (Enrollment No.: H230850), Department of Law, School of Legal Studies and Governance, Career Point University Hamirpur Tikker (Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India, Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

- Mehta, Bhavya, 'Digital Governance and Media Regulation: The Press Sewa Portal Experiment' (2024) 20(2) Indian Journal of Law and Technology 78.
- Nariman, Fali S., 'The Press and the Law: A Constitutional Perspective' (2020) 54(1) Journal of Constitutional and Parliamentary Studies 1.
- Rao, K. Rama, 'Freedom of the Press in India: Constitutional Guarantees and Legislative Restrictions' (2021) 6 Andhra Law Times 45.
- Reddy, K. Jayachandra, 'Media Regulation in India: From Colonial Control to Democratic Governance' (2023) 50(3) Indian Bar Review 67.
- Sathe, S.P., 'Freedom of Speech and Expression: Judicial Response' (2001) 43(2) Journal of the Indian Law Institute 156.
- Sharma, Raghav, 'The Press and Registration of Periodicals Act 2023: A Critical Appraisal' (2024) 45 Delhi Law Review 123.
- Singh, Punit Kumar, 'Reasonable Restrictions on Press Freedom: Revisiting Article 19(2)' (2022) 8 CC University Law Journal 34.
- Srikrishna, B.N., 'Constitutional Governance and Media Freedom in India' (2022) 34(1) National Law School of India Review 1.
- Vakil, Arjun, 'Ease of Doing Business in Media: Analysing the PRP Act's Economic Rationale' (2024) 17(2) NUJS Law Review 89.

### **Newspaper Articles:**

- 'The Press and Registration of Periodicals Bill, 2023: A New Era for Media Regulation?', The Hindu (5 August 2023).
- 'Press for it: Editorial on the draconian provisions of the press and registration of periodicals bill', The Telegraph India (11 August 2023).
- 'PRP Act comes into force: Publishers hail digitisation move', Indian Express (2 March 2024).

***Law Audience Journal, Volume 6 & Issue 1, 20<sup>th</sup> Sep 2025,  
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.954, Published  
at <https://www.lawaudience.com/volume-6-issue-1-2/>, Pages: 729 to  
747,***

***Title: From Colonial Control To Digital Governance: The  
Transformation Of Print Media Regulation In India Through The PRP  
Act 2023, Authored By: Vijay Kumar Dogra, Ph.D. Research Scholar,  
(Enrollment No.: H230850), Department of Law, School of Legal  
Studies and Governance, Career Point University Hamirpur Tikker  
(Kharwarian), Bhoranj, Hamirpur, (HP)-176041, India,  
Email Id: [vijaydograuna@gmail.com](mailto:vijaydograuna@gmail.com).***

- 'Press Registrar General outlines vision for digital-first regulation', The Hindu Business Line (15 March 2024).
- '40,000 publishers onboard Press Sewa Portal within six months', Times of India (10 September 2024).

