

## MEDIA LAWS AND ETHICS IN INDIA



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### ABSTRACT

There are many laws that regulate the performance of media in India. Laws related to the mass media have been there since the very beginning. In the time of the British Raj, many laws related to the Press were enacted. In the post-Independence time, the various Governments have enacted many more media related laws. Media being a very powerful influence on the society is regulated and controlled by various legislations enacted from time to time. This article tries to bring overview of Laws and Ethics in India.

**KEYWORDS** :Laws, Media, Ethics, Act,

### INTRODUCTION :

The Indian Constitution does not provide freedom for media separately. But there is an indirect provision for media freedom. It gets derived from Article 19(1) (a). This Article guarantees freedom of speech and expression. The freedom of mass media is derived indirectly from this Article. Article 19 of our Constitution deals with the right to freedom and it enumerates certain rights regarding individual freedom of speech and expression etc. These provisions are important and vital, which lie at the very root of liberty.

### Article 19 of the Indian constitution lies down

"All citizens shall have the right to freedom of speech and expression, to assemble peaceably, and without arms, to form associations or unions, to move freely throughout the territory of India, to reside in any part of the territory of India, to acquire hold and dispose of property and to practice any profession or to carry on any occupation, trade or business.

However the right to freedom of speech and expression shall not affect the operation of any existing law or prevent the state from making any law insofar as such law imposes reasonable restrictions on the exercise of that right in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public decency or morality or In relation to contempt of court, defamation or incitement to offence".

• **List of Acts and Rules applicable to the media industry -**

1. The Press and Registration of Books Act, 1867
2. Registration of Newspapers (Central) Rules, 1956
3. The Press and Registration Appellate Board (Practice and Procedure) Order, 1961
4. The Press Council Act, 1978
5. The Press Council Rules, 1979
6. The Press Council (Procedure for Nomination of Members) Rules, 1978
7. The Press Council (Procedure for Inquiry) (Amendment) Regulations, 2006
8. The Press Council (Procedure for Conduct of Meetings and Business) Regulations, 1979
9. The Press Council of India (Grant of Certified Copies) Regulations, 1999
10. The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955
11. The Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1957
12. The Working Journalists and other Newspaper Employees Tribunal Rules, 1979
13. The Working Journalists (Fixation of Rates of Wages) Act, 1958
14. The Newspaper (Prices and Pages) Act, 1956
15. The Delivery of Books and Newspapers (Public Libraries) Act, 1954
16. The Right to Information Act, 2005
17. The Right to Information (Regulation of Fee and Cost) Rules, 2005
18. The Central Information Commission (Appeal Procedure) Rules, 2005
19. The Central Information Commission (Management) Regulations, 2007
20. The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954
21. The Drugs and Magic Remedies (Objectionable Advertisements) Rules, 1955
22. The Emblems and Names (Prevention of Improper Use) Act, 1950
23. The Emblems and Names (Prevention of Improper Use) Rules, 1982
24. State Emblem of India (Prohibition of Improper Use) Act, 2005
25. State Emblem of India (Regulation of Use) Rules, 2007
26. The Parliamentary Proceedings (Protection of Publication) Act, 1977
27. The Young Persons (Harmful Publications) Act, 1956
28. The Punjab Special Powers (Press) Act, 1956 (Relevant Provisions)
29. Copyright Act, 1957
30. The Dramatic Performances Act, 1876 (Relevant Provisions)
31. The Cinematograph Act, 1952
32. The Cinematograph (Certification) Rules, 1983
33. The Cine-workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981
34. The Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Rules, 1984
35. The Cine-Workers Welfare Cess Act, 1981
36. The Cine-workers Welfare Cess Rules, 1984
37. The Cine-Workers Welfare Fund Act, 1981
38. The Cine-Workers Welfare Fund Rules, 1984
39. The Prasar Bharati (Broadcasting Corporation of India) Act, 1990
40. The Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007
41. The Sports Broadcast Signals (Mandatory Sharing with Prasar Bharati) Rules, 2007
42. The Cable Television Networks (Regulation) Act, 1995
43. The Cable Television Networks Rules, 1994

- 44.The Radio, Television and Video Cassette Recorder Sets (Exemption from Licensing Requirements) Rules, 1997
- 45.The Standards of Quality of Service (Broadcasting and Cable services) (Cable Television CAS Areas) Regulation, 2006
- 46.The Indian Telegraph Act, 1885 (Relevant Provisions)
47. The Telecom Regulatory Authority of India Act, 1997
- 48.The Telecom Regulatory Authority of India (Miscellaneous) Rules, 1999
- 49.The Telecom Regulatory Authority of India (Period for Filing of Application to Authority) Rules, 1999
- 50.The Telecommunication Interconnection (Port Charges) Regulation, 2001
- 51.The TRAI (Levy of Fees and Other Charges for Tariff Plans) Regulations, 2002
- 52.The Telecom Disputes Settlement and Appellate Tribunal (Form, Verification and the Fee for Filing an Appeal) Rules, 2003
- 53.The Telecommunication Interconnection (Charges and Revenue Sharing) Regulation, 2001
- 54.The Telecommunication Interconnection Usage Charges Regulation, 2003
- 55.The Telecom Regulatory Authority of India (Salaries, Allowances and Other Conditions of Service of Chairperson and Whole-time Members) Rules, 2000
- 56.The Telecom Regulatory Authority of India (Procedure for Conducting Inquiry Against a Member) Rules, 1999
- 57.The Telecom Regulatory Authority of India (Annual Report and Returns) Rules, 1999
- 58.The Telecom Regulatory Authority of India (Form of Annual Statement of Accounts and Records) Rules, 1999
- 59.The Telecommunication (Broadcasting and Cable Services) Interconnection Regulations, 2004
- 60.The Telecom Regulatory Authority of India (Access to Information) Regulations, 2005
- 61.The Common Charter of Telecom Services, 2005
- 62.The Regulation on Quality of Service of Basic and Cellular Mobile Telephone Services, 2005
- 63.Quality of Service (Code of Practice for Metering and Billing Accuracy) Regulation, 2006
- 64.The Standards of Quality of Service (Broadcasting and Cable Services) (Cable Television – CAS Areas) Regulation, 2006
- 65.The Quality of Service of Broadband Service Regulations, 2006
- 66.The Telecom Consumers Protection and Redressal of Grievances Regulations, 2007
- 67.The Telecom Unsolicited Commercial Communications Regulations, 2007
- 68.The International Telecommunication Access to Essential Facilities at Cable Landing Stations Regulations, 2007
- 69.The Telecommunication Consumers Education and Protection Fund Regulations, 2007
- 70.The Direct to Home Broadcasting Services (Standards of Quality of Service and Redressal of Grievances) Regulations, 2007
- 71.Domestic Leased Circuits Regulations, 2007
- 72.The Register of Interconnect Agreements Regulations, 1999
- 73.The Indian Post Office Act, 1898 (Relevant Provisions)
- 74.The Information Technology Act, 2000 (Relevant Provisions)
- 75.The Information Technology (Certifying Authorities) Rules, 2000

## CONCLUSION

To my mind, in underdeveloped countries like India the media have a great responsibility to fight backward ideas such as casteism and communalism, and help the people in their struggle against

poverty and other social evils. Since a large section of the people is backward and ignorant, it is all the more necessary that modern ideas are brought to them and their backwardness removed so that they become part of enlightened India. The media have a great responsibility in this respect

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