

SYNOPSIS

A STUDY ON FREEDOM OF SPEECH & EXPRESSION WITH REFERENCE TO SOCIAL & ELECTRONIC MEDIA

The Constitution of India is the basic document of the nation. Amongst various other provisions that state the working of the executive, legislature and judiciary, it also sets down the rights, duties and freedoms available to every citizen and the restrictions thereupon. These rights were considered inevitable by the framers of Constitution in order to guarantee a proper living of all citizens of the nation. Article 19(1)(a) of the Constitution of India specifies that:

All citizens shall have the right to freedom of speech and expression.

Article 19(2) provides that:

Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of 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.

A combined reading of both the provisions creates the result that all the citizens of the nation are entitled to freedom of speech and expression but only to the extent that it does not violate the restrictions which have been laid down on the said freedom. If any individual during the exercise of his freedom of speech and expression steps upon similar right of any other person, such an exercise will be violation under Article 19(2). Thus, Constitution has taken care that nobody can overuse his freedom at the cost of over-stepping on the same rights of another citizen.

Article 14 of the Constitution provides for “equality of law” and “equal protection of law”. Every citizen is equal in the eyes of law and there is no scope for discrimination on any ground. Hence, the freedom as provided under Article 19(1)(a) shall also be equally available to every citizen. The said freedom is immensely important and the same can be figured out considering that media which has been considered the “Fourth Pillar of Democracy” has also been equipped with the freedom of speech and expression meaning that even the major forms of media, namely the print media, electronic media as well as the recently evolving social media have been provided freedom of speech and expression while performing their duties. Though nowhere specifically provided for in the Constitution, media has been conferred with freedom of

speech and expression by the judiciary under Article 19(1)(a) as it has been conferred to every citizen. It is of utmost relevance to media because media expresses itself to the world at large. Its news stories, articles, editorials are read by one and all for updating themselves with the who's who of the world. Removing this right for media may result in a chaotic situation where journalists and editors are unable to produce news stories as and when they happen. The news channels cannot conduct interviews thus resulting in total unawareness for the general public regarding what's happening in the world and who is to be held accountable for the same. Decisions will be taken bureaucratically as nobody with an authority would be responsible to the public.

Media is the fourth estate in a democracy. It plays a major role in informing the public and thereby shape perceptions and through it the national agenda. Considering how the literacy levels are increasing across the world, each and every individual is in search of information relating to current affairs, political scenarios, scientific developments, art and culture, sports, finance, etc.

Due to continuous developments in science and technology, the media has developed modern manners of presenting its news stories. Gutenberg's invention of printing press in the 14th century has proved to be a boon to the world. The newspapers that can be printed in millions of copies everyday now would have been impossible otherwise. But gone are the days when print media alone was the sole pioneer of the entire media landscape. Today, even though newspapers have created a firm space amidst the people, the news carried through social and electronic media is equally welcomed by the public. The invention of internet and its easy accessibility through computers, smartphones, notebooks and other electronic devices has changed the way people get the news. E-papers, online news, opinion polls, online surveys, tweets and commenting have made news system not just a one-way communication from media houses to the public but an informal and prompt exchange of views and ideas in respect of current affairs or any political event. People have found a platform wherefrom they can express what they feel in respect of anything that is happening in the world.

Gone are the days when the major sources of communication, news and entertainment were just selective newspapers, All India Radio and Doordarshan. While newspapers and magazines were a form of print media which was the earliest form of media communication, it was taken over by electronic media which mainly included television and radio. Today, media

offers several other forms of communication which are faster, easier and more easily accessible than any of the earlier sources of communication like smartphones, laptops, tablets, etc. It would be impossible to imagine living sans the various forms of media that are available today.

But like everything that is in excess becomes unhealthy and inadvisable, even media can be held responsible for several flaws emerging out of the freedom of speech and expression that has been provided to it.

Due to 24x7 news channels, people get prompt report of latest happenings from across the world but simultaneously there are also instances of paid news, sting operations, media trials, etc. Likewise, there are entertainment and film channels, but the content of their programs also needs a check considering the vast audience of various age groups to which such programs are broadcast. In absence of such measures, the channels often take liberty to broadcast program content of any level without any restriction, thus sometimes offending the viewer groups like women and children. Even on social media which is the biggest platform used by every individual, many feel that they cannot express themselves completely while others use the same platform to abuse the rights of others, be it publicly or personally. Thus, it can as well be said that development of media has resulted in an increasing number of sources of media which again has proved both, a virtue and a vice.

Simultaneously, due to media convergence, there is a continuous process of churning out modern modes of presenting news which combine traditional ways of printing, broadcast, publishing news stories online, and so on. Considering these problems, the question arises if media needs to be regulated and to what extent should it be regulated? Also it is important to determine if the regulation has to be from within the media houses itself or should there be an external regulator independent and separate from all media houses?

Judiciary has time and again recognized the freedom of press. Even though neither the Constitution of India nor the legislators have anywhere specifically provided for the freedom of speech and expression as available to the press, the Indian judiciary has through its various landmark judgments specified that the freedom of speech and expression as available to the citizens of India is also available to the media houses. Likewise, just like the citizens' right is restricted by reasonable restrictions as mentioned under Article 19(2), the rights of media have also been curtailed by these reasonable restrictions.

- Chapter One deals with the introductory aspects of the research work. A brief introduction has been given about the various aspects of Article 19(1)(a) of the Constitution of India alongwith the scenario of media world mainly the print, social and electronic media. The hypothesis, the object and scope of study as well as limitations and delimitations, conceptualization of terms have been discussed. The research has been done by doctrinal and non-doctrinal methods. For doctrinal study, the researcher has referred to several books related to communication, mass communication and journalism, media and social media, Constitution of India, Freedom of Press, Freedom of Speech and Expression, bare acts of specific laws relating to media and has also referred to previous research works conducted on similar topic. For non-doctrinal research, the questionnaire method has been used and the researcher has collected data by collecting filled up questionnaires from several segments of society such as lawyers, students of mass communication and journalism, law students, teachers from mass communication and law faculties, company secretaries and chartered accountants. The research has been conducted with the object of:
 - finding if existing laws related to media in India are sufficient to deal with media trial
 - studying the existing laws governing the media in the light of advent of science & technology
 - studying the powers of regulatory bodies

Chapter Two deals with Development of Media. In this Chapter, the evolution of media has been discussed at length. Starting from the earliest form of media, namely the print media and how it evolved with invention of Gutenberg's printing press and then eventual growth of newspapers, magazines, periodicals, etc. across the world followed by invention of television, radio and other electronic devices which shifted the media sources from print media to electronic media have been discussed alongwith how growth of technology also brought related laws into existence. For e.g., first US copyright law was enacted in 1790 as several articles, books, fiction, etc. had started to come in existence due to technologic advancement in print media.

Finally, invention of computers followed by internet and its widespread use have been discussed alongwith how social media is transforming the media platform today as well as how all three forms of media – namely, print, social and electronic media are working simultaneously to provide a continuous supply of news and information to the entire world has been discussed.

Social media has given rise to new forms of communication like Facebook, Whatsapp, Snapchat, etc. They help in sharing photos, videos and every other kind of information. Today, they are a major form of communication hence the same have been discussed.

Widespread use of mobile phones also plays a major role in ever-increasing number of users on social media. Smartphones and data connections when merged together almost seclude a person from the physical world surrounding him entirely and keep him glued in a virtual world wherein he can express himself through photographs, tweets, comments, etc. Such is the impact of social media that if a person fails to express himself aptly on it, he tends to feel lack of his freedom to express. The Constitution of India under Article 19(1)(a) gives everyone a freedom of speech and expression but the framers might not have comprehended that this freedom will one day be used not only in physical world while dealing with other persons but also in a virtual world like that of social media wherein one's opinion spreads faster than it ever could in real world. Hence, the reasonable restrictions as provided under Article 19(2) become even more necessary to control the misuse of freedom of speech and expression. The landmark judgment of *Shreya Singhal vs. Union of India* set utmost standards of free speech and expression by striking down Sec. 66A of the Information Technology Act which set limits on free speech on the internet. This proves the vital importance of freedom of speech and expression and that even the judiciary is prepared to take over the legislature wherever it has wrongly implemented a law.

Also, various terminology of media like communication, mass communication, media, mass media, social media, new media and media convergence have been discussed to elaborately deal with the research work. As the print media is the earliest form of communication and also the base of major forms of communications available today, its evolution has also been included. A detailed timeline of how each form of media had developed in the world as well as in India have been given so that a year-wise development can be studied.

Chapter Three deals with the national and international legislations in respect of social and electronic media. The researcher has studied the legislations pertaining to print media, social media and electronic media which are available in USA, United Kingdom and India. The Chapter covers enactments as well as recommendatory bodies, regulatory framework, conventions and charters which have been held and implemented internationally and in India.

Following international Instruments, Conventions and Treaties have been discussed:

1 International Convention concerning the Use of Broadcasting in the Cause of Peace, 1936

2 U.N. Charter 1945

3 American Declaration of the Rights and Duties of Man 1948

4 Universal Declaration of Human Rights 1948

5 European Convention for Protection of Human Rights and Fundamental Freedoms 1953

6 International Convention of Civil and Political Rights, 1966

7 UNESCO Mass Media Declaration 1978

8 Charter for a Free Press (1987)

The researcher has studied statutory provisions relating to media in U.K. namely:

1 Malicious Communications Act 1988

2 Broadcasting Act 1990

3 Human Rights Act 1998

4 Communications Act 2003

5 Digital Economy Act 2010

6 Independent Television Commission Program Code

7 Ofcom Broadcasting Code

Existing regulatory framework related to print media, social media and electronic media has been studied.

1 Print Media

- Press Standards Board of Finance
- Press Complaints Commission
- Leveson Regulation Reforms
 - Royal Charter 2013
 - International Press Standards Organisation (IPSO)
 - Editors' Code of Practice
 - Press Recognition Panel
- Independent Monitor for the Press (IMPRESS)

2 Electronic Media

- Office of Communications (Ofcom)
- British Broadcasting Corporation (BBC)
- Broadcasting Standards Commission

3 Social Media

- Body of European Regulators for Electronic Communication

As all three forms of media are starkly different from each other, each of them requires a different mode of regulation. Again, as Indian laws are in the nature of those found in USA and UK hence researcher has studied the laws and regulatory bodies in USA and UK.

Following Acts and Regulatory bodies of USA have been studied:

1. Statutory Provisions

- Espionage Act 1917
- Sedition Act 1918
- Smith Act 1940
- Communications Decency Act 1996
- Telecommunications Act 1996
- Digital Millennium Copyright Act 1996
- Broadcast Decency Enforcement Act 2005
- Free Flow of Information Act 2013

2. Regulatory Framework

- Federal Communications Commission (FCC)
- Media Bureau
- International Bureau
- Fairness and Accuracy in Reporting (FAIR)
- Newseum Institute
- American Society of News Editors
- National Association of Broadcasters (NAB)
 - Internet Free Expression Alliance

The major Acts in India which provide for regulation or penalty in relation to media have been studied. These Acts are as under:

- Press and Registration of Books Act
- Indian Telegraph Act 1885
- Newspaper (Incitement to Offences) Act, 1908
- Indian Penal Code
 - The Cinematograph Act 1952
- The Drugs and Magic Remedies (Objectionable Advertisements) Act 1954

- The Young Persons (Harmful Publications) Act 1956
- The Copyright Act 1957
- Defence of India Act 1962
- The Parliamentary Proceedings (Protection of Publication) Act 1977
- The National Security Act 1980
- Indecent Representation of Women (Prohibition) Act 1986
- The Cable Television Networks (Regulation) Act and Rules 1995
- Information Technology Act 2000

Like USA and UK, India also has regulatory bodies to look over the functioning of all forms of media. These regulatory bodies are as under and the same have been studied in the research:

- The Press Council of India
- Indian Broadcasting Foundation
- Broadcasting Content Complaints Council (BCCC)
- Broadcast Audience Research Council (BARC)
- News Broadcasters Association (NBA)
- News Broadcasting Standards Authority (NBSA)
- Ministry of Communications and Information Technology
- Telecom Regulatory Authority of India (TRAI)
- Prasar Bharati

In addition to these bodies, several legislative attempts were made for enactment of new Bills and guidelines for a more indepth check over the media functioning. However, the said attempts were not successfully passed as Acts and implemented. The same are listed below:

- Communications Convergence Bill 2000
- Broadcasting Services Regulation Bill 2007
- Self-Regulation Guidelines for Broadcasting Sector 2008
- The Cable Television Networks (Regulation) Second Amendment Bill 2011
- The Press and Registration of Books and Publications Bill 2011
- Print and Electronic Media Standards Bill 2012
- Cinematograph Bill 2013

Chapter Four discusses the judicial approach of Hon'ble Supreme Court in respect of media. As the Constitution of India nowhere specifically provides for the media's right to freedom of speech and expression, the same has been provided through landmark judgments decided by Supreme Court of India wherein it has laid down the right of media to freedom of speech and expression. While the Court has laid down and reiterated this right through some cases and gone to the extent of striking off laws which hinder an individual's right to freedom of speech and expression, it has also laid down guidelines wherever the media has crossed this freedom beyond limit. Media has often been the subject matter of judicial decisions in the past decade. In its various decisions over a period of time, Supreme Court has at some places, detested the media wherever it has taken excessive liberty and laid down guidelines to be followed in future while at other places, supported media by going to the extent of striking down laws which seemed to be a restriction on the freedom of speech and expression. Some of the major case laws that have defined the freedom of speech and expression to media are discussed below:

- **Shreya Singhal vs. Union of India: AIR 2015 SC 1523**

The said judgment was a major one since the rise of social media as it gave a platform to millions of everyday social media users to express their views and opinions freely. After the rise of internet and social media, many people had started using the same to exchange their ideas of political views, current affairs, etc. The Information Technology Act, 2000 under Section 66A had laid down rigid criteria due to which law enforcing agencies often interpreted it in a narrow and limited manner. Again, the Section had used several terms like "offensive", "causing annoyance", "grossly menacing", etc. but nowhere were they defined which made them open to an unlimited number of interpretations as maybe desired by the law enforcers. Likewise, the Section also indirectly restricted political satire, caricatures and cartoons which were based on current affairs. Due to this, even a healthy expression of ideas by artists and cartoonists became getting restricted. The Court in its judgment held that Section 66A was vague, open-minded and undefined. It was unconstitutional, void and hindered free speech on social media. Also, it nowhere specifically provided as to what acts if performed on internet would amount to defamation. The Section had lacunae both for internet users as well as law enforcement agencies as neither the terms used were well-

defined nor the extent of speech within the scope of the Section was mentioned. Thus, the Section had a intimidating effect on free speech.

- **Aveek Sarkar and another v. State of W.B. and others. (AIR 2014 SC 1495)**

The Queen's Bench gave the Hicklin Test while deciding the case of Regina vs. Hicklin. As per the Test, in order to find out if any matter, i.e. literature, film, play, etc. is obscene or not, it shall be required to pass the Hicklin Test which stated that whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences and into whose hands a publication of this sort may fall. If it was decided that the matter has such tendency, it shall be considered obscene irrespective of any other facts. Any publication could be considered as "obscene" solely based on isolated passages of a work considered out of context. Works could be considered as obscene by their possible influence on most susceptible readers such as children or weak-minded adults. The rule was considered severe as any piece of work could be entirely considered as obscene based on certain parts of it without considering its entirety. Later, in Roth vs. United States, it was held that sex and obscenity should not be considered as synonymous. The Court elaborated that only those sex-related materials which had the tendency of exciting lustful thoughts were found to be obscene and the same has to be judged from the viewpoint of an average person by applying contemporary community standards test. The Hicklin Test eventually gave away to the Community Standards Test which came to be accepted by several nations through their judgments of similar nature. What could be obscene to some persons might not be so for the society at large. Again, that may have been obscene at one point of time might not be so after some decades. Considering the various segments of society and how different individuals carry different tastes, the community standards came to be considered as the final test for deciding obscenity.

-**Ratan N Tata vs. Union of India (AIR 2014(Supp) 827)**

In present case, the income tax authorities during the years 2008-09 intercepted telephonic talks between one Ms. Nira Radia and several other people after seeking approval from Ministry of Home Affairs. The tax authorities had a strong suspicion that the said Ms. Nadia as well as other individuals namely politicians, corporates, lobbyists, bureaucrats and journalists with whom she had conversations were indulging in tax evasion, money laundering and restricted financial practices. Shri Tata who was one of the many individuals

whose conversation with Ms. Radia was intercepted and after the conversations were leaked to the media by an unknown source, he filed petition before Hon'ble Supreme Court of India to protect his right of privacy and declare the act of tax authorities as invasion of his right to privacy. According to Ratan Tata, his conversations with Ms. Radia were of private nature and the tapes which were in custody of media should be withdrawn from public. The leak of conversations had also exposed a scam pertaining to the 2G spectrum auction. Considering the petition, Supreme Court issued notice to restrain the unauthorized publication of intercepted tapes.

- **Mohammad Ajmal Mohammad Amir Kasab vs. State of Maharashtra (AIR 2012 SC 3565)**

In this case, it was held that any attempt to justify the conduct of the TV channels by citing the right to freedom of speech and expression would be totally wrong and unacceptable in such a situation. The freedom of expression, like all other freedoms under Article 19, is subject to reasonable restrictions. An action tending to violate another person's right to life guaranteed under Article 21 or putting the national security in jeopardy can never be justified by taking the plea of freedom of speech and expression. The Supreme Court came down heavily on news channels in this case, when it was discovered that in their blind run for high TRPs, they were telecasting live coverage of the terrorist attack on Mumbai without realizing that the same was also being watched by the terrorist groups and simultaneously next moves were being planned by them. All this when the Indian police forces were trying to bring the situation under control by trying to eliminate the terrorists. In the midst of these, several TV reporters were giving continuous reports to their TV channels which in turn were being shown nationally. However, it did not strike anyone that the same live coverage was helping terrorist groups sitting in Pakistan to plan their next move while the Indian police and army were trying to control the attack. Supreme Court held that freedom of speech and expression cannot be claimed by TV channels in such circumstances when several lives are at stake but without realizing the same, they continue with live coverage for higher TRPs.

- **Ram Lila Maidan Incident [AIR 2012 SC(Supp) 266]**

Article 19(1)(a) provides for freedom of speech and expression but it is subject to reasonable restrictions as provided under Article 19(2). An individual has all freedom to express himself because unless one can express himself freely, it would not be possible to

call nation democratic one. However, it must be ensured that freedom of speech and expression of one is not so freely exercised by anyone person that it curbs similar rights of others. For this reason, Article 19(2) provides for reasonable restrictions which must be kept in mind while using the freedom of speech and expression. In present case, teargas shells were fired on a peacefully sleeping crowd at night hours. The crowd had collected as a part of dharna against corruption and was led by Baba Ramdev despite the prior permission given for the same being cancelled. It was a matter of dispute whether a sleeping crowd posed any danger to the peace of the city in such circumstances.

Some other major judgments discussed are as below:

- **Rajat Prasad vs. CBI (AIR 2014 SC (Supp) 1236)**
- **S. Narayan, Editor-in-Chief, Hindustan vs. Hon'ble High Court of Allahabad through Registrar General: (2011 AIR SCW 5761)**

- **S. Khushboo v. Kanniammal (AIR 2010 SC 3196)**
- **Destruction of Public and Private Properties vs. State of A.P. (AIR 2009 SC 2266)**
- **Ajay Goswami vs. Union of India: (AIR 2007 SC 493)**
- **R. Rajagopal v. State of T.N. and others (AIR 1995 SC 264)**
- **Samaresh Bose vs. Amal Mitra (AIR 1986 SC 967)**
- **Sakal Papers P. Ltd. Vs. Union of India: (AIR 1962 SC 305)**
- **Indian Express Newspapers Bombay P. Ltd. Vs. Union of India (AIR 1986 SC 515)**

Chapter Five includes the study and analysis of questionnaire in order to extract information pertaining to usage and awareness of media laws in various groups of society. The study being a non-doctrinal research, questionnaire method has been used and the same was passed to lawyers, judges, law students, journalism students, company secretaries and general public. Responses from them were collected and the data has been analysed in this Chapter. Questions were asked about knowledge of media laws, judgments pertaining to media-related cases and whether freedom of speech and expression as enshrined under Article 19(1)(a) of the Constitution alongwith its reasonable restrictions under Article 19(2) needs to be modified in any manner by imposing more restrictions or not.

Chapter Six deals with suggestions and conclusions based on the research work. The same have been made after a thorough and extensive research carried through doctrinal and non-doctrinal studies.

The studies on similar subjects conducted in recent years that are presently available on “shodhganga” mostly focus upon the following and how the present research differs from each of the study is discussed below:

- (i) Freedom of speech and expression in respect of Right to Information Act, role of judiciary for the protection of Right to Information in India and its impact on people in society, namely the voters, consumers, prisoners, etc., RTI Act in its national and international perspective. [*Mehta K. -“Freedom of Speech and Expression”(2016)*]

The present research does not involve study of the RTI Act. It focuses on how freedom of speech and expression affects the modern day forms of evolving media, (i.e. print, social and electronic media). It discusses the national and international legislations as well as regulatory bodies which keep the check on media so that freedom of press is available to them but simultaneously the reasonable restrictions under which they have to exercise the said freedom are also taken care of.

- (ii) Evolution and historical perspective of freedom of speech and expression in India and international legal regimes of the said freedom in nations like England, USA, Australia, constitutional and legislative measures as well as international treaties, covenants, etc. that emphasize providing the said freedom to all people across the world. Judicial response to the freedom of speech and expression in India and rights encompassed within this freedom. [*Walia J., “Expanding horizons of freedom of speech and expression and the judicial response” (2016)*]

The present research has been carried on in respect of laws relating to regulation of print, social and electronic media in USA, UK and India as well as to find out the awareness about paid media and media trials.

- (iii) Relation between mass media, democracy and elections, exit polls and opinion polls and the accuracy of their surveys, paid news syndrome and elections in the light of increasing number of news channels. **[Kumar N., “Role of Indian Media: Covering General Elections”(2015)]**

The abovementioned research deals with how media covers general elections, exit polls, opinion polls, etc. The present study however has been carried out in context of print, social and electronic media and how modern technologies have resulted in newer challenges and need to regulate media. Focus is also on paid media, sting operations and media trials.

- (iv) Article 19(1)(a) with special reference to electronic media and how far reasonable restrictions affect the functioning of electronic media. The laws and proposed bills directly or indirectly regulating electronic media have also been discussed. Finally, freedom of electronic media in relation to responsible journalism has been analysed. **[Arora M., “Role of law as a regulator for electronic media: A socio-legal study”(2015)]**

The abovementioned research focuses only on electronic media and its regulations. The present research deals with all three forms of media, viz. print, electronic and social media because today, we see media convergence, or a combination of all three forms of media in use together.

- (v) Problems posed by social media like hate speech, identity theft, copyright infringement, etc. and the laws and authorities governing social media, issues of extra territorial jurisdiction in light of social media offences as well as laws regulating social media in countries of USA, U.K. and India. Finally, international bodies governing the internet have been explained alongwith critical issues and proposed models. **[Maurya A., “Regulation of social media in cyber space: A critical study of regulatory mechanism with special reference to India”(2015)]**

In the above research, the researcher has worked on the hypothesis that social media regulatory mechanism in India is more subversive and ineffective and has failed to address the challenging issues of new communications mediums as witnessed in various incidences of social media mischief. The present research has been carried out on hypothesis that the current laws are inadequate to control and regulate the media.

- (vi) Perceptions of adult citizens and communicators in political communication through mass media as well as flaws visible in political communication and manners of removing them. **[Trivedi B., “Political Communication: A Comparative study of mass media”(2015)]**

The researcher has studied the perceptions of adult citizens and communicators in political communication through mass media as well as flaws visible in political communication and manners of removing them. Present research however focuses on freedom of speech and expression, reasonable restrictions thereupon in USA, UK and India and how far public is aware of media syndromes like paid news, media trials, etc.

- (vii) Areas like state control over electronic media, license and content regulations, constitutional aspects and present control over electronic media as well as existing legal framework of electronic media. [*Iqbal A., “Legal Control over Electronic Media in India”(2014)*]

The present research differs because the landmark judgment of Shreya Singhal vs. Union of India was delivered in the year 2015. The said judgment and its implications on use of media have been analysed in the present study.

- (viii) History of right to privacy and freedom of press, comparative analysis of right to privacy and freedom of press in U.K., USA and India, concept of Investigative Journalism and protection of privacy, balancing of contempt proceedings between media freedom and privacy in subjudice matters and role of Press Council of India in light of the above. [*Gifty, “Right to Privacy and Freedom of Press – Conflicts and Challenges”(2014)*]

The above research deals in-depth with media and individual’s right to privacy. It has not covered areas like media trials and paid media.

- (ix) Areas like political communication and political mobilization, press and political mobilization in India alongwith case study on Gandhi and comparative analysis on the role of press in colonial and independent India and how mass media affects general public. [*Anand N., “Role of the press in political mobilization: A comparative analysis of colonial and independent India”(2014)*]

The present research is a study of legislations pertaining to freedom of speech and expression in USA, UK and India and how far they successfully or otherwise have been able to regulate the print, social and electronic media.

- (x) Gandhian concept of journalism, opportunities and challenges to Gandhian model of journalism. [*Kumar S., “Gandhi’s practice of media ethics and its relevance in India”(2013)*]

The present research has not covered Gandhian concept of journalism. It deals with print, social and electronic media and laws regulating them in USA, UK and India.

- (xi) History, constitution, procedures of Press Council of India and problems and issues faced by the PCI alongwith suggestions. Researcher has tried to study whether the Council has succeeded or failed in performing its functions. *[Paul S. "The Press Council – An experiment in guarding free speech"(2012)]*

The said research has covered only print media. Present research studies all three forms of media prevailing today viz. print, social and electronic media and its regulatory bodies in USA, UK and India.
