

Chanakya National Law University, Patna

B.A., LL.B. (H) & B.B.A., LL.B. (H) 2022-23; SEMESTER- IX

Course Title: Press and Media Law

Course Overview

The curriculum is designed to provide a foundational understanding of the legal regime governing press and media in India. The Right to Freedom of Speech and Expression remains at the core of any academic engagement with this course. The course seeks to equip students with basic understanding of basic issues in press and media law and strives to encourage students to imagine this course as relevant not only with respect to their careers but also imperative in a vibrant society like India.

Module **One** introduces the subject and discusses preliminary concerns.

Module **Two** discusses **Legal Framework for Regulation of Press and Media Law**, especially the **Constitutional Freedom of Speech and Expression**

Module **Three** deals with the **Legal Framework for Print Media**

Module **Four** covers the **Legal Framework for Electronic Media**, especially **Radio and Television**

Module **Five** deals with **Legal Framework for Regulation of OTT and Web Series**

Module **Six** deals with **The Official Secrets Act and Right to Information Act**

Learning Outcomes

The course aims to provide a foundational *understanding of the legal regime governing press and media in India.*

On completion of the course, students will be able to have basic understanding of:

1. **Constitutional Framework for Regulation of Press and Media Law- Freedom of Speech and Expression**
2. **Legal Framework for Print Media**
3. **Legal Framework for Electronic Media – Radio and Television**
4. **Legal Framework for Regulation of OTT and Web Series**
5. **The Official Secrets Act and Right to Information Act**

List of Topics/ Modules

Topic/ Module	Contents/ Concepts	Sessions / Lectures
Module I: Introduction	a) Concept of Press and Media, differences and interrelationship with Telecommunication and Cyber Law; b) Types of Media in contemporary times- their diversity (eg.- News Media, Print Media, Electronic Media, Films, Radio, Television, Social Media, OTT, Web Series Media, Private and Public); c) Role of Press and Media (in democracy, identity, etc) and their impact;	1- 10 Case law and reference material will be provided along with classes
Module II: Legal Framework for Regulation of Press and Media Law- Constitutional Freedom of Speech and Expression	a) Scope of the Right (circulation, advertisement, publication, broadcasting, interview, parliamentary proceedings); b) Restrictions (public order, security of state, defamation, contempt of court, morality and decency (eg. Indecent Representation of Women Act, 1986), issues of sedition, blasphemy, pornography, obscenity, hate speech etc); c) Rights of people and issues of correct information, accurate broadcast, Privacy (meaning, evolution, dimensions (eg. right to privacy of child)	11-30 Case law and reference material will be provided along with classes
Module III: Legal Framework for Print Media	a) The Press and Registration of Books Act,1867; b) The Press(Objectionable Matters) Act, 1951; c) The Working Journalists and other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act, 1955; d) The Newspaper(Price and Pages)Act,1956; e) The Press and Registration of Books Act,1867; f) The Press Council Act,1978 g) IPR issues; Human Rights	31-40 Case law and reference material will be provided along with classes
Module IV: Legal Framework for Electronic Media – Radio and Television	a) Revisiting Constitutional provisions- Freedom to broadcast; b) the Cinematograph Act, 1952; c) the Prasar Bharti Act, 1990; d) Cable Television Networks (Regulation) Act, 1995; Rules 1994 with latest amendments; e) Program and Advertising Code; f) Electronic Media Advertisement Policy;	41-50 Case law and reference material will be provided along with classes

	<p>g) Draft Broadcasting Service Regulation Bill 2006; h) The Telecom Regulatory Authority of India (TRAI); i) News Broadcasters Association (NBA); j) Electronic Media Monitoring Cell of Ministry of Broadcasting and Information; k) Indian Broadcasting Foundation and Broadcasting Content Complaints Council; l) Advisories of Indian Broadcasting Foundation; m) License Agreements n) 200th Law Commission of India Report on working of media; o) Insufficiency of legal framework for governance of Electronic Media and challenges (fake news, obscenity, regulation of wages and working condition etc)</p>	
Module V: Legal Framework for Regulation of OTT and Web Series	<p>a) The unique character of these media and insufficiencies/challenges in regulation – b) IT Act, 2000 and Information Technology (Guidelines for Intermediaries and Digital Media Ethics Code) Rules, 2021; c) Code of Ethics by Mobile and Internet Association of India</p>	<p>51--55 Case law and reference material will be provided along with classes</p>
Module VI: The Official Secrets Act and Right to Information Act	<p>a) The Official Secrets Act, 1923; b) Judicial recognition of the Right to Information Act, 2005; c) Salient features of The Right to Information (Amendment) Act, 2019</p>	<p>56-60 Case law and reference material will be provided along with classes</p>

Recommended/Reference Text Books and Resources:

Text Books

1. Facets of Media Law by Madhavi Goradia Divan, EBC
2. Media Law in India Kiran Prasad Wolster Kluwer
3. Media Law by S R Myneni, Asia Law House
4. Laws of the Press in India by Durga Das Basu Prentice Hall, Delhi

References

5. Law and Media, Tome Crone, Philip Alberstat, Estelle Overs, Routledge
6. Routledge Handbook of Media Law, Monroe E. Price, Stefaan Verhulst, Libby Morgan
7. Media Law and Ethics Roy L Moore, Michael D Murray, Kyu Ho Youm, Routledge
8. Media Law and Ethics Readings in Communication Regulation, edited by Kiran Prasad, Volumes I and II, B R Publishing
9. Routledge Handbook of Media Law edited by Monroe E Prie, Stefaan G Verhulst, Libby Morgan

Web Resources

https://www.youtube.com/watch?v=RCOz-1j_55A

https://onlinecourses.swayam2.ac.in/cec22_ge45/preview

https://www.youtube.com/watch?v=w9akPl_vciw

<https://www.youtube.com/watch?v=xM7gIoYswuU>

Project topic: Students will have the option of deciding their project topic with approval of the faculty.

Instructor Details

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