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Why does the need for Reasonable Restrictions on the Freedom of the Press arise?

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Media and its various aspects are an inseparable part of one's life. It also serves as a link between the governing and the governed and is hence referred to as the fourth pillar of democracy. As per various judicial precedents, the media has the Right to Free Press under Article 19(1)(a)¹ of the Indian Constitution. With such power, influence, and rights comes responsibility towards the citizens. At times the media fails to fulfill its responsibility and infringes the Fundamental Rights of other citizens by engaging in media trials, not checking hate speech, invading the privacy of citizens and publishing their personal information to increase their viewership, not checking the misuse of social media, publishing or posting fake and paid news, etc. To ensure that the Freedom of the Press is kept in check and not rampantly misused, certain reasonable restrictions as provided for under Article 19(2)² of the Indian Constitution are imposed on media and its various aspects.

Keywords: *media, media trial, hate speech, paid news, fake news, freedom of press, reasonable restrictions.*

¹ Constitution of India 1950, art 19(1)(a)

² Constitution of India 1950, art 19(2)

INTRODUCTION

Media, with its various aspects of social media, newspapers, magazines, television, radio, etc. is an inseparable part of one's life. According to the report by IAMAI (The Internet and Mobile Association of India) called the Internet in India, based on the ICUBE 2021 Study, there are currently 692 million active internet users in India³ and as of 2019, as per the Indian Readership Survey Data, there are 425 million readers of newspapers⁴. Media holds great importance in democracies for the fact that it is like the fourth pillar of democracy, apart from the legislature, executive, and judiciary. With a large number of people having newspaper subscriptions and an internet connection and with access to media in every nook and corner of the country, it can be well imagined how much impact the media have on the minds of people and how important it is for a healthy democracy.

Media not only holds importance in the present times but was also of great help during India's struggle for independence. The press helped in the dispersal of revolutionary ideas and made people aware of the atrocities and the extreme measures taken by the colonial government- which further incited protests and revolutionary ideas against the Britishers. Even the Britishers were afraid of the power of the press owing to its mass outreach and hence they tried to suppress it by bringing in laws like the Censorship of Press Act, of 1799, Vernacular Press Act, of 1878, etc. The press, through its articles, kept the fire of independence alive, despite the efforts of the British Government to douse it.

³ 'India's internet users grow; rural areas lead growth' (*Financial Express*, 29 July 2022) <<https://www.financialexpress.com/life/technology-indias-internet-users-grow-rural-areas-lead-growth-2610259/>> accessed 09 February 2023

⁴ Urvi Malvania, 'Print readership in India jumps 4.4% to 425 million in two years: Report' (*Business Standard*, 27 April 2019) <[163](https://wap.business-standard.com/article/current-affairs/print-readership-in-india-jumps-4-4-to-425-million-in-two-years-report-119042700079_1.html#:~:text=The%20Indian%20Readership%20Survey%20(IRS,Council%20(MRUC)%20on%20Friday> accessed 09 February 2023</p></div><div data-bbox=)

MEDIA: ITS ROLE AND MISUSE

Media is a medium through which the link between the governing and the governed is established. It plays an important role in informing the public about their rights and the measures and schemes launched by the Government and also the ground reality of the work done by the Government; on the other hand, it facilitates taking the demand and dissatisfactions, etc. of the general public to the Government. It serves as a 'watchdog' for democracy.

Media plays an important role in the dissemination of information to the public:

- Regarding their rights (so that they can avail it);
- Regarding the policies of the Government (so that they can use them for their betterment and upliftment);
- Regarding the working of the Government (so that the people are aware of the ground reality and vote a party to power accordingly).

The nature of the press imposes on a hybrid range of business and entertainment functions in addition to its role in information dissemination, investigation, truth verification, public discussion, and opinion stimulation. These public functions impose considerable responsibility on the press, and at the same time serve as a basis on which the press can claim special powers and privileges.⁵

Though the media, being the fourth pillar of democracy, must bring out the truth and criticize the government about its working and unsuccessful schemes and policies, sometimes the media fails to fulfill its duty. In today's times, most of the media houses either have their inclination towards a particular political party or are owned by a particular party and hence, mainly show the news favouring the particular party and its ideologies- not giving the true picture to the public. Similarly, in the case of social media the political parties have made multiple accounts

⁵ KD Gaur, 'Constitutional Rights and Freedom of Media in India' (1994) 36(4) Journal of the Indian Law Institute 326

and they post content favouring their party and heavily criticizing the other party. This is what gives rise to hate and social unrest in a democracy.

FREE PRESS AS AN ASPECT OF FREEDOM OF SPEECH AND EXPRESSION

Article 19(1)(a)⁶ of the Indian Constitution provides to all citizens the Right to Freedom of Speech and Expression, which is subject to the reasonable restrictions provided under Article 19(2)⁷ of the Indian Constitution. Freedom of Speech and Expression, as provided for in the Indian Constitution provides for the right to express one's opinion and raise one's grievance through the mouth, writing, printing pictures, or in any other manner. Freedom of Speech and Expression includes the freedom of the propagation of ideas, their publication, and circulation.⁸

The Freedom of the Press and its different facets such as no pre-censorship of the press⁹, freedom of the press and circulation¹⁰, no pre-stoppage of publication, no restriction on the volume of circulation¹¹, no excessive tax on the press, no indirect attack on the press¹², freedom of the press & right to information, freedom of the press and the source of information¹³, etc. have been held to be a part of Article 19(1)(a) in a plethora of judgments.

Dr. B. R Ambedkar, the Chairman of the Drafting Committee explained why the Freedom of the Press has not inserted as a right in the Indian Constitution: *'The press has no special rights which are not to be given or which are not to be exercised by the citizen in his individual capacity. The editor of a press or the manager are merely exercising the right of the expression, and, therefore, no special mention is necessary of the freedom of the press.'*¹⁴

Members of the Constituent Assembly had hailed the guarantee of free speech and the freedom of the Press by Article 19(1)(a) as the most important, the charter of liberties, the crux of the

⁶ Constitution of India 1950, art 19(1)(a)

⁷ *Ibid*

⁸ Narendra Kumar, *Constitutional Law of India* (10th edn, Allahabad Law Agency 2018) 267

⁹ *Brij Bhushan v State of Delhi* AIR (1950) SC 129

¹⁰ *Romesh Thapar v State of Madras* AIR (1950) SC 124

¹¹ *Bennett Coleman v Union of India* AIR (1973) SC 106

¹² *Express Newspapers Pvt Ltd v Union of India* AIR (1958) SC 578

¹³ *Jai Prakash Aggarwal v Vishambar Dutt Sharma* 30 (1986) DLT 21

¹⁴ Constitutional Assembly Debates

fundamental rights, etc.¹⁵ The Freedom of the Press has also been described by the Supreme Court as the most cherished and valued freedom in a democracy, one of the pillars of democracy, the Ark of the Covenant of Democracy, the most precious of all the freedoms guaranteed by our Constitution.¹⁶ On close analysis, it could be easily ascertained that one of the reasons for the special judicial treatment of the Freedom of the Press as a guarantee by Article 19(1)(a) of the Indian Constitution is that it embraces a variety of rights.¹⁷ "In addition to the individual right of the proprietor of the newspaper, or the editor or the journalist it also includes the collective right of the community: the right of citizens to read and to be informed, to impart and receive information. In essence, it is the right of the public to know."¹⁸ "The true rationale of the freedom of the Press is the right of the people of India to know about the functioning of government and the working of public institutions."¹⁹

The twin blessings of a free Press and an independent judiciary, taking human rights seriously and sensitive to suffering, have provided much-needed succour to large segments of the oppressed and the downtrodden: undertrials languishing in jail for years; bonded labourers living in sub-human conditions of servitude; prisoners suffering cruel and degrading treatment in jails; numerous workers in mines and quarries denied the bare minimum conditions for living with dignity; inmates of asylums and women's homes suffering in silence their inhuman treatment; and numerous victims of exploitation for whom the freedoms enshrined in the Constitution were heretofore a cruel joke.²⁰

REASONABLE RESTRICTIONS IMPOSED ON THE FREEDOM OF THE PRESS BY THE INDIAN CONSTITUTION

The Freedoms guaranteed under Article 19(1)(a) of the Indian Constitution are not absolute or uncontrolled. Article 19(2) mentions the grounds and purposes for which reasonable restrictions on the rights can be imposed. The Constitution has left it entirely to the judiciary to determine

¹⁵ Soli J Sorabjee, 'Freedom of the Press, its Contents and Facets' (1986) 13 (3/4) India International Centre 174

¹⁶ *Ibid* 175

¹⁷ *Ibid* 175-176

¹⁸ *Ibid*

¹⁹ *Ibid*

²⁰ *Ibid* 183

its criteria of 'reasonableness' of the restrictions and society would certainly expect the judiciary to determine these to strike a balance between the end of leaving legitimate freedom to the Press to enable it to discharge its function properly and its duty to the community and preservation of the rights and interests of individuals and the protection of the community against attack by the irresponsible section of the Press abusing the freedom.²¹

The restrictions to be reasonable need to satisfy the following tests:

- The restriction imposed must have the authority of law to support it. They must not lack a statutory basis.²²
- There must be a reasonable nexus between the restrictions imposed and the objectives sought to be achieved by such restrictions.
- Only the restrictions covered under Article 19(2) of the Indian Constitution must be imposed and none other.²³
- The restriction imposed must be reasonable and not excessive or disproportionate. Legislation that arbitrarily or excessively invades the right cannot be said to be reasonable. The procedure and the manner of imposition of the restriction must be fair and reasonable.²⁴

The Constitutional Restrictions imposed on the Freedom of the Press are:

Sovereignty and Integrity of India: The purpose of this ground added to Article 19(2) of the Indian Constitution by the Constitution (Sixteenth Amendment) Act, 1963 was to guard the freedom of speech and expression against being used to assail the sovereignty and territorial integrity of the country.

²¹ AK Ghosal, 'How free is the press in India as a vehicle of opinion?' (1956) 17(4) The Indian Journal of Political Science 349

²² Soli J Sorabjee (n 15)

²³ Sorabjee (n 16)

²⁴ *Ibid*

Security of the State: The expression security of the state has two dimensions-external and internal.²⁵ To protect the state from external dangers, Article 19(2) sanctions laws that seek to prevent or curb any assistance rendered to the state's enemies and obstruct the successful operation of war activities and the like.²⁶ As regards internal security, any utterance advocating the overthrow of the government through crimes of violence is subject to restriction under Article 19(2).²⁷ Security of the state encompasses serious and aggravated forms of public disorder and not ordinary breaches of public order and safety.²⁸

Friendly Relations with Foreign States: This ground was added to Article 19(2) by the Constitution (First Amendment) Act, 1951. The object behind this provision is to prohibit any unrestrained malicious propaganda, libels against foreign States, etc. in the interest of maintaining friendly relations with them. This provision has the sanction of article 1(i) of the Covenant on Freedom of Information and the Press, prepared by the UN.²⁹

Public Order: This ground was added to Article 19(2) by the Constitution (First Amendment) Act, 1951. The term public order is to be interpreted broadly and would include within its ambit public peace, safety, and tranquility.³⁰ The state may, in the interest of public order, prohibit and punish, (i) utterances tending to incite a breach of the peace or riots; (ii) use of threatening, abusive, insulting words, etc. in any public place or meeting with the intent to cause a breach of the peace.³¹ For the restrictions to be imposed, the publications must be likely to cause mutiny, dereliction of duty in the armed forces, or fear or alarm to any section of the public inducive to offences against the state or public tranquillity or to incite one class or community against another.³²

²⁵ KD Gaur (n 5)

²⁶ *Ibid*

²⁷ *Ibid*

²⁸ *Ibid*

²⁹ *Ibid*

³⁰ *Ibid*

³¹ *Ibid*

³² Rajeev Dhavan, 'On the Law of the Press in India' (1984) 26(3) Journal of Indian Law Institute 317

Decency or Morality: Restrictions on the Freedom of the Press and the Freedom of Speech and expression of other media can be imposed in the interest of decency or morality, it protects and safeguards public morals and public decency. Depending upon the standards of the morals of contemporary society, the notions of decency may vary from country to country.³³ In India, the provisions of *Sections 292-294* of the Indian Penal Code deals with the provisions of obscenity. Section 292 of IPC provides that any book, pamphlet, paper, writing, drawing, painting, representation, figure, or any other object, shall be deemed to be obscene if it is lascivious or appeals to the prurient interest of an ordinary prudent man.³⁴

Contempt of Court: *Section 2 of the Contempt of Courts Act, 1971* defines contempt of court as civil or criminal contempt.³⁵

Civil Contempt means willful disobedience of any judgment, decree, order, or any other process of the court of law.³⁶

Criminal Contempt means the publication (whether by words, spoken or written, or by signs, or by visible representation, or otherwise) of any matter or the doing of any other act whatsoever which -

- (i) scandalises or tends to scandalise, or lowers or tends to lower the authority of, any court; or
- (ii) prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or
- (iii) interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner.³⁷

³³ Dr. Sukanda Nanda, *Media Laws* (1st edn, Central Law Agency 2014) 51

³⁴ Indian Penal Code 1860, s 292

³⁵ Contempt of Court Act 1971, s 2

³⁶ *Ibid*

³⁷ *Ibid*

In *Re S. Mulgaokar*³⁸, the Supreme Court held that criticism of the judiciary must be strictly rational, and sober and proceed from the highest of motives. The judiciary is not immune from criticism; in fact, to criticise a judge fairly is not a crime but a necessary right. But if it is made in a manner designed to lower the prestige and reputation of the judiciary and destroy public confidence in it, it cannot be tolerated. The power to punish for contempt is granted to the court not because judges need protection but because citizens need an impartial and strong judiciary.³⁹

Defamation: Any statement, remark, or gesture which tends to injure the reputation of any person is referred to as defamation. As per *Section 499 of IPC*, whoever, by words either written or spoken or by signs or by visible representations, publishes any information concerning any person intending to harm the reputation of such person is said to defame that person.⁴⁰ Defamation means harming someone's reputation by a false or defamatory statement, without any lawful justification, whether in the form of spoken words (*slander*) or written words (*libel*); exceptions being trust, fair comment, or privilege. The media in the cases of the *Aarushi Talwar Murder Case*, *Jessica Lal Murder Case*, *Sunanda Pushkar Murder Case*, *Sushant Singh Rajput Suicide Case*, and *Aaryan Khan Drugs Case*, etc. misused the Right to Freedom of Speech and Expression and showed defamatory content against the accused of these cases. It was, thus, necessary to put restrictions.

Incitement to an Offence: This ground was added to Article 19(2) by the Constitution (First Amendment) Act, 1951. In the *Shailabala Devi Case*, the Supreme Court held that incitement to murder or other violent crimes would generally endanger the security of the State, hence, the restriction against such incitement would be valid under Article 19(2).⁴¹ Depending upon the facts and circumstances it can be decided whether the act amounted to incitement to commit an offence or not.

³⁸ *In Re S Mulgaokar* AIR (1978) SC 727

³⁹ KD Gaur (n 5) 449

⁴⁰ Indian Penal Code 1860, s 499

⁴¹ *State of Bihar v Shailabala Devi* AIR (1952) SC 329

WHY DOES THE NEED FOR REASONABLE RESTRICTION ON THE FREEDOM OF THE PRESS ARISE?

Media Trial: Media has been provided with the Freedom of Speech and Expression by the Constitution and it uses this right in bringing out the truth in front of the citizens. But nowadays, unfortunately, this right has been misused by the media, particularly the electronic media- by delving into the sphere of the judiciary and conducting parallel trials in their Kangaroo Courts in the matters sub-judice before the Court. They show news on their prime time shows which are usually not true- declaring a person to be either innocent or guilty, even before the matter has been decided by the courts, just for the sake of increasing their viewership or TRP. This parallel media trial increases the chances of hampering the fair investigation and of biasness among the judges, even though unintentionally which might lead to the travesty of justice.

The media delves into the personal lives of these people, invading their right to privacy. The media also shows such bad and defamatory content on their channels about the accused that people start looking at that person through a similar lens. Even when the court has declared that person to be innocent, thanks to the media(!) that the general public still looks at him as a criminal. It creates a negative perception of that person among the public. This way, the media misuses its Freedom of Speech and Expression, infringes on the Fundamental Rights of the other person, and defames him- causing personal trauma for a lifetime. The accused would then have to live his entire life under public scrutiny.

A similar scenario was in the *case of Rhea Chakraborty* where the whole media declared her to be a murderer of her boyfriend Sushant Singh Rajput and alleged her involvement in the drugs racket. This media trial ruined her career and she got hatred from the public. Similarly, in the *Sunanda Pushkar Murder Case*, the politician Shashi Tharoor was claimed to have murdered his wife Sunanda Pushkar while the investigation was still underway and the trial hadn't even started in the court of law. Shashi Tharoor was held in a lot of controversies after that.

In the *Pradyuman Thakur Murder Case*, a class 2nd student was found dead in the washroom of Gurugram's Ryan International School. Initially, the bus conductor was arrested on the grounds

that he had sexually assaulted the child and had then killed him. However, later it came to light that it was a student of Class 11th who had killed him to postpone the exams. Though the bus driver was eventually found to be innocent because of the media trial initially, he suffered damage to his reputation and career.

The Supreme Court in *Sidhartha Vashisht v State (NCT of Delhi)* had cautioned against the interference of the media in the matters sub judice before the court of law, in exercising its rights Article 19(1)(a). The Apex Court pointed to the danger of serious risk of prejudice caused by the media in the minds of the judges, in exercising unrestricted freedom in holding the suspect or the accused guilty even before such an order passed by the Court. Trial by media not only hampers fair investigation but also amounts to a travesty of justice.⁴²

The Supreme Court in the *State of Maharashtra v Rajendra Jawnmal Gandhi* observed that a trial by the press on electronic media is the very antithesis of rule of law as it can lead to a miscarriage of justice. A judge has to guard himself against any such pressure and is to be guided strictly by the principle of rule of law.⁴³

Hate Speech: Hate Speech refers to words whose intent is to create hatred towards a particular group, community, religion, or race and which is likely to result in violence. The primary reason for the propagation of hate speech by individuals is their belief in stereotypes that a class or group of persons are inferior to them and as such cannot have the same rights as them.⁴⁴ The stubbornness to stick to a particular ideology without caring for the right to co-exist peacefully adds further fuel to the fire of hate speech.⁴⁵ To determine whether a particular instance of speech is hate speech or not, the context of the speech plays an important role.⁴⁶

⁴² *Sidhartha Vashisht v State (NCT of Delhi)* AIR (2010) SC 2352

⁴³ *State of Maharashtra v Rajendra Jawnmal Gandhi* (1997) 8 SCC 386

⁴⁴ 'Hate Speech- Meaning, Implications, Legalities in India' (Byjus) <<https://byjus.com/free-ias-prep/hate-speech-upsc-notes/>> accessed 15 February 2023

⁴⁵ *Ibid*

⁴⁶ *Ibid*

Sections 153A⁴⁷ and 153B of the IPC⁴⁸ punish acts that cause enmity and hatred between two groups. *Section 295A of the IPC⁴⁹* deals with punishing acts that deliberately or with malicious intention outrage the religious feelings of a class of persons. *Section 505(1) and 505(2) of IPC⁵⁰* makes the publication and circulation of content which may cause ill will or hatred between different groups an offence. There have been instances of hate speech heralded against the minority community in our country via social media. This has disturbed communal harmony and increased the feeling of hatred and discontent among the people.

Invasion of Privacy: The right to Privacy is a Fundamental Right provided for under Articles 19 and 21 of the Indian Constitution. Though this right has not been expressly mentioned, it has been held to be a Fundamental Right in various rulings of the Supreme Court. The media, in the name of covering the news and bringing out the truth, often invades the privacy of citizens, bringing the most personal information of the people in public- infringing their Fundamental Rights. This way the media misuses its Right to Freedom of Speech and Expression.

o prevent the invasion of privacy of rape victims, *Section 228 A of the IPC⁵¹* makes the disclosure of the identity of rape victims punishable. The Indian Media violates the privacy of individuals by invading it, to satisfy their morbid curiosity. The media, in violation of the norms of the Code of Ethics, fails to make a distinction between public and private space. The prevalent right to privacy is easily compromised for the public good, public interest, and State security. But what constitutes public interest is left to the discretion of the media.

Misuse of Social Media: Social Networking Sites do not regulate their content effectively, which is often misused by the general public. Many individuals post defamatory or obscene content of others, usually anonymous or users with fake names. Social Media and the internet have become a means of cyberbullying, child pornography, etc.- which is a misuse of its rights by social media. There have also been instances wherein social networking sites have compromised the privacy

⁴⁷ Indian Penal Code 1860, s 153A

⁴⁸ Indian Penal Code 1860, s 153 B

⁴⁹ Indian Penal Code 1860, s 295 A

⁵⁰ Indian Penal Code 1860, s 505

⁵¹ Indian Penal Code 1860, s 228 A

of their users and shared their data with third parties (as in the case of *Facebook*⁵² and *Amazon Alexa*⁵³). Social networking sites like Twitter are being misused by cyber stalkers of various illegal groups to post unlawful content or steal information and engage in identity thefts, data mining, etc.

To prevent this misuse, Sections 72 and 72A⁵⁴ of the Information Technology Act, 2000 (relating to breach of confidentiality), Section 66E⁵⁵ (relating to MMS Attacks), Section 72⁵⁶ of the IT Act (relating to non-disclosure of information received by a person in his official capacity), Section 67⁵⁷ of IT Act (prohibiting the publication or transmitting of pornographic material in electronic form), etc. needs to be effectively implemented.

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 specify certain additional restrictions on the types of information users of intermediary platforms can create, upload or share.⁵⁸ These include information:

- Harmful to the child;
- Insulting on the basis of gender;
- Knowingly and intentionally communicates any information which is patently false or misleading in nature but may rationally be perceived as a fact.⁵⁹

Fake News and Paid News: In the recent past, fake news has also become a serious issue and needs immediate attention. Nolan Higdon, a famous media scholar defines fake news as false or misleading content presented as news and communicated in spoken, written, printed,

⁵² 'Facebook data breach explained: What implications does it have on the end user?' (*The Economic Times*, 13 April, 2021) <<https://m.economictimes.com/news/india/facebook-data-breach-explained-what-implications-does-it-have-on-the-end-user/videoshow/82044094.cms>> accessed 15 February 2023

⁵³ 'Amazon Alexa security bug allowed access to voice history' (*BBC News*, 13 August 2020) <<https://www.bbc.com/news/technology-53770778>> accessed 15 February 2023

⁵⁴ Information Technology Act 2000, s 72 A

⁵⁵ Information Technology Act 2000, s 66 E

⁵⁶ Information Technology Act 2000, s 72

⁵⁷ Information Technology Act 2000, s 67

⁵⁸ 'Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021' (*SCC Online Blog*, 26 May 2021) <<https://www.sconline.com/blog/post/2021/05/26/information-technology-intermediary-guidelines-and-digital-media-ethics-code-rules-2021-2/>> accessed 15 February 2023

⁵⁹ *Ibid*

electronic, and digital communication. False misleading, misinformation is circulated mainly through social media, which is often done to damage the reputation of a person. The use of anonymously-hosted fake news websites has made it difficult to prosecute sources of fake news for libel. Fake news has reduced the impact of real news by competing with it.⁶⁰

Recently, in the times of COVID-19, there was a rampant spread of fake news on social media regarding the coronavirus, its mode of spreading, how contagious it is, etc. which led to an increase in fear and anxiety among people. There were certain reported cases of suicide as well, as the people went into depression due to the fear of contracting the coronavirus and dying and also because of the fear of spreading it to their loved ones, bringing their lives into danger.

Paid news is another issue that is a grave threat to the credibility of the media. Media has become a tool in the hands of political parties for vendetta politics and election campaigns throughout the year.⁶¹ This phenomenon has become deep-rooted and it goes beyond the corruption of journalists and media companies and has become pervasive, and is channelised in a very organized manner. This has anguished the leading sections of the society.⁶² Professional ethics of journalism has gone down the drain, there is a dearth of serious and honest reporting, instead of reporting facts and correct data they have simply become a medium that sensualizes the news, exaggerates the facts and overstates the stunts of political parties for months to create an atmosphere.⁶³

CONCLUSION

No Freedom can be considered absolute; thus, even the Freedom of the Press/Media is subject to certain restrictions for safeguarding public interests. If unrestricted freedom is given to any institution of democracy then it is bound to be misused. Since the media has a huge influence on the public, it is their moral duty to provide unbiased news in the public domain. Media should refrain from publishing made-up and sensationalized news, depicting only one side of

⁶⁰ Prof. Dr. Nandan Sharma, *Fundamentals on Media Laws* (Shreeram Law House 2021) 106-107

⁶¹ *Ibid*

⁶² *Ibid*

⁶³ *Ibid*

the story to increase their viewership. Media should not infringe on the Fundamental Rights of others to exercise their Right to Freedom of Speech and Expression.