
Does Media Need to be Regulated? If yes, How Should it be Regulated?

Introduction:

Communication is one of the most inherent requirements which is essential for the sustenance of the human race, for it allows for the exchange of ideas and imparting of knowledge. Serving as one of the most significant means of enforcing the most cherished fundamental right to freedom of speech and expression, Media undertakes a crucial role in amplifying and situating the process of communication. Media offers a pedestal for individuals to utilize the branches of many other freedoms guaranteed under Article 19 (1) (a) of the Indian Constitution¹, such as the freedom to impart information, hold opinions, obtain information and most importantly, the freedom to dissent against unjust and unfair practices; which is crucial in a democratic set-up like India.

According to Collins Dictionary, 'Media', the plural of 'medium' is the 'means of communication that reach large numbers of people, such as television, newspapers and radio'. The term Mass Media, coined in the 1920's is a term used to denote 'a section of the media specifically envisioned and designed to reach a very large audience such as the population of a nation or a State'².

Media can be broadly classified into three primary categories- Print Media, Electronic Media and Digital Media. The former consists of Books, Newspapers, Journals and Magazines while the latter consists of various forms of media which is broadcasted or streamed in various electronic forums such as Radio and Television, which possess the ability to reach a wide spectrum of audiences at the same time. Digital Media, also known as the new-age media consists of forums such as the internet, RSS feeds, Podcasts and social media- all of which have gained widespread significance at the recent times.

¹ INDIA CONST. art. 19(1) (a),

² Dr. S.R. MYNENI, MEDIA LAW WITH RIGHT TO INFORMATION ACT, Pg. 1 (Asia Law House)

Significance of Media in Recent Times:

The rate of usage of the internet skyrocketed in the advent of Covid 19. This was a phenomenon which affected the lives of all individuals, almost forcing them to use the internet for some purpose or the other. since 2019, it was found that there was a stark increase in the internet presence of Indians. After an elaborate study conducted by Nielsen, a global company for audience measurement, data and analytics, it was found that there was a staggering hike of 45% 'active internet users' in rural India since 2019.³

Urban on the other hand, there was a 59% 'penetration growth' recorded in Urban India with 294 million active internet users.⁴

Individuals from various economic and social strata from different age groups began showing their digital presence. There was a significant increase of children being subjected to/getting access to media for educational purposes such as attending online classes as everything became virtual over a fortnight. as of December 2021, there were 646 million active users of the internet aged 2 years and above.⁵

Though this unforeseen turn of events inherently contributed to a significant means for positive progress, it was accompanied with a wide range of complications as there was high internet traffic and higher privacy infringements. This marked the plight of wide spread controversies arising due to data theft. Some of the remarkable instances include the numerous Chinese App Bans and the WhatsApp Privacy infringement case.

In the former case, the Indian government ordered the ban of 54 Chinese apps on the grounds of causing 'threat to security and privacy' to its users by obtaining critical permissions and assembling

³ Peerzada Abrar, *45% growth in active internet users in rural India since 2019: Study*, Business Standard, (05/05/2022), https://www.business-standard.com/article/economy-policy/45-growth-in-active-internet-users-in-rural-india-since-2019-study-122050501161_1.html

user-sensitive data which were transmitted to servers located in a hostile country.⁶ This incident also shed light on the vulnerable circumstances faced by smartphone users who often have no idea on how much data theft takes place with a touch of a finger when they press the 'accept all' option before using an app. This raised a nation-wide concern on how software companies are exploiting consumers who are unaware of the rights and data they are waiving off by not reading the jargon-infested fine print of terms and conditions.

On the other hand, rests the infamous WhatsApp Privacy Policy Case, which caused a stir after introducing a new privacy policy which violated the provisions of the Indian IT Law. As of today, WhatsApp is said to have more than 2 billion active users on an average⁷. It all began sometime around the beginning 2021, when WhatsApp came out with a new privacy policy. The main reason behind the nation-wide uproar was because WhatsApp allegedly forced its users to accept its latest privacy policy within 2 months' time, failing which would result in loss of access and further usage of the app. This made its users accuse WhatsApp of attempting to obtain 'trick consent' as it failed to provide the option of opting out their data being shared with Facebook; the parent company of WhatsApp. The matter eventually escalated to the apex court after the Confederation of All India Traders filing an application challenging the new privacy policy by claiming that 'WhatsApp was offering lower privacy protections for Indian users as compared to European users'⁸. According to Ashley Simmons, the founder of avoidthehack!, quoted in an online article that "WhatsApp privacy policy is terrible for user privacy; it requires data sharing with Facebook, doesn't offer encryption for chat backups, and 'mines' the metadata of your messages."⁹ WhatsApp eventually ended up giving extension periods and stated that it will not outrightly delete Indian user accounts that do not accept its new privacy policy.

⁶ Ankita Garg, *Garena Free Fire to TikTok: All the 273 Chinese apps that Indian govt banned so far*, India Today, (05/02/2022), <https://www.indiatoday.in/technology/news/story/garena-free-fire-to-tiktok-all-the-273-chinese-apps-that-indian-govt-banned-so-far-1913141-2022-02-15>

⁷ Brian Dean, *WhatsApp 2022 User Statistics: How Many People Use WhatsApp?*, Backlinko, (01/05/2022), <https://backlinko.com/WhatsApp-users>

⁸ Supreme Court Observer, <https://www.scobserver.in/cases/karmanya-singh-sareen-union-of-india-WhatsApp-facebook-privacy-case-background/> (last visited 22/05/2022)

⁹ Sakshi Udavant, *Now's the time to dump WhatsApp, privacy advocates say*, digitaltrends, (December 29, 2021), <https://www.digitaltrends.com/mobile/is-now-the-time-to-dump-WhatsApp/>

Branches of Media and its Regulatory Authorities:

Print Media:

Print Media is monitored by the Press Council of India, which is a statutory, quasi-judicial institution which was formed as per Press Council Act 1978. The origin of Press Council as an institution has been traced back to Sweden, where it was called as a Court of Honor back in the year 1916. As mentioned before, the Indian Press Council functions independently, free from governmental control. It is entrusted with the responsibility of sustaining the highest possible levels of journalistic veracity and conduct.

Electronic Media:

Due to the absence of a regulatory body like the Press Council of India, the broadcast media is mostly governed by self-regulatory bodies such as the News Broadcasters association and News Broadcasters Federation and own a self-determined code of ethics which constitute as guiding principles for curbing impartiality in reporting and offers privacy protection for individuals. The bodies that oversee the media and entertainment industry is the Ministry of Information and Broadcasting and Prasar Bharti, which were established as per the Cable Television Networks (Regulation) Act (1995) and the Prasar Bharti Act (1990) . The Telecommunications Regulatory Authority of India controls the tariffs payable to the service providers who belong to the broadcasting sector.

Digital Media:

Digital Media is widely self-regulated. OTT platforms such as Netflix, Hotstar and Amazon Prime are seen to be adopting self-regulation codes which comply with the self-classification of the content and the establishment of a 3-tier redressal mechanism as per the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The redressal mechanism is supposed to consist of three tiers, of which the first tier would consist of a grievance redressal

mechanism which must be set up by the platforms themselves. The second tier being a self-regulatory body would be headed by a retired Supreme Court or High Court Judge or other eminent persons. The third tier would be an inter-ministerial committee (IMC) set up by the government as an oversight mechanism. This committee will be formed on the same lines as followed by the TV industries such as the BCCC. The above-mentioned IT Rules has emerged as one of the most controversial guidelines to have been passed and is currently waiting for a reply from the Supreme Court, which had ordered stay on all the petitions with respect to OTT regulations.

Types of Media Regulation:

Despite freedom of speech being an inherent fundamental right guaranteed to every citizen by the Indian Constitution, it is still subject to reasonable restrictions. This is because granting unlimited and unaccountable power to enforce one's freedom of speech and expression would impede the very structure of democracy, ultimately resulting in chaos. Similarly, regulation of Media is crucial as complete freedom would pave the roads to a massive turmoil.

Typically, regulation can be classified under four categories. They are:

1. Complete Regulation:

Complete regulation is where freedom of media, to a large extent is curtailed by the government with information circulated being subjected to strict scrutiny by the government of the particular country. This enables the government to achieve both, a vertical and horizontal extension of power in media governance. This type of regulation can commonly be witnessed in autocratic countries like North Korea, China and Countries like United Arab Emirates, which follow the authoritarian regime to an extent.

For instance, the Chinese Government were able to effectively curb the spread of fake news during the Covid-19-19 pandemic by possessing control over the three leading state media (China Central Television, Xinhua News Agency, People's Daily) and popular social media sites such as (WeChat and Weibo) and a search engine (Baidu). China also censored the intranet which made its citizens depend on the traditional state media. Furthermore, with accordance with the Cyberspace Administration of China, major search engines and Chinese internet giants formed allegiance to battle fake news by establishing rumor refuting platforms which uses Artificial Intelligence to identify misinformation¹⁰.

2. Self-Regulation:

Self-regulation is where the organization is vested with the authority of forming rules and regulations relating to the behavior and operations of firms pertaining to the Media industry. The two primary features of self-regulation are freedom from the shackles of governmental control and the holistic involvement of various stakeholders of the organization in the regulation process.

One of the advantages of self-regulation is the ability to come up with specialized standards and regulations which regulates the internal structures of the organization in the most efficient manner possible. Owing to its flexibility and customized regulations unlike complete regulation wherein the government imposes a straight-jacketed formula for a particular sect/ type of media, organizations have seemed to show greater compliance towards ethical means of broadcasting.

For instance, in Sweden, the editorial anatomy is regulated through the Swedish Freedom of the Press Act and the majority of Swedish media act in accordance with a set of self-regulatory codes of conduct developed by the Swedish media and journalist organizations¹¹.

Self-regulation also helps the government by setting aside/ alleviating the financial and administrative pressures of the state.

¹⁰ (<http://www.piyao.org.cn/>)

¹¹ *Media Pluralism Monitor 2021 Report calls for more self-regulation*, Alliance of Independent Press Councils of Europe, <https://www.presscouncils.eu/Media-Pluralism-Monitor-2021-report-calls-for-more-self-regulation>

3. Co-regulation:

Co-regulation is where the media industries frame rules and regulations after complying with the norms imposed by the state. Hence, it can be classified as a mix of self-regulation with occasional state intervention. This form of regulation provides an opportunity for active collaboration to take place by involving various stakeholders, including the state to be a part of the rule-making process. It helps to bring out the best of both worlds by allowing the much-needed state intervention of governing authorities to take control of areas which could potentially be misused by media giants while allowing media industries to take control of the other aspects which situates unfettered enforcement of freedom of speech and independent journalism.

4. Statutory regulation:

Specified regulations are administered and enforced by the state through the statutes under statutory regulation. The Indian print media is governed by the Press Council of India, which is a statutory, quasi-judicial institution set up under the Press Council Act of 1978. The statutory backing is said to give 'compulsive' and 'complete' jurisdiction over both, the Print and Electronic Media¹². Statutory Councils set up in countries like Sri Lanka, Indonesia and Nepal impose strict governmental control. On the other hand, the statutory councils in countries like India and Denmark enable Print and Electronic Media to function in an independent manner devoid of absolute governmental control while providing a statutory backing. This has often resulted in Indian Print Media falling under the 'self-regulatory organization' category.

¹² Statutory Regulation: The Indian Experience, Justice GN Ray,
<https://www.presscouncil.nic.in/OldWebsite/speechpdf/Statutory%20Regulation%20the%20Indian%20Experience%20Kenya.pdf>

The Need for Media Regulation:

Media, being the paramount means of communication during the recent times, is vested with a crucial responsibility to not only transgress information, but to do so in a stringent manner for it could be held accountable to the general public. This, by all means calls for a regulatory authority to oversee the credibility of the information being circulated.

There is no better example for misinformation being spread out during a practical life or death situation than the disastrous COVID-19 pandemic. Indians, like everyone else across the world were in a desperate pursuit to find measures to safeguard themselves from the deadly disease which was claiming thousands of lives every day. With stringent lockdowns imposed across the country, people were left with no choice, but to rely on Media, especially Electronic Media for communication. Many chose not to purchase newspapers and journals due to the fear of contracting the disease from the persons delivering it as it was found that there are possibilities for the virus to last on paper surfaces for four to five days¹³.

This meant that Electronic Media had become the primary means for facilitating communication between individuals. It also meant that Electronic Media possessed the supreme power of being the primary channel of connecting different parts of the world. It automatically became vested with a tantamount of responsibilities including circulating authentic information to the public, for spreading of false information could cause a pandemonium among the public during such desperate times.

The government, fearing the same set up a 'Fact Check Unit' under the Press Information Bureau as per the Information Technology Act, 2000, in November 2019¹⁴. This unit was established to curb fake news by both suo moto and through queries which can be sent by individuals via email and

¹³ Mohana Basu, *Transmission of coronavirus through newspapers, currency possible but unlikely: Experts*, ThePrint, (23 March, 2020), <https://theprint.in/health/transmission-of-coronavirus-through-newspapers-currency-possible-but-unlikely-experts/386194/>

¹⁴ *PIB Fact Check Unit Responded To 31,174 Actionable Queries Till Date: Govt*, Outlook India, (28/5/2022), <https://www.outlookindia.com/national/pib-fact-check-unit-responded-to-31-174-actionable-queries-till-date-govt-news-187017>

WhatsApp. Over the span of two years, the Unit responded to over 31 000 queries, assisting people by supplying accurate information after proper inspection of facts¹⁵

Despite such measures taken by the government, a majority of the public still fell prey to the spreading of false information which spread as fast as the virus, via social media such as WhatsApp. Some of the unforgettable yet mind boggling/senseless instances include steaming, drinking cow urine and sales of fake Ayurvedic medicines for Covid by religious babas.

Though it sounds absolutely senseless while looking back, it is rather disheartening to reflect and look at how the spreading of such information has put people's lives in further risk. There were cases of people sustaining burns while attempting to perform steam inhalation¹⁶. The unauthorized cure to Covid- Coronil, gave the public a false ray of hope, which in reality, had the capability to put the lives of common people at risk¹⁷.

Means of Effective Media Regulation:

Media regulation ought to take place in such a manner where there is a positive interplay between both, external regulation and self-regulation in order to build a robust and self-sustaining media environment. This is because both the modes of regulation undeniably contribute to crucial aspects of effective Media regulation. For instance, while external regulation strives to uphold the integrity of democracy by framing guidelines and enforcing the legislative framework for the welfare of the public, the internal self-regulatory body opens the door to a more self-sustainable media by considering various stakeholders' aspects while framing internal guidelines for efficient functioning of the organization.

Though the present scenario of Digital Media regulation is more or less similar to the model mentioned above, the primary reason behind its failure is due to multiple problems in both the modes of regulation.

¹⁵ Supra 11

¹⁶ *Steam Inhalation Won't Kill Coronavirus, Viral Message is a Hoax*, The Quint, (26/11/2020), <https://www.thequint.com/news/webqoof/taking-steam-inhalation-daily-will-not-kill-coronavirus>

¹⁷ *Coronavirus / FIR against Baba Ramdev, others on COVID-19 cure claim*, The Hindu, (28/06/2020), <https://www.thehindu.com/news/national/fir-against-ramdev-others-on-covid-19-cure-claim/article31939972.ece>

Current challenges faced by self-regulatory institutions:

There has been an undeniable prevalence of personal interest over public interest in the self-regulation spheres where tech companies frame guidelines filled with loopholes due to an underlying desire to achieve their business targets. The lack of assiduous inclination by media to fulfil the mission in good faith has been detrimental/counterproductive to the most important stakeholder-the general public. The main goal of constituting self-regulatory bodies was set to delegate the authority to various stakeholders in order to facilitate a holistic participation for framing well-rounded regulatory policies. However, in reality the whole concept has become counterproductive as members of the self-regulatory bodies often hold high posts of leading news channels where grievances are handled by committees formulated by them. This means that they have control over the whole system and it clearly beats the purpose of the concept of self-regulation.

The freedom granted to media cannot be misused in such a way where it purposely interprets facts while turning a blind eye on the authenticity of the information in order to garner the attention of viewers. Such instances were witnessed in recent cases such as the Sushant Singh Rajput, Arushi Talwar, Thakur P Murder and Sheena Bohra cases where the media had almost assumed the role of judges¹⁸. It was rightly pointed out in *State of Kerala v. Poothala Aboobacker*¹⁹ that such a practice has caused more harm than good to the public. Such an act notably goes against the principle "presumption of innocence until proven guilty" posing a serious threat of obstruction to the administration of justice.

Similarly, as highlighted in the case of Saravjeet Singh²⁰ that deciding a person's liability when the matter is in front of the court causes irreparable damage to the accused's life and reputation.

¹⁸ Anurag Singh and Astutya Prakhar, *The Conundrum of Media Trial: Is There a Need for a Paradigm Shift From Self-Regulation?*, Jurist, (27/05/2021), <https://www.jurist.org/commentary/2021/05/singh-prakhar-media-regulation/>

¹⁹ [1992 (2) KLT 939]

²⁰ Ananya Bhardwaj, *Man labelled pervert and Delhi ka darinda acquitted in molestation case after 4 years*, The Print, (25/10/2019) <https://theprint.in/india/man-labelled-pervert-delhi-ka-darinda-acquitted-molestation-case-after-4-years/311456/>

Current challenges faced by state regulatory institutions:

One of the main problems in state regulation is it always seems to fall in two radical extremes; it either formulates a council and vests it with no real authority like the Press council of India, which is often called a toothless tiger, or it formulates a rigid rule like the IT Rules 2021 which has guidelines which is filled with arbitrary terms that give room for statutory exploitation/bureaucracy to take place. are both *ultra vires* and unconstitutional.

The Press Council is not vested with adequate authority which is needed for creating a real change in matters pertaining to press media regulation. It is simply vested with arbitrary powers such as issuing warnings, admonishing, censoring and scolding, which is often criticized for its improper enactment. This Council does not have any meaningful legal powers vested with it. Hence, the efforts put into developing journalistic rules were often fruitless. The government is not obligated to abide by its recommendations. It exists as a mere superficial body which occasionally brings out reports pertaining to the working pattern of the media which is seldom taken into consideration. It is disappointing to see how the press council had themselves acknowledges that they are deprived of any punitive power to ensure that its directions are complied with in the case of *Ajay Goswamy v. Union of India*²¹.

On the other hand, the government has acquired the limelight for introducing the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 prescribing a framework for regulating content produced by Intermediaries, Social Media Intermediaries and Significant Social Media Intermediaries (SSMI) such as news and current affairs by online publishers and curated audio-visual content. Amidst the countless allegations made, some of the most concerning aspects will be discussed in a brief manner.

²¹ (2007) 1 SCC 143

Grievance Redressal Mechanism for publishers:

The three-tier grievance redressal mechanism gives Ministry of Information and Broadcasting excessive powers that could potentially endanger the rights guaranteed to publishers. Another area of concern is where it grants adjudicatory authority to the Inter-Departmental Committee which will be constituted by the Ministry of Information and Broadcasting itself for dealing with complaints received at Level 1 and Level 2. This automatically implies that the ministry gives itself the power to act as a censorship authority.

Identification of the first originator of information:

The Rules require intermediaries falling under the SSML category (which usually provides messaging services) to enable identification of the first originator of information within India on its platform. This rule has been widely criticized for not having relevant provisions under the parent act which is an essential requirement if this amounts to institution legislative policy. It also undermines privacy (enshrined in Justice K Puttaswamy vs. Union of India²²) and the right to free speech which would severely impact apps like WhatsApp and Signal which offer end-to-end encryption services.

Usage of ambiguous terms and emergency blocking of content:

The Rule fails to define what is “illegal content”, ‘grossly harmful’, ‘harassing’, ‘invasive of another’s privacy’, ‘hateful’, ‘disparaging’, ‘grossly offensive ’and ‘menacing ’used in different places in the Act and repeat the same in the Rules. Provision II (A) (c) (General Principles of Online curated content) under the Code of Ethics reads that a ‘A publisher shall take into consideration India’s multi-racial and multi-religious context and exercise due caution and discretion when featuring the activities, beliefs, practices, or views of any racial or religious

²² (2017) 10 SCC 1

group²³. While it initially sounds like a sensible regulation, the lack of proper explanation of the terms used creates ambiguity while interpreting which acts could potentially fall under such a category. This automatically gives room for unethical blocking of content which could pose a direct infringement on the freedom of the press.

Moreover, the Rule vests the power of interpreting what amounts to 'reasonable restriction' to the Joint Secretary belonging to the I&B Ministry and empowers them to direct news portals or social media intermediary to take out inconvenient content within a 36-hour time frame. Such an act could bring down the value of the content of that particular news by the time courts act upon it. Considering the high likelihood of such events taking place for censoring the undemocratic acts of political parties and government authorities, this provision must be put under serious scrutiny.

Nevertheless, the newly introduced guidelines consist of provisions which are essential for the betterment of the Digital Media environment such as framing guidelines for different types of intermediaries with varying levels of obligations for effective monitoring for content, extensive labelling of content according to age categories on OTT platforms, introduction of parental locks and age verification mechanisms which has undeniably made a positive impact on the viewers.

Suggested Reforms:

Some of the aspects which must be looked into while framing guidelines for effective media regulation are listed below:

Setting strict eligibility criteria for appointment of council members:

This applies to both, the statutory councils and self-regulated councils set up for various kinds of media regulation. Though most of the councils value the involvement of representatives from various fields for depoliticizing the decisions pertaining to formation of guidelines and regulatory bodies, such a measure will not be able to achieve its intended purpose unless there is a checks and

²³ Government of India, Ministry of Electronics and Information Technology Notification, G.S.R. 139(E) ,(25/02/2021) , <https://mib.gov.in/sites/default/files/IT%28Intermediary%20Guidelines%20and%20Digital%20Media%20Ethics%20Code%29%20Rules%2C%202021%20English.pdf>

balance mechanism which ensures fairness while appointing members. Mandatory background checks and past affiliations of that particular candidate must be considered during the appointment process. Measures must be taken to eliminate monopoly amongst members due to political affiliations for ensuring an unbiased panel.

Considering external professional audit:

Councils formed under the ambit of the government can look into delegating the responsibility an external audit committee for identifying issues and coming up with fruitful remedies. Doing so would not only provide a different perspective which is free from governmental interference or bias, but could also potentially help the council to understand the issue in a better way by addressing the problem after considering different perspectives. Such committees can also conduct random checks to keep tabs on Bureaucracy and Red Tapeism; few of the most dreaded social evils.

Establishment of a separate media tribunal:

A petition²⁴ pertaining to such an establishment was filed by N. Navalakha to the Apex Court for curbing the abuse of power and for keeping an eye over the spiteful acts of the media. The petitioner also prayed for granting powers to hear and 'expeditiously adjudicate' upon complaints filed by the citizens. This prayer, if granted would serve as an efficient redressal mechanism. His plea drew the much-needed attention to the 'need for striking a balance between the right to freedom of speech and expression of the media entities and the competing right to information of the citizenry under Article 19(1)(a), right to reputation and the right to dignity under Article 21, as well as in the interests of preserving peace and harmony in the nation' ²⁵. Hence, the establishment of a separate media tribunal would be beneficial for all the stakeholders involved in the media industry.

²⁴ Bar and Bench, https://images.assettype.com/barandbench/2021-01/310b48cb-df22-4487-a4c6-6c52c6b9d672/Nilesh_Navalakha_vs_Union_of_India.pdf

²⁵ Harshil Dureja, *Demand for setting up Media Tribunal In India*, Iprmentlaw, (13/02/2021), <https://iprmentlaw.com/2021/02/13/demand-for-setting-up-media-tribunal-in-india/>

Taking cognizance of the problems faced during self-regulation of media:

Most of the controversies related to self-regulation involves companies framing guidelines that facilitate corruption while putting up a facade in front of the public. Hence, the formation of independent media monitoring committees or outlets ought to be constituted with proper powers vested to it for rating the transparency and credibility of both, the functioning of the company and the information produced by it. A model similar to the Fact Check Unit which was set up for curbing the spread of fake news during Covid-19 could be set up with more effectual functioning could be introduced. This would enable the public to follow media companies which operate in an ethical manner.

Conclusion:

Media is often referred to as the fourth pillar of democracy. It is disheartening to look at the ironic state it finds itself during most of the times. India is ranked 150 out of 180 countries in the latest World Press Freedom Index as per the report published by Reporters Without Borders. More to one's dismay, the ranking has fallen from the previous year's ranking of 142. More to one's dismay, this is just one of the numerous signs that clearly show a need for proper media regulation for the upcoming years. As rightly pointed out by former Chairperson of the Press Council of India Justice Markandey Katju, "Self-regulation is not always enough and that is why we have law. "Normally, negotiating with the media [on the content] should be the way, but we do need laws under some extreme situations...I believe 90 percent of the people who are doing wrong can be persuaded to do the right thing, but some people are incorrigible for whom we need laws"²⁶. While focusing developing better guidelines for efficient media regulation, it must be done so while upholding the constitutional rights guaranteed to each and every stakeholder.

²⁶ *For media, self-regulation is not always enough: Justice Katju*, The Hindu, (19/04/2012), <https://www.thehindu.com/news/national/article59985945.ece>

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