Chapter – V

Issues and challenges of media

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(1) **Introduction**  
As it has been seen earlier the media plays not only a very pivotal role, but enjoys tremendous influential powers\(^{132}\), as a result of which it enjoys wide liberties. Today very few other agencies enjoy wide powers and liberties as compared to that of media. However with the enjoyment of those wide powers, the media has to shoulder heavy responsibilities. The task of the media becomes tougher to discharge these heavy responsibilities as the media is in a whirlpool of challenges. The forth coming pages deals with the issues and the challenges posed before the media.

(2) **Responsibility of the media in a democratic society**  
The media is bridled with the task of shouldering a very heavy, important and crucial duty in the present times. This is because of the three facets of human public life which are – (i) to know, (ii) to publicise, and (iii) to expose, plays a vital role in the societal life.

(i) To know means to get information about various aspects. It is the media which imparts the information to the public, which helps the public in knowing and becoming aware of many issues and aspects prevalent in the society. This is the very reason that the media is the instrument of education.

(ii) To publicise – means when a person or an institution or the government does any positive or good activity, it is the media which publicises such activities and makes it known to the entire society. This publicising a good activity, acts as a reward to the person doing such an activity, and the publicising also gives an impetus to the others to engage themselves in similar activities.

(iii) To expose – means the negative side of publicising. The media not only publicises the good activities, but also exposes the negative acts in the form of corruption and illegal activities of the public, as well as government officials. The exposing activity of the media acts as a check upon such activities.

\(^{132}\) *Supra.*, p. 113
The role of the media either to make known to the public any information, or to publicise or to expose is done only with the help of technology. The advanced technology plays an important role in enabling the media to perform its function. In absence of the advanced and developed technology, the media would be unable to discharge its functions efficiently and effectively. So one can easily say that; the advanced technology occupies a special and conspicuous place in enabling the media in shouldering its responsibility.

(a) Indispensable postulate of the society – Fourth Estate of the state.
Since a long time the media has played an acknowledgeable role; but from the recent past it has played and is playing a pivotal and indispensible role in shaping a healthy democratic setup. It is therefore considered as an indispensible organ of the democracy. Not only this, but the media is regarded as the backbone of the democratic foundation of the society. Many a times media is regarded as the ‘Fourth estate’ of the state. Media makes us aware of the various social, political and economical activities which are happening around. A similarity can be drawn between a mirror and the media because just like the mirror\textsuperscript{133}, the media also reflects or projects to us the bare truth or the ground reality as it exists actually. An important aspect to be noted here is that the media not only projects the positive aspects of the circumstances, issues, or events but also shows those realities which are sometimes tainted negatively or could be categorised as ‘harsh’ in nature.

(b) Media – watch dog of the society\textsuperscript{134}
Since the inception of media, it has developed into different streams and has become more active. The media can remind the politicians every time they keep any promise unfulfilled, especially during the elections. Frequent reporting helps even the illiterate people in deciding the right person to vote for. The continuously reminders by the media persuade the politicians to fulfil their promises, in order to continue to enjoy the confidence of the people, which is required to continue their position in

\textsuperscript{133} Infra., p.153
\textsuperscript{134} Supra., pp 120-122
chair. If any politician does not care to fulfil the promise the media will repeatedly communicate that to the public, who then will not elect that person again. Thus the politicians who do not care to fulfil their promise are risking their chair, and all this is possible because of the vigilant media.

Television and radio, which also forms part of the media has made noteworthy contribution in creating awareness especially regarding uneducated masses. Televisions and radio broadcasts the news in the native language. The listener or the viewer does not need to be able to read or write, or have knowledge of any foreign language. He can hear the news in his mother tongue and be equipped with the knowledge about the current events. The media also covers the corrupt practises of head of the village, moneylenders and local politicians, and thus have helped in taking stern steps against them by making the appropriate agencies aware of their misdeeds, and strengthening the democracy.

(c) Media a mirror which reflects the realities.

Another very crucial function performed by the media, is that it highlights and brings to the notice of the society the mal administration, discrepancies, blunders, mistakes or the mismanagement of the government. This function fulfils a dual aspects; like on one hand it helps the society to know the mal administration etc activities of the government, and on the other hand, it helps the government to improve its functioning and minimize the mal administration activities, thus making democratic system more transparent, efficient, responsible and accountable. Further the media helps the government and the society to exchange the ideas, views and opinions with each other which minimizes the friction between the government and the society and helps in developing harmonious relationship between the two; which no doubt brings stability and progress of the state.

(d) Diverse information made easily available

The modern age is regarded as the era of information and technology. The consequence of the increased volume of information and technology has led to the fact that; the society not only thrives upon the voluminous information, but the societal life exists on the vast and diverse information. Apart from the vast
information, diverse and varied information is imparted to the society from every aspect of the society or from every nook and corner of the entire global arena.

In addition to the diverse information which is projected by the media, another very crucial aspect is this that, this diverse information is imparted very easily and quickly. In fact the vast information is available at the tip of the fingers of a person. So the advantage of the media is two folds: one - vast varied, diverse, and multifarious information is imparted to the public at large, and the second – such information is made very easily and speedily available to the public at large.

(e) **Deterrent effect upon the corrupt or unethical tendencies.**

Today the media is feared because it not only publicises any unethical, corrupt or any illegal activities, but also provides almost each and every detail of the procedure evoked to commit such an unethical, corrupt or any illegal activity. So also all the people involved in such activities are also named and nailed down and are exposed in front of the society. The list of the instances where the media has exposed the people of corrupt and mal practises is endless.

Nitish Katara murder case
Jessica Lal case
Priyadarshini Mattoo case
The Ruchika Girhotra Case
Nirbhaya case

\(^{135}\) *Supra.*, p 121
Nitish Katara murder case\textsuperscript{136}

In the instant case a lower cast boy, and an upper class girl from Uttar Pradesh were in love with each other. The parents of the girl were from high class and influential political parties. The boy was murdered. The accused were acquitted in the lower courts, however the media persuaded the case, and the case had to be reopened. The ultimate result was that, the guilty people were punished.

Jessica Lal case\textsuperscript{137}

The bar tender, Jessica Lal, was murdered by son of a politician Manu Sharma, Most of the witnesses turned hostile, and he was acquitted, again the media highlighted the issues and kept it in the limelight, which worked as an catalyst while delivering the justice, and punishing the guilty persons.

Priyadarshini Mattoo case\textsuperscript{138}

The accused was in love of the victim, and had proposed her. The victim rejected his proposal. Then the accused made a false complaint that the victim was taking two degrees simultaneously. Not satisfied by that he raped and murdered the victim. The accused also tried to exploit the influential position and escape the clutches of the law. The trial court had given him the benefit of doubt. The media took the matter. Here the media used the tool of investigative journalism, and found the servant working in the Priyadarshani’s house, who had supposedly allowed the accused to enter in her house. The servant was missing since the crime was committed. The media put the pressure, and did not allow the people to forget. As a result the matter was taken to the High Court, which delivered its Judgement in 42 days, reversing the judgement of the lower court.

\textsuperscript{136} Supra., p137 \hfill \textsuperscript{137} Supra., p140 \hfill \textsuperscript{138} Supra., p 141
The Ruchika Girhotra Case\textsuperscript{139}

Ruchika Girhotra was sexually molested by the Director General of Police and freely roaming, the media persuaded the matter and got the police person arrested.

Nirbhaya case\textsuperscript{140}

In 2012 when the unfortunate Nirbhaya was raped in the moving bus, and thrown out of the bus, the victim then went to lodge the FIR, the police were refusing to lodge the FIR, the media harped on the issue, not only resulting in the lodging the FIR, but also the conviction of the culprits.

Many a times these mal practises were brought to the notice of the people, only because of the strong organised, and vigilant media. In some of the cases mentioned above justice was done simply because the media pursued and projected the facts and the issues related to the corrupt or illegal activity.

The media no doubt has helped in doing justice by bringing the culprits into the clutches of the law. Apart from the above quoted incidences, there are many more instances, where the media has performed the duty of the vigilant policeman. One can say that the media has played a supplementary role to the judicial function of dispensing justice.

(3) Theories about Media Influence

Just as seen in the forgone pages, the media plays a very crucial role in bringing about the stability in the society as well as imparting knowledge. The impact of the media is tremendous and is of great magnitude; because of which the media is the most powerful influential instrument existing today. One ponders to know as to what is the reason behind the media’s influencing power. To put it in other words what are the reasons behind the media being so influential. No other agency is able to leave the lasting impact upon the minds of the people, as that of the media. Hence

\textsuperscript{139} Supra., p 143
\textsuperscript{140} Supra., p 121
a cursory glance is given to the theories which give the reasons as to why the media is so influential.

(a) Limited-Effects Theory:

Limited effect theory hails somewhere in 1940 and 1950. According to this theory the people who have adequate intelligence, enough experience, and do possess intellect will not be affected by what the media states. On the other hand it is the people who do not possess the adequate knowledge will tend to believe the media entirely.

According to this theory the impact and the influence of the media is limited only to the people who do not have adequate knowledge or awareness. This theory places a severe limitation upon the media’s influencing powers. This limitation can be justified to some extent on the basis of the time in which it was formulated. Regarding this theory one fact has be taken into consideration is that the theory is propounded somewhere in 1940 or 1950, and during that time the media was not as developed as it is developed and is still developing today. The media at that time was limited to newspapers, magazines, etc. Television and radio were not in full swing, as they are today. Nowadays the media not only conducts the debates but also frames and limits the issues of the debates which have lasting impact on the conclusions that people may draw. This aspect of conducting the debate; framing and limiting the scope of the issues was totally lacking in the era when the theory was propounded.

Another severe limitation of this theory is that it fails to take into account the fact that many notable and renowned scholars were associated with the press. Such scholars used to express their ideas and opinion through the press which used to not only have profound impact upon the minds of the people but was capable of creating and moulding public opinion. It has to be remembered that the educated masses were not only influenced but also took the opinions and ideas of great scholars like Bal Gangaadhar Tilak, Gandhiji, Nehru, Savarkar, Phule etc, as verdicts.
(b) Class-Dominant Theory:

The class dominant theory states that few influential people control the media. The bureaucrats and other rich and powerful people control the media corporations. The bureaucrats decide what shall be sent through air waves, or through internet, or through newspapers. They are also able to restrict the flow of information which they do not want to project. According to this theory the influential aspect of the media is totally at the disposal of the dominant class of the society; and because the class being dominant, the news they project through media is also more influential.

(c) Culturalist Theory:

According to this theory the media is not capable to influence the masses at all. The people who listen to the news broadcasted by the media make out their own meaning and the value of the news according to their own experience and knowledge. Further when the media projects any news, how the news is taken by the people depends upon, the personal and social factors such as their age group, their financial limitation, their region, their religion, their social strata etc. So this theory states the media projects the news and each person is influenced according to the above mentioned personal and social factors.

However, sometimes the news is so catching or appealing that it influences the minds of people irrespective of class, caste, colour, religion and creed. For example in Nirbhaya’s case the news was so appealing that it touched the hearts of the people from every corner of India irrespective of any class, caste, colour, religion and creed. The news was also understood in the same sense by these people, in the same sense in which it was projected.

(4) Common challenges before the media

There is no doubt what so ever, that a free media is essential for the exercise of a fair democracy. Without free media it is impossible to imagine any democratic society, as the democracy will lose its essence. Without freedom, the press will be at the mercy
of the rulers and will be under obligation to project any policy in the interest of the rulers, even if it may be detrimental to the interest of the society at large.

A question now haunts is that whether the free media is really serving the people. The answer unfortunately is no. The media is not serving the people as was expected to serve, after freeing it from the governmental control. The said statement is not been made to justify the government control on media, but put a fact that despite independence from the government the media fails to do the duties as expected from the media.

The question which arises before the researcher is that why the independent media sometimes fails to perform its duties fairly, objectively and impartially. The hurdles which come in the way of the media while performing its duties are as follows.

(a) Paid news
(b) Cross media holdings
(c) Glorification of news
(d) Neglecting important issues

(a) Paid news

One of the major concerns in India is the concept of paid news. The definition of “paid news” as stated by Press Council is as follows, ‘paid news as any news or analysis appearing in the print or electronic media for consideration in cash or kind’.

To enable us to get good understanding let’s study the concept of paid news. A paid news is a where an advertisement is disguised as a news. To put it in other words, the news channels advertise a party, or a person (mostly political) under the colour of news. Now let us first analyse the term ‘advertisement’. In an advertisement a person, an institution, any product, any event, or any other element is promoted through the media, and the media for this promotion receives some monetary considerations. An advertisement is different from the news which is projected by the media. The media does not receive any monetary consideration for news, where as in an advertisement

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141 www.prisindia.org/parliamenttrack/report-summaries/issues-to-paid-news-2780
the monetary consideration is a must. As per the rule of the Press Council the advertisement should clearly distinct from the news content.

Paid news is an advertisement which is designed as news and the viewer is made to believe that it is news, when actually it is not. Such a disguise is made to either promote or defame someone, in exchange for consideration.

In the Lok sabha election of 2014, 3,100 notices regarding paid news were served to the news agencies. Out of the 3100 cases regarding the paid news 787 cases were confirmed\textsuperscript{142}. This statistics of the paid news, is only of one year and one election; one can just imagine the number of paid news which are rampantly occurring or existing.

Paid news is a blatant violation of the democratic spirits. In a democracy, which candidate is to be elected is the choice of the voter, which the voter has to make very carefully. It is obvious that while making such an important decision the voter should be well informed, only then he will make the correct choice. But if the press by publishing the paid news is promoting any one candidate; then it is in a way misleading the voters and destroying the basis of the democracy itself.

The fundamental difference between the news and advertisement is that, the news has to be neutral, unbiased and fair. The news shall provide true and accurate report, while advertisement on other hand need not be fair. It is made to promote a person or promote some article or someone. Advertising is a means of communication with the users of a product or service. Advertisements are messages paid for by those, who send them and are intended to inform or influence people who receive them, as defined by the Advertising Association of the United Kingdom\textsuperscript{143}.

In a country like India, the people tend to believe the media, so when the media, especially the press writes anything good or bad about someone the people tend to believe it. The rich politicians in India take the advantage of such a belief, gets lavish

\textsuperscript{142} Id;
\textsuperscript{143} http://economictimes.indiatimes.com/definition/advertising
praise for them, or taint or tarnish the image of the opponents, by paying high consideration amounts.

When any candidate resorts to the strategy of the paid news for his popularity, he is not only deceiving the public but commits three main offences.

(i) The aim being only to get a favourable coverage, the paid news may make the people to believe what may not be fair, or true. As the aim of the paid news is to give the favourable coverage to a particular product, people or associates rather than to publish the truth.

(ii) In case of paid news, where the candidate pays the money to the newspaper agency, and this transaction between the candidate and the press or any media is done secretly. It is but obvious that the candidate involved in such practise, does not declare the amount of the money paid by him for such favourable coverage. Thus the candidate ends up spending more money than he is permitted to spend in election campaign. He is thus guilty of violating Representation of the People Act, 1951.

(iii) Similarly the transaction being a secret media company who receives such amount will not account the money so received by it from the candidate. This means that the said media company is violating the provisions of commercial and the fiscal statutes.

Paid news it is best described in following words “paid news” is a menace which “started out as an abrasion, went on to become a disease and is now an epidemic.”

“The phenomenon of “paid news” goes beyond the corruption of individual journalists and media companies. It has become pervasive, structured and is highly organized and in the process, which is undermining democracy in India.”

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To check the evil of paid news, the Election Commission of India initiated some measures to curb the menace of paid media during election period. The Commission issued orders to the chief electoral officers to appoint District level and State level Media Circulation and Monetary Committees (MCMC). The main function of these committees was to scrutinize the operation of the electronic media, mass media and print media, and to stop any advertisement being disguised as paid news.

Causes of Paid News

(i) **Lack of clear distinction between Editorial section and management.**

The primary cause for erosion of the independence of journalism is the contract system employment. Now the status of the journalist is reduced to marketing agents. Therefore the journalists who should impart fair and objective news seek and collect only paid news. Actually the press council is in favour of a clear distinction between management and the editorial staff. When this distinction is maintained then the independent journalists (editorial section) can concentrate on fair and neutral news issues, while the people from the management of the press can look after the advertisements.

(ii) **Journalists and reporters are under paid.**

The journalists and reporters are underpaid. Most of the media personnel get very less wages. Many journalists or reporters work on commissions or on contract basis. They are mostly bringing advertisements, and end up eventually working as market representatives rather than standard journalists.

As stated earlier the media is considered to act as a link between the government agencies and the citizens. It is a well known fact that the media is a very potential institution, which has the ability to create or generate public opinion or counter public opinion of the common man. For instance, if the media projects that a particular

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146 As per http://164.10047.134/intranet/PAIDNEWS.pdf around 80% of journalists are getting very less wages.
picture is one of the most wanted terrorists, people would trust it blindly. It has the
capacity to change perceptions or evoke emotions; which reflects upon the media’s
capacity to gain the faith of the public. In this scenario when the media is entrusted
with so much faith of the public, then the same faith is imposed in the media when it
is projecting the paid news. If the media on the basis of the public faith is going to
project the paid news and thereby deceives the public, then the concept of fair press
and the media waters down.

The evils of paid news try to malign the image of media and also raise serious doubts
over media’s freedom. One will not advocate free media, if it tries to cause hindrance
in justice, and supports the person or party for some monetary or other favours.

(b) Cross media holdings.

Cross media holding means owning more than one media business, by a single person
or an entity. The South Indian Channel Sun T.V has 14 channels, four magazines and
two newspapers. Incidentally approximately 400 channels are being provided by
only 11 cable distributors.

In a democracy, multiple channels or modes are essential as there may be various
opinions related to a single issue. In order to get a proper solution all the views are
needed to be projected. However if the person or the entity who runs or owns the
multiple channels is the same; then the very purpose of having multiple channels or
mode fails, as they are mere different sources of the same person, imparting the views
and appreciating the ideology of the same person, running it. People will believe that
different channels are advocating the same ideology, hence the ideology is worth
following. This is nothing but a way of misleading the people.

In the United Kingdom there are rules relating to the cross media holdings which are
as follows.

(i) A person can own only 20% of a Channel.

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147 Shivaji Sarkar, ‘Cross Media Ownership - A Threat to Vibrant Democracy’, available at
http://www.vifindia.org/article/2013/august/22/cross-media-ownership-can-india-checkmake-it
148 id
(ii) 3 licences.

(iii) Any national newspapers not more than 20% of the market share. A person who is holding 20% of shares of the national newspapers is prohibited from holding more than 20% shares of the national newspaper market, sometime known as the "20/20" rule, It is really a "20/20/20" rule. 149

There is still a prohibition on political parties holding any broadcasting licences and on religious bodies holding certain licences for Channel 3 and Channel 5, any national radio analogue licence, and multiplex licences. 150

Channel 4 and $4C may not hold Channel 3 or Channel 5 licences.

The Nominated News Provider for Chanel 3 cannot be under the control of political or religious bodies or bodies which would be barred from holding a channel 3 licence. 151

The Secretary of State may intervene in media mergers where he has concerns about media plurality. 152

The situation in India seems very different as that from the United Kingdom as far as the regulatory and control provisions regarding the electronic media. It is seen that in India there exists no common policy related to ownership and cross media regulations. So also no restrictive provisions on the number of holdings are present for the print and electronic media.

However, some limitations are being imposed by the Telecom Regulatory Authority of India (TRAI) for different segments within the broadcasting sector. The TRAI dictates the policy framework for each segment, such as DTH guidelines or FM radio policy.

150 id
151 id
152 id
TRAI wants the laws to control the cross media holdings, but the media houses in India have the fear that there will be proxy control by the government.\textsuperscript{153}

There is no dispute that there shall be multiple informing bodies in a democracy, however it is the very necessary that those bodies should be of different entities or individual, rather than of the same individual, only then different views can be put before the people.

(c) \textbf{Glorification of crimes.}

Today in this cut throat competition the news channels and news agencies want sensational news to be in the race of TRP\textsuperscript{154}. Crimes generally create sensation. The media to get popularity end up showing the way crimes are committed, who was the person successful in evading arrest, how lavish did the criminal live etc, making the criminal virtually a hero, and when a criminal is depicted as a hero then his actions makes a deep impact on the minds of the people, especially the young ones.

When Dhananjay Chatteerji, a convict for rape and murder of a British girl, was hanged, the news channels were focusing on his minor things such as to what music he listened, what he ate etc, so much that it looked as if he is a national hero rather than a criminal. Few young children died, while imitating the hanging process.

If the crime is glorified, then the young people in the society will want to imitate the same. This would be a most congenial atmosphere to produce more criminals in the society.

The role of the media shall be to discourage the youth from the path of crime, and to encourage the spirits of brotherhood, honesty, tolerance etc.

However continuous projection of crime may tend to corrupt the minds of the young ones, and the society will lose its balance.

\textsuperscript{153} Prashant Jha ‘\textit{Media cross-holding in cross hairs}’ available at http://www.thehindu.com/opinion/op-ed/media-crossholding-in-cross-hairs/article4743586.ece
\textsuperscript{154} Television Rating Points.
(d) Neglecting important issues

Another major problem with the media is it is often portrays lesser significant news as real news sidelined the real news. Issues like which celebrity is getting married, who is pregnant, etc is given coverage. Actual relevant issues such as economic position of India, poverty, etc are either not covered properly, or not covered at all.\textsuperscript{155}

Out of the many, one incident to show how the media neglects the real or important issues and focuses only upon the glamorous news is about the week event of Lakme India Fashion. In this event the models taking part in the display of fashion outfits, were wearing cotton garments. During the same time of the fashion event, some farmers who had cotton farms; due to poverty were committing suicide, not very far away from the place where the fashion event was conducted. There were 512 accredited journalists covering the same event, and it is very sad to note that out of 512 journalists only 2 journalists covered the news of farmers committing the suicide\textsuperscript{156}. This instance clearly shows that the media covers only popular, interesting and glamorous news. The news which is related to harsh realities is often neglected or sidelined.

In this situation one really questions the media’s responsibility and its impartial or neutral functioning. The media enjoys full freedom to pick and choose and then to project the news, which it feels like or which is commercially beneficial to it. As the media cannot be compelled to cover a particular type of news, it very conveniently sometimes turns a blind or a Nelson’s eye to the ground or harsh or painful socio economic realities, which are faced by majority of the Indian population. Instead of giving adequate coverage to such types of news, the media engages itself in covering the news which contains glamour and popular showbiz like the Lakme fashion event. By covering the events like Lakme fashion, media is only covering entertainment oriented news, and the issues of real concern for people go unnoticed.

\textsuperscript{155} Markandey Katju - ‘Media and issues of responsibility’ available at http://www.thehindu.com/opinion/lead/media-and-issues-of-responsibility/article2559712.ece

\textsuperscript{156} \textit{id}
No doubt, sometimes the media mention farmers' suicides, the rise in the price of essential commodities, and so on, but such coverage is at the most 5 per cent to 10 per cent of the total news coverage. The bulk of the coverage consists of showing the life of film stars, pop music, fashion parades, cricket astrology etc.\textsuperscript{157}

The raging floods in Jammu and Kashmir in 2014 attracted the attention of many news channels because of the heavy damage and the vast devastation it had caused. During the same time there were heavy floods in Assam which however went unnoticed by the news channels.\textsuperscript{158} What can one say when media highlights the news from one region and completely ignores similar news from another region.

The media has given a cold shoulder to the issues happened and happening in the north eastern states of India. The entire north eastern zone which includes Assam, Arunachal Pradesh, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura are considered a veritable biodiversity hotspot. The geographical, social and economical issues are rarely projected by the media\textsuperscript{159}, where as some popular or some news which is of commercial gain to media is conveniently reported and projected\textsuperscript{160}. 

Tata Institute of Social Sciences (TISS), Guwahati, has found out that even the Guwahati or Kolkata editions of national newspapers do not give enough space to the coverage of environmental issues from the region.\textsuperscript{161}

Even some important news related to health issues are sometimes is sidelined. The media gives a very marginal coverage to the issues related to functioning of the government and private hospitals such as; the inadequacies which are present in their...
administrations or the problems faced by the medical officials or the hurdles suffered by the patients due to the complex and lengthy procedures of admission and discharge of the patients. However we do not see such reporting in the media. What we see instead in the media are discussions like have Anushka and Virat met together?\footnote{Times of India June 22, 2016 available at http://timesofindia.indiatimes.com/entertainment/hindi/bollywood/Anushka-Sharma-to-host-a-special-screening-of-Sultan-for-Virat-Kohli/photostory/52869074.cms} or what comment is made by Salman Khan, and for such, the news channel go to the extent of procuring the audio clip,\footnote{Newspaper DNA dated June 22, 2016 available at http://www.dnaindia.com/entertainment/report-rape-remark-what-salman-khan-said-exactly-2226330.} and it is the paradox that we have debates over such issues.

It is not that the news channel should never give such news, but the news channel should fix some criteria as to how much time, significance, space should be attributed to such news.

The media persons may argue that it is the demand of public, and hence we fulfill their demand, as the public is the consumer. Here the media cannot afford to forget that the role of media is also to develop the good taste of public, they should make the public inquisitive about those happenings which would have impact on their life, their prosperity, their enrichment etc.

(5) Challenges before print media

There is no doubt at all that the print media has large circulation and there are many readers who read and get enlightened by press. Press serves as a good agency of communicator between government and a common man. However the press is not free from the challenges. The few challenges are as follows.

(a) Limited reach because of low Literacy rate.

The newspapers can only be read by the people who are able to read. In other words, only literate people can be communicated through the medium of press. The illiterate

people are likely to get excluded. They do not have the access to information. In other words only literate people can only cast informed votes.

This would mean that it will be easy for political parties to garner votes of illiterate people and occupy the power, and then turn deaf ears to informed people’s rightful demands.

(b) Aliteracy

“There are worse crimes than burning books. One of them is not reading them." 

Aliteracy is another problem with the press.

Aliteracy is derived from the word alliterate which the Webster defines as ‘the quality or state of being able to read but uninterested in doing so’

Aliteracy means the people who can read and write choose not to do it. In other words the people who can read and write choose to stay ignorant.

The concept of Aliteracy is different from illiteracy. An illiterate person cannot read and or write; on the other hand the alliterate person knows very well how to read and write but still does not do so.

The problem of choosing to be ignorant is not new in India and was found in somewhere in 1959, just two weeks after the revolution of Tibet, despite being literate and having access to newspaper the majority of people were ignorant and only one person was aware as to who is Dalai Lama, when all the newspapers were full about the news of Dalai Lama.

In the age of communication, and where there are a lot of tools for information, we find people who are not updated with current events. It is not because they do not know how to read and write but because they are not interested or do not care to be

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164 Joseph Brodsky brainy quotes
updated. The housewives who spend number of hours watching daily soaps, and are unaware of current events can be cited as the best example of aliteracy.

Aliteracy is no doubt an impediment for democracy; also it is an impediment for print media, as the circulation of the press can be affected. As the alliterate people will never invest their money for buying a newspaper thus reducing its circulation.

(c) *Stale news*

Stale news is another problem regarding the print media. With advent of television and internet, news in any corner of the world is circulated within minutes and seconds. The same news will appear in the next day’s news paper. The people might have lost the interest in reading that news. In today’s era where there is any news which is visually represented and also be heard through audio just after the incident, under such circumstances, not many people will wait and read the same news next morning.

(d) *Costs involved in production and circulation*

The cost of production of newspaper is another challenge before the print media. The cost of production seriously affects the business. There are various factors which determine the cost of production of a newspaper or a magazine, for example, paper used by them, colour or quality which is used for printing, as the price of paper differs based on its quality, competition existing in the market also plays a crucial role while determining the price. These costs are variable from year to year. Another important aspect is print run. This depends on the size of the newspaper; it costs around 50 to 60% of the production cost\(^\text{166}\).

Another type of expenditure is the expenditure of the staff and miscellaneous expenditure relating to the staff. The printing cost is variable whereas the expenditure

\(^{166}\) Sanjay Kumar, V.V.S. Sarma Performance and Challenges of Newspapers in India: A Case Study on English versus Vernacular Dailies in India available at eprints.exchange.isb.edu/355/1/K740-final.pdf
of the staff is somewhat fixed. All these expenditures increase the financial burden on the press.

(6) Social media
Social media means all the online communication tools which are dedicated to online communication, data sharing, sharing of information, sharing career interest, etc.

The definition of social media as per Cambridge Dictionary is ‘websites and computer programs that allow people to communicate and share information on the internet using a computer or mobile phone:’

Social media has been an integral part of at least urban population today. Sites like facebook, twitter etc, that have given a platform to an individual to assert himself. It is not only the matter of mere assertion but through the communication, the business also becomes easy. For any business to grow it is very essential that the producer should reach to maximum number of customers, this can be done easily by the face book or any other tool of social media.

(a) Development of social media
Man is a social being and hence cannot live in isolation. A Man needs to communicate with the other human beings for self satisfaction as well as his development. This need of being able to communicate with others has sown the seeds of social media. So it can be said that the concept of social media has existed right from the ancient times. The necessity of communication compelled man to develop the methods of the communication. So previously the modes of communication were pigeons, which flew to deliver the message which was tied to their legs with strings or cloth. The very famous poet Kalidas has gone to the extent to make use of the clouds as messengers in his Meghdoot kaavya. In the Hindu mythology even the domestic wives in the ancient times, sent their messages to their parents through the moon or the winds.
Even if the above instances of the means of communication seem to be an exaggeration, one aspect has to be noticed, that man has always indulged in inventing some modes of communication. The modes of communication depend upon the following aspects

(i) The development of the state.
(ii) The development of science and technology
(iii) Economic development of the state.
(iv) The social development of the state.

If the state was in the primitive stage of development, then the modes of communication (social media) was also primitive or in a crude form. However if the state has developed in all spheres, then the modes of communication (social media) are sophisticated, for eg the internet. The present researcher has tried to analyse the journey of social media from the primitive stage to the internet stage.

The year 1940, can be considered to be a crucial year in the development of social media as computers were manufactured then. With the help of these computers the data could be stored. The computers in those days were mainly used for military centric commands and were used as control schemes. Slowly the use and the application of the computer expanded and the computers reached the households of very few. These computers were cumbersome and complex to operate; so also it was not refined and sophisticated. The inventors at that time took painstaking efforts to try and develop a link between all these computers. So if the message was typed in one computer, then it could be accessed in another computer. This effort of linking the computer together has laid down the foundation for further development of internet.

In 1960 the linkage between the computers was achieved known as the CompuServe.

It is popularly called as the initial form of the internet. With the help of the CompuServe emails which were in a very crude form could be dispatched. Initially the CompuServe service was regarded as business oriented, main frame computer. But later this service got expanded and was used by the general public for social purposes. So, later on with the help of CompuServe, debates, discussions and meetings could be achieved. Sometimes some social discussions or social communication was also initiated. The computer language had developed and
‘Mullets’ had originated. This computer language was a very new concept and was technically complicated. Hence it was not very popular and the use of it was very limited. A little later the UseNet facility was developed. This facility became more popular and the number of users of this facility increased to a large extent. Simultaneously the BBS (Bulletin Board System) was invented which provided for codes which allowed the users to communicate with the central system. The BBS got access through telephone lines via modem. The Long distance calls through telephones involved were costly; hence the bulletin boards were restricted to local circles only. So also with the help of these techniques many files could be downloaded. However while downloading the files from this method the distinctions between the original and the pirated versions could not be drawn.

Though there were some restrictions on BBS, the technology was very popular in the 80s and in the early 90s. Somewhere in the 90s however, there was a revolution in the field of internet. Some services like Jennings FidoNet could manage to hold grounds as it linked a number of BBS into a worldwide computer network.

After BBS system the whole scenario of the computer world changed, as the first ever social media web site was invented which was called as the Six Degree. The applications of the site were many more as compared to BBS system.

(i) It enabled the users to achieve a social communication.
(ii) The users could create their profile.
(iii) They could create friends through profile of other users.
(iv) This application even allowed connecting people who were not registered as users.

This Six Degree application system enabled the people to use computers to develop their social contacts, hence paving the way for the development of social networking sites.

In the year 2000 the world was engulfed with the term ‘blog’. The term ‘blog’ is a part of the phrase ‘Weblog’ which was named by Jorn Barger, Editor of ‘Robot Wisdom’. The concept of blogging enhanced the use of computers for social communication; because people were able to communicate with the help of the blog
with wide range of readers and users. So also the technique of messaging gained rapid popularity, again enhancing social communication through media.

The concept of Blogging enhanced the importance of social media, and in the year 2000, websites like Linkdin, and Myspace came into being. The website Myspace helped the users to create profiles and find friends. Even if the application of the website Myspace is smaller as compared to today’s internet facilities, still the web site Myspace was used by many users for social networking, and sometimes it was used even for advertisement and promotion of certain activities.

Another website Linkdin surfaced simultaneously, which was different from website Myspace. With the help of website Linkdin, the professional could achieve a link through the network. Hence this site was for a particular purpose. The difference between the two websites, Myspace and Linkdin is this that, the website Myspace was of general nature, and could be used for social communication or networking. Whereas the website Linkdin was for a particular purpose and could be used by professionals, business groups, to communicate with each other.

Mark Zuckerberg in 2004 made a magnificent invention of the computer application in the form of – The Facebook.com. The application of The Facebook.com was initially launched for a specific group that is for the students of Harvard University. The application was very successful as its utility was tremendous. After gauging the potential of The Facebook.com site, Mark Zuckerberg released the service of this site to the world at large. This website The Facebook.com can be regarded as a gigantic step in the development of the social media. Through this application of facebook, profiles can be created and the friends can be made from any corner of the world. From 2004 till to date Facebook.com can be regarded as most popular and the leading social media, having more than a billion users.

In 2006 Jack Dorsey, Bitz Stone, Noah Glass and Evan Williams created the system of twitter. By this system the users are allowed to say precisely, that is to tweet, the only limitation is that the user can use only 140 characters. This twitter system is very popular and is very widely used.
In 2007 David Karp launched a micro blogging website called Tumbir. Today this website is owned by yahoo and named after it. Websites like Foursquare, Spotify, Google Buzz, Pinterest, Loopt, Blippy, Groupon, were launched and are regarded as the popular social media. Some other websites which can be called as photo sharing websites were created are Flickr, Photobucket, Instagram.

After so many websites it is but natural that the world of social media rocked and the social media was not only used for personal or social motives, but it was used for business or commercial purpose rampantly. Every brand is now taking their product on social media to get more buyers, so one can say that the trade and profit is carried out with the help of social media. Apart from this, the website owners of different businesses, professions, etc are advertising their product as well as their websites on the social media websites.

The social media has put another step forward when messenger applications which could be installed in mobile, like Whatsapp, Line, Wechat were created. By way of these application two or more people can chat, send photos, videos, etc. This type of media also (in particular whatsapp) is slowly becoming integral part of business and profession.

As one can see that the social media from a primitive stage, has developed to the most sophisticated mode. The social media has also undergone a sea change in its function; because initially the social media’s function was only to cater to social communication, and today, the social media is playing an important role in almost every aspect of human life. With the help of social media, the users of it use it to promote their business, trade, advertise their occupation etc. The artists use the social media to promote and advertise their art pieces, including music. The professionals use the social media to promote their profession and intellectual work; sometimes education is also imparted through the social media. Cultural, religious and political events are promoted with the help of social media. It can be said that the ancient social media performed the function of social communication, and the today’s social media, 2016 is omnipresent because almost every activity of human beings as well as the institutions cannot be carried out without the help of the social media.
(b) Legal implications of social media

In the present times no other agency has gained popularity as much as the social media. The social media enjoys hype, importance and popularity throughout the world. The same is true in the case of India.

The youth in India today is zapped with the social media. The facebook in 2014 had the 112 million users, this figure itself suggests that the number of users in India is only next to United States of America. The number of users who daily use the facebook through their mobile is 45 million. According to Facebook India Managing Director, Kirthiga Reddy a considerable number of Indians like to be connected with the facebook wherever they are. This is called as FOBO (Fear Of Being Offline)\textsuperscript{167}

The social media now, not only is limited to the personal use, but also has made a significant mark in the professional and business circles. Many small and big offices have the whatsapp group, and many business entrepreneurs have links to the facebooks. The social media is a very useful tool for communication. It goes far beyond entertainment and allows two individuals or organizations, foreign to each other previously, come together, and make profitable deals, which otherwise would not have been possible.

With the above discussion it becomes clear that the social media is popular in personal as well as career circles. However the social media is not free from implications.

(i) Content ownership

There is a problem regarding the content ownership. The question is who owns the content which is posted on the face book. The answer to this question is pretty simple, it is the face book which owns the all the intellectual property rights, as per the agreement between the user and the face book site. When any individual signs the face book or any other social site then that social site becomes the owner of the intellectual property rights relating to the content posted by that person. These intellectual property rights will allow that media to post the details of that individual

whenever they feel like doing it. This can cause severe damage to the person who posts something on the social media.

Another issue is that, even if a person deletes his page, then will the content be actually deleted or will it surface again? Sometimes the user wants to delete the content permanently, and if the content is not deleted by the concerned social media, even after it was deleted by the person who posted it, then the person deleting it, is straight at loss as he cannot sue the social media, nor can compel them to delete the page.

(ii) Defamation and Other Torts.
Defamation is a curse that the social media suffers. The torts like defamation can be easily committed by the facebook. Any individual can write anything which is bad, or derogatory about the person he hates.

Many people, who are not aware, may due to their ignorance, end up in getting into legal trouble. The following acts on the social media can constitute as defamation, and will invite the legal action.

- Making allegations that a person is committing any sexual harassment, without any authentic verification. However, it will not be an offence, if the person against whom such tweet was made, is convicted by the competent court.
- A tweet, which can be misinterpreted can amount to defamation and can invite the legal action. Any comments, statements of which may be interpreted in such a way, that the statement may carry some different meaning, which may not be the intention of the maker. However the same my invite the legal action.
- Any personal attack of facebook or any other social media can attract the legal action.
- Name calling over social media can also can invite a legal action against the person doing so.
- Anyone who is linked with any possible defamatory substance is also liable for defamation. For example if a person likes a statement which is already
defamatory, then the person liking defamatory statement can also be held liable for defamation. This happens generally, when a link posted by someone which is liked or shared on the social media by others.

Social media and Criminal Activities.

The social media has also become a place for criminal activities. Lot of criminal activities is taking place through the social media.

(i) Posting offensive text

The offensive text related to known or unknown person, institution, is posted, with a view to malign his image. The content here is generally not verified, and the language used against the person is very harsh. Even false allegations are levied. Use of this platform is often done to do character assassination, to do lewd comments etc.

(ii) Posting morphed or private videos

There were series of cases where the secret videos of the ladies were taken and then they were blackmailed. Recently in Tamil Nadu a girl committed suicide after her morphed pictures were released along with the mobile number of her father\(^{168}\). This is not the only or isolated incidence, there are many others. A spy camera was installed in the changing room of Ms Smriti Irani, the then HRD minister, at FabIndia outlet, Candolim, Goa.\(^{169}\) Such type of activities can be done as it is very easy to have access to social media. Many unhappy people may tend to do so with a view to extract revenge. Some may do it to force a girl to submit to their demands.

(iii) Posting the links of porn videos

This kind of offence is done by the people with perverse mentality. They upload or share the porn videos. This is also a criminal offence.


(iv) **Online defamation**

The social media can be said to be the hub for defamation. Young children who are above 12 years of age have an access to the facebook\(^\text{170}\). The age of the people who get access to social media like whatsapp may be even less. The children of such young age may not be well conversant with the legal provisions relating to defamation, and end up in posting something which may be defamatory. The nature of facebook is such that the comment may disseminate very fast. Some other people may do it purposely with a view to get perverse pleasure.

(v) **Spreading religious hatred**

Facebook and other social media are also flooded with the messages which tend to spread religious hatred and communal violence. Generally on facebooks this message is forwarded with intention to get like. However they end up spreading the feeling of jealousy towards the other religion, which might be detrimental to the unity of the nation, pushing the nation on the brink of communal disharmony.

(vi) **Spamming**

To spam means to send immaterial or unwanted messages through the medium of internet. Anybody who does so is termed as a spammer. Previously these spammers used to target those email ids which they could obtain easily from chat rooms, customer lists etc. The result would be that the inbox of the mail would be blocked. Later on however the email filters also got refined and as a result the inbox does not get blocked. The spammers now have started to attack through social media. Out of many ways, one way as to how the spammers carry out their attack is that they hack the account of the user, and then they can send the fake messages to the followers or the contact list.

\(^{170}\) It is mandatory that the person who is desirous of having facebook account shall be of 12 years of age.
(vii) **Cyberstalking**

Cyber stalking is just like ordinary stalking. The only difference is that, in ordinary stalking the stalker physically stalks the victim, and in cyber stalking, the stalker keeps a tab on the victim through the use of technology. The cyber stalkers use the gadgets like email, messengers to keep the tab on their victims. They harass the victims by monitoring them, threaten them or to manipulate or destroy the data of the victim etc. The cyber staking can have serious impact which is as under:

- It can be dreadfully frightening
- It can make one lose their friends.
- It can affect, career, self confidence and self image.¹⁷¹

There are a few steps, to avoid the cyber stalkers.
- Never give your system in the hands of the strangers.
- Never keep anything open on your system. Make it a habit to log out once you are done.
- Avoid giving the password to anyone, also keep changing the password.
- Do not open any emails, unless it has come from trusted source.

(c) **Social media vis a vis right to privacy**

In the age of the social media, the right that gets jeopardized the most is the right to privacy.

Privacy according to Black’s Law Dictionary “right to be let alone; the right of a person to be free from any unwarranted publicity; the right to live without any unwarranted interference by the public in matters with which the public is not necessarily concerned”.

In ancient times, in India the protection of law was awarded against any physical or property related encroachment, for example hurt, theft, murder etc. But now the sphere requiring the protection has increased, as crimes are not only limited against the body and property. In the present times people need protection in some other spheres like intellectual property rights, privacy, cyber protection etc, which were unheard of in the ancient times.

(i) Meaning of right to privacy – constitutional perspective

The right to privacy was discussed in Kharak Singh’s\(^\text{172}\) case, where it was stated that regulations which permitted the surveillance of the suspects, would contravene the right to privacy, if the regulations were unreasonable. The Supreme Court cleared had stated that the right to privacy is implicit under Article 21 of the Indian Constitution; however, the right to privacy is subservient to the security of the state.

Right to privacy got a clear interpretation after Maneka Gandhi’s\(^\text{173}\) case, as the Maneka Gandhi’s judgement was pronounced against the background of Universal Declaration of Human Rights and International Covenant on Civil and Political Rights 1966, and both these international document incorporate the right of privacy. So in Maneka Gandhi’s case the Supreme Court gave a very liberal interpretation to the terms ‘right’ ‘liberty’ of the Indian Constitution. The Supreme Court stated that, these terms have very wide implications and broad dimensions. Hence right to privacy is included in the concept of life liberty. Further the court has stated that there is no need for the right of privacy to be mentioned expressly or specifically as a fundamental right, and it can be implicitly included in the Article 21 of the Indian Constitution. In the Indian legal system it is a settled law, that the right to privacy is a fundamental right, incorporated in Article 21 of the Indian Constitution.

The main focus of social net work is to build up a social structure with the help of media to be able to communicate and interact socially between the public at large. In the social net work personal information is communicated to other people.

\(^\text{172}\) AIR 1963 SC 1295
\(^\text{173}\) Supra., p 39
sometimes right to privacy of a person may be jeopardised sometimes. Now the question arises how to balance the working of social media and the right to privacy of a person.

(ii) Violation of right to privacy by the media inclusive of social media.
Accessibility of the data to the third party.
Information is sometimes programmed or stored, or imparted for a particular purpose to a particular party. But sometimes it may happen that, this personal information falls in the hands of another person whom the user does not to share the information with. This happens with the misuse of number of websites such as the facebook, Myspace etc. Another method to provide the information to another unknown person is Browser multiplayer games such as Farmville, Quiz planet etc. In such types of games, if the players click specific advertisement or an icon of the other player, then the profile of that other player will be displayed directly to the person who clicks that icon or advertisement. The danger involved here is that, personal information through the profile is made available to any person, which in turn may be misused and hence the right to privacy is violated.

Today it is a compulsory fashion to put each and every, and sometimes even the minute information about oneself, family, friends, etc on social media like the facebook. Such posts on the social network can be easily accessible to the cyber criminals, who do not hesitate to invade the privacy of the person for their gains.

The preteens and the early teenagers are an easy prey to the cyber criminals, as they tend to believe their new friends, and overlook the safety measures. Hence the right to privacy of such children is invaded.

The age verification mechanism, of social media is not at all reliable. At times the underage children tend to open account on these social sites, posing as the persons of appropriate age, and become easy victims at the hands of sexual predators by violating the right to privacy.
The employment sites request the concerned person to furnish the full personal data, along with CV and contact number. If by any chance the data is leaked through them, then naturally the right to privacy is invaded.

The most glaring examples of the violation of the right to privacy by the social media is in the cases of celebrities, such as the cine stars, sport stars, politicians, and other eminent social figures.

News reporting witnesses the direct contradiction with the right to report and the invasion of privacy. The right to report is the prerogative of the journalists, so also how much time to allot is also their discretion.

If the above discretions are taken away from the journalists then it would amount to control of media by an external agency.

The journalists on the other hand tend to take undue advantage of the discretion granted to them and thereby invade the privacy of the celebrities, such as the cine stars, sport stars, politicians, and other eminent social figures. The people are very much interested in knowing the minute details of their favourite star, or leader as to what they eat, what they like etc. The journalists also follow the celebrities in order to fulfil the demands of the public and thereby get the TRP to their channels. While doing this the journalists knowingly or unknowingly violate the right of privacy of these celebrities.

The Aradhya controversy is the glaring example of the above mentioned point. When Aishwarya Bacchan was pregnant, lot of journalists were flocking at the hospital and the residence of the Bacchans reporting the minute details.

The Bacchans had to get an order from the court restraining the media from reporting anything in respect of the pregnancy till the official bulletin was issued from the Bacchans.

The incidence of Virat and Anushka controversy is also no different. When India was playing against England in 2014, Anushka Sharma had gone to England, the newspapers at that time were full of headlines like ‘Anushka Sharma is keeping Virat
Kohli company in England\textsuperscript{174}, the news media. The media also gave a detail
discussions as to which dress Anushka, wore\textsuperscript{175}. These descriptions relating as to the
dress and how Anushka was cheering was not at all mere reporting, but it is clear case
of infringement of the right to privacy. The duty of media is no doubt is of reporting,
but it is not the duty of media to report as what does the actress wears, or can the
actress be the lucky charm for the cricketer or not. The reporting of such events is
clearly against the ethics of journalism and a blatant violation of privacy.

In the present electronic media age, there is no doubt that the social media channels
have to exists and be used by public at large. On the other hand right to privacy has to
be preserved and protected.

Primarily one can say that the social media channels are innocently or neutrally
conducting their functions; and only their applications are misused then the right to
privacy tends to get violated. The users of the social media channels should be aware
of three things viz (i) their own right to privacy, (ii) another person’s right to privacy
(iii) The safeguards which have to be followed, while using the social media channels.
When one is aware of these three factors, it is difficult to invade the right to privacy
by the social media. If the social media channels are used within the legal limitations
then there is no question of violation of right to privacy; and the two terms instead of
being opposite to one another, there can be a harmonious co - existence between the
social media and right to privacy.

(d) Social media as a tool of harassment.

There is no doubt whatsoever about the fact that the social media has become the
integral part of our personal and professional life. The social media is not only limited
for social purposes, but it also play a crucial role in enhancing the success in the
professional world as well.

\textsuperscript{174} Vickey Lalwani Mumbai Mirror |

\textsuperscript{175} Id.
Though this is the meritorious side of the social media, there is a dark side to it. The social media has become a tool for the harassment of children, teens, adolescents, and women. Apart from this even the frauds are committed through the medium of the social media in the professional sphere. The social media being uncontrolled, has encouraged the criminal and the terrorist activities. The social media can be regarded as a boon and a curse simultaneously.

Let us first study how the social media is used as tool of harassment in personal sphere. The below mentioned acts are offences and affects the victim emotionally, making the victim to go low on confidence. The following type of offences which affects the children more.

(i) **Cyber bulling**

Though it is true that this offence can be done with respect of any person, the worst hits are the young children. In this type of offence the attacker posts abusive, derogatory, hateful, nasty comments. It tends to affects the young minds deeply and they have the scars of that wound, which may affect the life of the young ones adversely.

(ii) **Age inappropriate Contents**

The internet makes available virtually any content within micro seconds. However not all contents which are available may be desirable to watch or read, especially by children. Though it is true that there is a parental control system to regulate as to what, the child should watch, the inappropriate contents could still be watched by the child, if someone makes available, the said contents for them. These inappropriate content might influence the young minds in a wrong way.

(iii) **Online Grooming**

The internet allows to keep anonymity and the exactly that is thing which is exploited by the attackers during this online grooming. Here the attacker poses as a person of same age as that of child and befriend him. Speak to him and win his trust. When the child starts to trust the attacker completely, then the attacker would expose the child to sexual content,
corrupt his mind, and then manipulate him. In other words the child would be bullied by a buddy.

With the changing dimensions of the social media, it will neither be advisable nor be possible to prohibit the access of children to social websites. However, we can supervise the content they watch, without making them feel, that the elderly people are spying them. The elderly people have to take active interest and understand what activities are being done by the child on the social sites. If the need arises then set up some rules for the use of the internet at home. These steps will ward off the danger of any cyber attacker who will try to corrupt the young mind for his perverse pleasure.

The women also are harassed through the instrument of social media.

(i) Using morphed pictures
The morphed pictures are used by the cyber attacker either to take revenge or make submit her to their demands.¹⁷⁶

(ii) Cyber stalking
The stalking is done by using devices, rather than physical stalking.¹⁷⁷

Apart from this the one more concern about the social media is that it ruins the marriages. Social media, especially the whats app is one of the reasons for the increase of the divorce rate. Out of 5000 divorce cases at least 3000 are related to the technology. The spouses take the aid of technology to prove that the other spouse is cheating on them¹⁷⁸. SMS and email are also nowadays submitted as evidence.

The social media not only harasses the people in their personal circle but also may be reason for the loss of people at the professional circle as well. Though it is not possible to cover all the threats, some activities of the cyber attackers, which can ruin the professional life is mentioned below.

¹⁷⁶ Supra., p 177
¹⁷⁷ Supra., p 179
(i) **Executive impersonations**
As the name suggests this type of attack is done by making the people believe that the sender is the genuine company, when it is actually not. The modus operandi used by the attacker is that, he creates a fake account of that company or concerned person and then sends defamatory messages regarding that company, through the phishing links. This can be done very easily and with low cost, as it does not take a long time to open fake email account of the targeted. If this fake account is seemingly appropriately created, then it appears as if it is an authentic account of the company. The clients or the concerned persons will respond to the emails sent through this account. The attacker now can send slanderous, false, or those messages which are detrimental to the company, from this fake email id. This can cause a great prejudice to the company.

(ii) **Watering hole Attacks.**
This is a type of attack generally launched on an organisation, company etc, rather than individual. In this type of attack the attacker initially studies in detail as to which are the websites that are used by the victim organisation or company. Then the attacker infects those websites, and obtains the desired information or result with ease. The major concern regarding this site, is that it is very difficult to know whether the site they are seeing is infected or not. The other concern is that it is very difficult to dodge this virus and also train the staff to deal with this virus.

(iii) **Hashtag hijacking**
Hashtag hijacking is said to have done when the hashtag which is created by a particular company is used for other purpose, than it was created. Generally the hashtag is created by the company to promote their particular product. This hashtag is hijacked by the attacker and used for some other purpose.

There are two types of hashtag hijacking. One is called as ‘attention seeking troll’ while the other is called as ‘The PR campaign gone wrong’.
The attention seeking troll’ is not dangerous, as the hacker just promotes his junk, which is not a rival product. It is as the term suggest, the hijacker wants attention of the people who visit that hashtag. However in this case the hijacked hashtag is being used for the purpose, other than for which it was created.

The second one which is called as ‘The PR campaign gone wrong’ is a serious threat for the company as it has a serious prejudice to the profits of the company. In this type of attack the hijacker uses the hashtag to detract the people rather than to attract. Such a type of hijacking can have tremendous and lasting negative effects on the company. The glaring example is of Mcdonalds hashtag called #McDStories was used in a way, which was not expected by the Mcdonalds company in 2012.179

The threat of social media is also stretched beyond the personal or professional circles. It has also become a hub for carrying out terrorist activities. The terrorists can plan as to which type of attack is to be carried, when it is to be carried out, whether the attack to be carried out is physical or cyber. There are also professional unethical hackers who hack the websites for exchange of hefty fees, or do it for carrying out terrorist activities.

(7) Conclusion

There is no denying in the fact that the media is the backbone of the legal system. In the recent times the media has grown voluminously and in different spheres. The role of media has increased in proportion to its growth. The media has diverse roles to perform in a society like the role of an unbiased informer, role of educator, role of a mentor, the role of instrument of social change. While performing these roles the media has to face the stiff challenges such as violation of right to privacy, illiteracy, aliteracy etc. Sometimes the media oversteps the line of freedom and causes invasion of privacy of other person or nuisance. This is because the media wants to create news, for the considerations, best known to them.

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Speaking about the social media, it has undergone a sea change, and today, the social media channels are used for, employments, advertisements, to further social contacts, and for the professional life as well. If the users of the social media keep themselves within legal limits, then there is no fear of violation of right to privacy and balancing of the conflicting interests can be achieved between these two seemingly opposite concepts. The users of social media should adhere to the safety rules, so that the offenders cannot victimise the users easily.