

internet, are constitutionally protected under **Articles 19(1)(a) and 19(1)(g)**.

2. **Faheema Shirin v. State of Kerala.**

- a. The right to access the internet, according to the court, has been read into the fundamental rights to life, liberty, and privacy under **Article 21**.

Conclusion

As per the socio-democratic theory of free speech's in substantial perspective, the right to the internet must be explicitly recognised by the state.

FREEDOM OF PRESS

In India, it is inherent in freedom of speech and expression. In **"Brij Bhushan case"** SC has clarified that freedom of press is inherent in freedom of speech.

In **Indian express case**, it has been clarified that freedom of press includes right to access information, print, publish and circulate.

Freedom of press has **three essential elements**. They are:

- Freedom of access to all sources of information,
- Freedom of publication, and
- Freedom of circulation.

However, The Hon'ble Supreme Court observed in Union of India v/s Association for Democratic Reforms, "One-sided information, disinformation, misinformation and non-information, all equally create an uninformed citizenry which makes democracy a farce.

SCHOLAR'S VIEW ON MEDIA

- **Thomas Jefferson**: "I would prefer free press without govt. rather govt. without free press".
- **Dr. Ambedkar**, said that no special mention of the freedom of press was necessary at all as the press and an individual or a citizen were the same as far as their right of expression was concerned.

Why there is debate on Freedom of Press now

- **Yellow journalism** - Glorification and romanticization of the news, to an extent that it loses its essence.
- **Concentration of the media houses in few hands.**
- **Steady growth of Pseudo scribes** who take to journalism to gain access to power, position and institutions.
- **Lack of Integrity and Impartiality**

REGULATION OF MEDIA IN INDIA

- **The News Broadcasting Standards Authority (NBSA)**
- **Press Council of India**: - The PCI has the power to receive complaints of violation of the journalistic ethics, or professional misconduct by an editor or journalist.

What is the present law and rule for regulation of Electronic media?

- **Section 69(1) of the Information Technology Act, 2000** allowed for intervention of information in the interest of the country's sovereignty and integrity, security of the state, friendly relations with foreign states, or public order or for preventing incitement to the commission of any cognizable offence.
- **Section 79 of IT Act**: - An intermediary shall not be liable for any third party information, data, or communication link made available or hosted by him.

INFORMATION TECHNOLOGY (INTERMEDIARY GUIDELINES AND DIGITAL MEDIA ETHICS CODE) RULES 2021

Features of the New rules

1. It establishes a grievance redress system for the country's over-the-top (OTT) and digital portals.
2. Significant social media companies must hire a chief compliance officer and maintain a nodal contact person who can communicate with law enforcement agencies 24 hours a day, seven days a week.
3. Removal of content: If there are complaints concerning exposed private parts of individuals, nudity, sexual acts, impersonation, or other content that violates the dignity of users, particularly women, social media platforms will be compelled to remove it within 24 hours of receiving the complaint.
4. a self-regulatory body

HATE SPEECH

What is hate speech

Hate Speech is an effort to marginalize individuals based on their membership in a group. It seeks to delegitimize the group members in the eyes of majority thus renders them vulnerable to further attacks.

- **Art 19** restricts speech on grounds public order, incitement to an offence at all.