The twenty-first century is an age of information technology and communication boom. The media of twenty-first century is witnessing a transition to the age of information from a period when the print media including newspapers and magazines ruled the roost. Today the same has been replaced by sting operations and data exploitation from social networking sites which are a huge reservoir of social and behavioural information available on the virtual world of the Internet. The Internet is a space which is vast and endless and has that ability to attract people into its virtual world who ultimately get addicted to it. The big and small media houses alike now a days harness the free flow of data through these channels of information which also include personal information to boost their TRP ranking in the highly competitive area of news marketing.

This free flow of information has brought about a paradigm shift prompting new ethical and juridical problems that are mainly related to issues such as the right to access information, the right of privacy that is under threat and the protection of intellectual property.

Since the research work revolves around safeguarding the privacy of individuals arising out of exposure to mass media, attention has been drawn to the various existing definitions of privacy and how these could be related in the Indian context.

It is well recognized that some of the developed countries like the US and UK are grappling to come to terms in tackling the issues pertaining to cyber
security and other crimes which involve personal data being made public even though there are legislations to regulate the same. Privacy experts of such countries feel that laws will have to be reviewed and revised to keep pace with the latest technological upgradations to make them appropriate, up to date and responsive to the real needs of the society.

There are instances of media exploiting the private moments of celebrities and common man alike to create sensational news, putting at stake the dignity and reputation of the individual which are on the rise even in developing countries like India.

At times security and intelligence agencies of various countries sift through individual information of their citizens available on social networking sites by installing sophisticated spying devices on routers. The plea for such information gathering is often national security and the end result of such a necessity is often kept away from public scrutiny. Privacy activists are concerned about such a practise because the data being collected are of ordinary law abiding citizens and there is a possibility of intrusion into their privacy and subsequent abuse of their personal information. It is this immoral aspect of intelligence gathering that had prompted Edward Joseph Snowden to raise his voice against the National Security Agency or the NSA of the US. This is the essence of the information age-it provides us with convenience, choice, efficiency, knowledge and entertainment but exposes us to several hazards including that of privacy invasion.

The legal right to privacy is protected in most countries in the developed world like the Privacy Act in the USA and the Data Protection Act in England. Though the Supreme Court of India first recognized the Right to Privacy as implicit under Article 21 of the Constitution, however, privacy as a right has not been expressly recognized by the Indian constitution.
In the event of continuous pressure from the industry and privacy professionals, the Indian government passed the Information Technology Act, 2000. The act besides providing a comprehensive regulatory framework for e-commerce, addressed computer crime, hacking, damage to source code and other crimes concerning computer systems but protection of individual privacy did not find prominence.

The issue of privacy intrusions gaining prominence in contemporary media was sparked off by the ‘Operation West End’ carried on by the news portal tehelka.com. Tehelka’s mode of investigative journalism was instrumental in exposing the nexus between politicians, bureaucrats and arms dealers in India and existence of corruption at high places in the country. Though critics admit the motive was noble yet they feel that there should be some restriction on the operations of the Press.

There have also been instances when phone conversations have been recorded and transcripts leaked to the media just to satisfy the insatiable desire of the reader for sensational news.

The research has tried to focus on media ethics and morality in determining a boundary within which the media will operate and to identify a clear line of demarcation between what is news and what is trash. The ethical borders of the media will have to consider infringement on the privacy of an individual as a crime. The state or the media itself may try to balance an individual’s privacy with public knowledge and media freedom. If the media tries to encroach upon a person’s private sphere obviously it constitutes an invasion of privacy.

The present research focuses on the legality and ethicality of such actions by the media in the light of the theory of social responsibility.
Case studies have also been done to analyse the loop holes in the existing privacy legislations in India and across the globe which are being exploited by privacy intruders ranging from freelance reporters to paparazzi.

In a country as robust and multi cultured as India, media plays an important role in balancing the interests of the public and exercise of its powers.

Just as the media is blessed with freedom of speech and expression for spreading awareness and catering to the right to know of the public, it is equally important to ensure the privacy of individuals in the public domain which has also been substantiated by the Supreme Court of India.

In India globalisation has ushered in large media houses whose sole motive is enhanced readership and high TRP ratings. This rat race for high ratings driven by the sole motive of profit earning has reflected on the quality of the media itself. Media has been time and again criticised for sensationalism, exaggeration of news, reporting the false and fabricated news and yellow journalism. In the process, media has ignored public interest and its primary duty of accountability enshrined in the Theory of Social Responsibility turning itself into a money making machine in the hands of its masters. Absence of a law dedicated to protection of privacy and non-interference of the Press Council of India have acted as a catalyst in the process.

The research work does not advocate imposing restraint upon freedom of the press but only suggests measures like formulation of a law on privacy which can offer remedial measures to an aggrieved person in the event of his privacy being intruded by the media. In this context it is also suggested that the right to privacy should not be allowed to mask illegal and immoral activities.

A meaningful balance needs to be struck between a fearless and free right to speech and expression of the media and proving the supremacy of the law over malignant and unethical behaviour from the fourth estate. This can
only be done when media holds aloft the spirit of values and truth and rise above vested interests to be truly a part of the democratic system.

The Report of the Second Press Commission wherein there has been a mandate to build a code of conduct of journalistic norms has been taken into account while making a review of literature to drive home the point that proper journalistic conduct deserved to serve the public interest will be of immense help to the largest democracy in the world.

A survey has been done among a limited number of respondents from various strata of the society to lend credibility to the conclusion and recommendations. The study has proposed certain measures in conformity with the Justice Shah Committee report on privacy submitted to the Planning Commission of India in tackling issues relating to invasion of privacy, when these involve national security and sovereignty especially when there is a clash between the right to privacy and the public’s right to know.