

An Analytical Overview of Policy Frameworks Governing Ethical Practices in Indian Electronic Media

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Abstract: *The rapid expansion of independent electronic media in India has intensified concerns regarding ethical journalism, misinformation, sensationalism, and media accountability. While freedom of the press remains a cornerstone of democracy, the absence of robust, enforceable regulatory mechanisms has created a landscape rife with ethical dilemmas. This review paper critically examines the existing legislative frameworks, policy mechanisms, and self-regulatory bodies overseeing media ethics in India. It further explores global best practices and recommends a more coherent, accountable framework to ensure responsible journalism without compromising media freedom..*

Keywords: Electronic Media, Media Ethics, Policy Frameworks, Legislative Mechanisms, Media Regulation, Press Freedom, India, Broadcasting Standards, Self-Regulation, Content Governance

I. INTRODUCTION

Independent electronic media in India, including television news channels, online news platforms, and video-based social media, has become a primary source of information dissemination. However, the rise in unethical practices such as paid news, misinformation, and inflammatory reporting has led to calls for a structured regulatory approach. While Article 19(1)(a) of the Indian Constitution guarantees freedom of speech and expression, it is not absolute and subject to reasonable restrictions under Article 19(2) [Government of India, 1950].

This paper provides a comprehensive review of the existing policy frameworks that govern ethical standards in Indian electronic media and critically analyzes their efficacy.

Legal and Policy Mechanisms Governing Media Ethics

The regulation of media ethics in India, particularly within the electronic media sector, has emerged as a critical area of study due to the increasing influence of television channels, digital news platforms, and social media networks on public opinion, democratic discourse, and cultural perception. The title “An Analytical Overview of Policy Frameworks Governing Ethical Practices in Indian Electronic Media” encapsulates the urgent need to scrutinize the legal and policy instruments that oversee ethical standards in this rapidly evolving field. In India, media freedom is guaranteed under Article 19(1)(a) of the Constitution, which safeguards the right to freedom of speech and expression. However, this right is not absolute and is subject to reasonable restrictions under Article 19(2), which include considerations such as public order, decency, morality, defamation, and the sovereignty and integrity of India. These constitutional provisions form the foundational framework for regulating media conduct, but they alone are insufficient to tackle the complex ethical challenges of the 21st-century media landscape.

The legal landscape includes various statutory regulations that govern different aspects of media ethics. The **Cable Television Networks (Regulation) Act, 1995** is a primary legislative tool regulating content on cable television networks, setting norms on what can be broadcast and empowering the government to prohibit transmission of programs that violate public decency or promote communal disharmony. Similarly, the **Information Technology Act, 2000**, especially after the amendments in 2008, governs the dissemination of content through digital platforms and enables the government to take action against content that is considered obscene, defamatory, or a threat to national

security. Furthermore, **sections of the Indian Penal Code (IPC) and the Code of Criminal Procedure (CrPC)** are also invoked in cases of hate speech, fake news, or content inciting violence, although their application sometimes raises questions about press freedom and censorship.

In addition to formal legislation, India relies on a mix of **self-regulatory and quasi-regulatory frameworks**. The **Press Council of India (PCI)**, though primarily responsible for the print media, sets ethical standards for journalistic practices but lacks jurisdiction over electronic media. For television broadcasters, the **News Broadcasters & Digital Association (NBDA)** and the **Broadcasting Content Complaints Council (BCCC)** play pivotal roles in setting and enforcing ethical codes of conduct. Similarly, digital media platforms are now subject to the **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021**, which mandate self-regulation through grievance redressal mechanisms and adherence to a code of ethics. While these rules attempt to fill the regulatory vacuum for digital media, they have been criticized for potentially undermining editorial independence.

Despite the existence of multiple layers of legal and policy frameworks, enforcement remains inconsistent due to jurisdictional overlaps, political interference, and the absence of a central statutory media regulator with comprehensive powers. Critics argue that the fragmented regulatory approach allows for ethical lapses, including sensationalism, paid news, invasion of privacy, and communal polarization, to go unchecked. In conclusion, while India has made significant strides in formulating legal and policy mechanisms to regulate media ethics, there remains a pressing need for a unified, independent regulatory authority that ensures ethical journalism without compromising media freedom. Such reforms must balance state oversight with media autonomy to foster a responsible, fair, and credible media environment in a democratic society.

1. The Cable Television Networks (Regulation) Act, 1995

This Act regulates content broadcast through cable television and mandates adherence to the Programme and Advertising Codes under the rules [Ministry of Information and Broadcasting, 1995]. However, its applicability is limited to television and does not cover digital media comprehensively.

2. Press Council of India Act, 1978

Although primarily governing print media, the **Press Council of India (PCI)** lays down ethical norms for journalistic conduct. Its non-binding nature and lack of jurisdiction over electronic media limit its enforcement capacity [PCI, 2020].

3. Information Technology Act, 2000 and Rules thereunder

The **IT Act** and subsequent rules like the **Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021** aim to regulate digital platforms. Part III of these rules introduces a three-tier grievance redressal mechanism, including self-regulation by publishers, oversight by industry bodies, and monitoring by a government-appointed committee [MIB, 2021].

4. News Broadcasters & Digital Association (NBDA)

NBDA, formerly known as NBA, promotes self-regulation through a code of ethics enforced by the **News Broadcasting & Digital Standards Authority (NBDSA)**. It handles public complaints and has issued several advisories against sensationalist reporting [NBDA, 2022].

Challenges in Enforcing Ethical Practices

a. Lack of Statutory Powers

Bodies like NBDSA and PCI lack legal authority to impose binding penalties, leading to limited deterrence [Ganguly, 2021].

b. Digital Media Proliferation

The unregulated nature of digital platforms, including YouTube channels and OTT news content, escapes traditional oversight mechanisms [Rao, 2020].

c. Paid News and Political Influence

Instances of "paid news" during elections reveal a nexus between media houses and political entities, undermining impartiality [Election Commission of India, 2010].

Comparative Global Perspectives

Countries like the **UK (Ofcom)** and **Australia (ACMA)** have statutory regulators with clearly defined enforcement powers. The UK's Ofcom enforces the **Broadcasting Code**, which upholds accuracy, fairness, and privacy [Ofcom, 2022].

In contrast, India's media regulation remains fragmented and heavily reliant on voluntary compliance.

Recommendations

- **Establish a Statutory Media Ethics Authority:** Empowered to oversee all forms of electronic media with judicial powers.
- **Unified Code of Ethics:** Consolidate ethical guidelines under a single, binding code applicable to both traditional and digital media.
- **Media Literacy Campaigns:** Promote awareness among consumers to differentiate between authentic and misleading content.
- **Transparency in Ownership:** Mandate disclosure of ownership to curb editorial bias and political affiliations.

II. CONCLUSION

The ethical regulation of independent electronic media in India is at a crossroads. While freedom of expression must be safeguarded, the proliferation of unethical practices necessitates stronger regulatory oversight. A hybrid model combining statutory enforcement with self-regulatory frameworks could ensure that the media remains free, fair, and accountable.

The analytical overview of policy frameworks governing ethical practices in Indian electronic media highlights the intricate balance between freedom of expression and the necessity for ethical accountability. The Indian media landscape, particularly electronic media, has undergone a rapid transformation with the advent of digital platforms and 24/7 news cycles. This evolution has amplified the need for robust ethical frameworks and effective regulatory mechanisms. While the Indian Constitution guarantees freedom of speech and expression under Article 19(1)(a), it is subject to reasonable restrictions to ensure public order, decency, morality, and national security. In this context, regulatory frameworks such as the Press Council of India (for print), the News Broadcasting Standards Authority (NBSA), and the more recent Digital Media Ethics Code under the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, aim to regulate content without stifling journalistic freedom.

However, the review suggests that these mechanisms often suffer from limitations including lack of statutory backing, limited enforcement capabilities, and voluntary compliance, especially in the case of NBSA and other self-regulatory bodies. Furthermore, the emergence of independent digital news platforms has posed fresh challenges, as many operate outside traditional regulatory frameworks, thereby complicating the enforcement of ethical standards. There is a pressing need for policy reforms that integrate traditional and digital media into a unified ethical oversight mechanism that upholds transparency, accountability, and professional integrity. The lack of a singular, comprehensive media regulation law in India has resulted in fragmentation and inconsistencies in ethical oversight, often leading to sensationalism, misinformation, and erosion of public trust.

Additionally, this analytical overview underscores the importance of stakeholder engagement, including media houses, policymakers, civil society, and the public, in shaping ethical media practices. Education and training in media ethics, strengthening internal editorial policies, and leveraging technology for fact-checking and content moderation are critical complementary strategies. International models such as the UK's Ofcom or the Australian Communications and Media Authority (ACMA) offer valuable insights into designing independent statutory bodies with adequate power and autonomy.

Ultimately, the study reaffirms that ethical journalism is essential to the functioning of a healthy democracy. India's policy approach should strive to strike a balance between regulatory enforcement and media freedom, ensuring that ethical standards are not imposed as tools of state control but as instruments for promoting responsible journalism. Strengthening institutional frameworks, enhancing transparency in media ownership, and ensuring regulatory

independence are vital to safeguard ethical practices in an increasingly competitive and politicized media environment. Moving forward, a reimagined, inclusive, and technology-driven ethical regulatory regime is necessary to restore credibility and ensure that the Indian electronic media remains a pillar of democratic discourse and public accountability.

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