

Original Article

An Investigation of the Media's Influence in India's Current Situation

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Manuscript ID:

JRD -2026-180221

ISSN: 2230-9578

Volume 18

Issue 2

Pp. 104-108

February - 2026

Submitted: 17 Jan. 2026

Revised: 27 Jan. 2026

Accepted: 12 Feb. 2026

Published: 28 Feb. 2026

Abstract

This analysis looks at the media's role in modern India, emphasising its importance as the "4th Principle of Communism." It investigates the ways in which print, broadcast, and online media support social involvement and criminal awareness while also fostering openness, accountability, and public engagement. The study emphasises how social media and virtual platforms have revolutionised the way information is disseminated and enabled citizen journalism. Simultaneously, the report highlights critical challenging circumstances that jeopardise media credibility, such as the effect on politics and business, sensationalism, inaccurate information, and dwindling press freedom. To understand how media freedom and responsibility are balanced, the criminal and regulatory framework which includes the India Press Council, constitutional laws, IT regulations, and legal protections is examined. The results show a dynamic concern between responsibility and freedom, highlighting the need for improved virtual literacy, moral journalism, and self-regulation. The study comes to the conclusion that upholding democracy and protecting citizens' rights in India requires a free, responsible, and moral media.

Keywords: Constitutional Rights, Freedom of Speech, Democracy, and the Structure for Law Enforcement

Overview

The mainstream media in the nation has developed into a potent force that impacts public opinion, has an impact on government, and serves as a conduit between the nation and its citizens. Frequently mentioned to as the "4th Principle of Communism." it is essential to maintaining constitutional ideals by guaranteeing openness, responsibility, and the sharing of information.

The media has a crucial role in a multinational republic like India, where people engage in making choices mostly via knowledge. The media's legal significance stems from its constitutional basis. Liberty of thought and speech is protected by Article 19(1)(a) of the Indian Code. Although it no longer specifically mentions "freedom of the clicking," the excellent judicial docket has consistently construed it to include Free speech for the press (Department of Law, 2024). This privilege is not unqualified, though. Article 19(2) pertains to reasonable limitations on the following topics: sovereignty, public order, safety of the kingdom, decency, values, fabrication, disdain of court schedule, and solicitation to violations.

Such dichotomy between liberty and restriction gives rise to a continuous legal dispute over the degree of media independence. The current situation underlines both the complex aspects of media and its uplifting role. On the one hand, the media has increased democratic involvement by bringing issues like environmental degradation, gender violence, and corruption to the public's attention. However, problems like bias in politics, endorsement of deception, and investigations in the media pose questions about accountability, ethical behaviour, and adherence to illegal concepts like the privilege to a fair trial and the freedom to solitude. As a result, the study of the media's function is crucial to jail research as well as political technology and sociology.

This study aims to investigate how the media operates within the bounds of the law, how it impacts the administration of justice, and how it has to change in the era of digital revolution by examining statutory frameworks, court rulings, and case studies.



Quick Response Code:



Website:

<https://jrdrv.org/>

DOI:

10.5281/zenodo.18921554



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How to cite this article:

Chandrashekara G P. (2026). An Investigation of the Media's Influence in India's Current Situation. *Journal of Research & Development*, 18(2), 104–108. <https://doi.org/10.5281/zenodo.18921554>

Indian Media Legacy

India's media history is closely linked to the United States. The socio-political development of S. A. At some point during the colonial era, Hicky's Bengal Gazette (1780), the initial newspaper, was mostly used by Europeans but soon became indispensable to British government. In the 19th century, Indian-controlled journals like Mirat-ul-Akhbar and Samachar Darpan (1818) took reformist views into consideration. Media outlets like Kesari (1881, published by Bal Gangadhar Tilak) and The Hindu (1878) played a significant role in nationalist mobilisation. Similar to the Vernacular Press Act (1878), the British recognised this power and put regulations in place to quell opposition. Newspapers managed by figures such as Mahatma Gandhi have evolved into sites for social change and political awareness during the liberation struggle. By drawing attention to colonial control, the media served as a uniting factor.

The media's function switched to state-building following Independence (1947). At the same time as print media was thriving, All India Radio (AIR) emerged as a vital medium for public communication with an emphasis on development, education, and agriculture. Doordarshan became a household name when television made its debut in 1959 and gained popularity around the 1982 Asian video games. The media became a business with the financial changes of 1991. Regional newspapers, personal television channels, and 24-hour news networks quickly rose to prominence. The age saw the blending of entertainment and truth, raising ethical and sensationalist concerns.

The virtual revolution began in the twenty-first century. Internet data platforms, networking sites, and over-the-top (OTT) systems have become increasingly prevalent due to smartphones and significant internet access. As citizen journalism gained traction, challenging circumstances such as corporate control, false news, and press freedom issues also surfaced.

Indian media's transformation from resistance to colonialism to democratic monitor to virtual superpower thus demonstrates its lasting importance as the "4th Principle of Communism."

Press relationship to democracy and the law:

In India today, the media is vital to both democracy and the rule of law. As the "4th Principle of Communism," it serves as a link among the monarchy and its public, concerning accountability and openness. The press bolsters the regulation of thumb of regulation through revealing malfeasance, abuses of power, natural infractions, and custodial brutality through investigative journalism and constant monitoring of government actions. Additionally, it encourages prison literacy by educating inmates about recent rulings, policy changes, and their constitutional rights.

Study's objectives

- To assess the media's role as an electoral monitor.
- To evaluate how the media affects justice and regulation.

Research Method

To gather information, the study makes use of secondary data. This study uses records from a variety of reliable and respectable sources, including government papers, publications, news stories, and scholarly journals.

The Indian Constitutional Framework for the Media:

The freedom and operation of the media in India are derived from the broader guarantees of freedom of communication and expression included in the constitution, although they are not necessarily given a unique or distinct constitutional reputation. Since the constitution guarantees both rights and restrictions, the media plays a crucial role in Indian democracy.

Constitutional Clauses:

Freedom of Speech and Expression, Article 19(1)(a): Communication and internet liberty are guaranteed by that basic right. The most appropriate court in Romesh Thappar v. Kingdom of Madras (1950) made it apparent that freedom of speech is a part of freedom of expression, even though this isn't often expressed clearly.

Reasonable Regulations, Article 19(2): The country may also impose limits on the following activities: National security, as well as ethical conduct, courtesy, contempt for legal documents, slander, and encouragement to criminal activity, preservation of the kingdom, cordial members of the family with other governments, and sovereignty and integrity. The media is directly subject to these rules.

The 42nd amendment, Article 361A: strengthens the media's role in covering legislative discussions by providing amnesty for the recommendations of parliamentary court cases.

Interpretation by Judges:

Through a number of verdicts, the judiciary has increased journalistic freedom:

Union of India v. Indian-Specific Publications (1985): Democracy depends on the right to click.

Union of India v. Bennett Coleman (1973): A effort to restrict newsprint management coverage was overturned as a violation of press freedom. The constitutionality of the press position as the "Fourth Pillar of Democracy" is upheld by these rulings.

The Framework for Regulation:

Regulations like the Press Council Act of 1978, the Cable Television Networks Act of 1995, and the Information Generation Act of 2000 affect the media even though they are safeguarded by the laws of the land and new IT regulations of 2021 that alter virtual architecture. These frameworks frequently spark discussions about how to achieve an equilibrium among accountability and liberated expression.

The current situation:

The constitutional framework must pass new tests in the digital age:

1. Public integrity and order are threatened by the quick spread of false information.
2. Concerns about censorship grow as more authorities regulate OTT and digital infrastructure.
3. Growing conflicts between political reality and constitutional guarantees are highlighted by India's deteriorating press freedom ratings.

The comprehensive statutory structure that governs media operations throughout India is drawn from the nation's law regulations, oversight agencies, and legislation. The structure is intended to maintain media independence while upholding responsibility by stabilising freedom of expression with reasonable limits.

Statutory laws pertaining to media:

- Publication and publishing business licensing is governed by the Media and the Regulation of Books Act of 1867.
- The Indian Penal Code (IPC), 1860, Sections 499–500, which include clauses pertaining to treason, vitriol, slander, and contempt (however they have been weakened by recent decisions from the top court docket).
- The Press Council Act of 1978 creates the Indian Council of Media to uphold journalistic standards and ethics.
- The Cable Television Networks (regulation) Act of 1995 governs both cable television networks and the content of their applications.
- The 2000 Facts Technology Act regulates online systems, digital material, and cyber laws.
- The 2021 IT (intermediary points and virtual Media Ethics Code) laws provide control over digital information media, OTT systems, and social media.
- The mandatory Board of Film Certification (CBFC) oversees film certification under the Cinematograph Act, 1952 (modified 2023).
- The press is not allowed to publish material that might influence the legal process under the Contempt of Laws Act, in 1971.

Organisations that oversee and regulate:

- **Indian Council of Media (PCI):** A semi-judicial organisation that upholds norms and media freedom.
- **Prasar Bharati (1997):** Oversees independent public service broadcasters Doordarshan and All India Radio.
- Films are certified for public screening by the Important Board of Movie Certification (CBFC).
- The industry body that oversees personal television information channels is the News Broadcasting & Virtual Requirements Authority (NBDSA).
- The primary authority in charge of regulating print, electronic, and digital media policy is the Ministry of Records and Broadcasting (MIB).

Legal Protections: Indian judicial have continuously increased press liberty:

- Country of Madras v. Romesh Thappar (1950) was the first lawsuit to advocate for media freedom.
- Union of India v. Bennett Coleman (1973): This case criticised newsprint limitations and upheld the right to flow.
- Press freedom was deemed crucial for democracy in Union of India v. Indian Express Newspapers (1985).

A judicial approach that is more in line with media freedom and accountability:

- The Indian legal system has been essential in establishing the parameters of media accountability and independence. Press freedom is no longer expressly guaranteed by the constitution, but the magnificent courts has consistently interpreted it into Article 19(1)(a). The court overturned censorship rulings in State of Madras v. Romesh Thappar (1950) and Country of Delhi v. Brij Bhushan (1950), upholding press freedom as a necessary component of democracy (Basu, 2022). Later, limits on newspaper travel were declared illegal in Union of India v. Bennett Coleman (1973), recognising the right to stream as a component of freedom of expression.
- Additionally, the legal system has enhanced the press's involvement. when sharing information. According to the court docket in Cricket Association of Bengal (1995), people have the right to access information, and radios are considered public assets. Additionally, excessive government meddling in publications was limited in Union of India v. Indian Express (1985).
- Courts have placed a strong emphasis on accountability. The courtroom in SEBI v. Sahara (2012) cautioned opposing prosecutions in the press affecting existing legal actions and permitted disclosures to be postponed in order to protect the right to an honest trial.

- As a result, judicial method strikes a compromise between freedom and responsibility, protecting the press as the "4th Principle of Communism." but simultaneously warning opposing materialism, misinformation, and courtroom disrespect.

Current issues with Indian media legislation:

India's media operate under a complicated political system, but the quick development of technology and the demands of politics and the economy have created very challenging legal problems.

Fake information and virtual media:

The proliferation of online platforms and online channels has made problems with propagation of hatred, misleading data, and inaccurate information. Law is difficult because there are no obvious barriers between professional journalism and user-generated information. The 2021 IT policies attempted to alter virtual systems, however they were criticised for possibly endangering freedom of speech.

Corporate and political influence:

Possession concentration in media outlets raises questions about selective reporting and prejudice. Credibility is sometimes undermined by "paid information" and political propaganda, which commonly conflate journalism and advertising.

Use of Ethics and the Media in the Trial:

Excessive sensationalism has harmed legal complaints and undermined moral norms, namely in criminal and celebrity cases, where it has led to "trial with the aid of media." Despite repeated court advice to exercise discretion, enforcement remains vulnerable.

Press Freedom and Censorship:

Growing worries about censorship, reporter harassment, and restrictions on dissent are reflected in India's falling position in the global Press Freedom Index. Occasionally, regulatory actions appear to be control mechanisms rather than impartial oversight.

OTT and streaming structure regulation:

The rise of OTT systems has sparked discussions about censorship, morality, and content control. Creative groups worry about restrictions on their freedom of expression as the government pursue their obligations.

Self-law and media ethics in a criminal mindset:

The moral principles that underpin journalistic practice, as well as justice, truthfulness, responsibility, and obligation, are referred to as media ethics. The Indian Constitution's paragraph (a) of Article 19 protects the right to freedom of opinion and speech, but Article 19(2) allows for adequate limitations. Because of these legal restrictions, moral self-law is essential to maintaining media freedom while upholding societal responsibility.

Felony Structure

- I. Indian Council of Press (PCI), 1978:** Establishes moral standards and decides cases involving reporters; its guidelines encourage ethical journalism.
- II. The 1995 Cable Television Networks (law) Act** forbids shows that transgress morals, decency, or public safety.
- III. Statistics Engineering (middleman rules and the rules of morals for online media) regulations, 2021:** These laws govern online platforms and over-the-top (OTT) services to ensure that moral standards are followed.
- IV. The 1971 Contempt of Courts Act** prohibits the media from influencing court complaints.

Moral guidelines

It is including as avoiding deception even in situations where it is allowed, demand more responsibility even while crime laws provide minimal criteria.

- The Reports Broadcast & Digital Standards Authority (NBDSA) is one of the self-law mechanisms that keeps an eye on the impartiality, decency, and veracity of information broadcasting.
- The Editors Guild of India: challenges morality and defends freedom of the press.
- Media companies' internal codes place a strong emphasis on truthfulness, confidentiality, and avoiding sensationalism.

Results and conversation

It is well known that the Indian media keeps playing a significant function in a republic by serving as a forum for public conversation, an information source, and a watchdog. Opinion among the masses is shaped by the newspaper, television, and online press in tandem, draw attention to hurdles with governance, and carry the government responsible. Digital platforms and social media have made information more accessible, allowing for citizen journalism and increased discussion engagement. Findings, however, point to pervasive issues influencing media efficacy. Although "prosecution by press" and exaggeration may sometimes undermine investigative reliability, political and corporate influence frequently skew reporting. Echo chambers, false information, and disinformation are problems for virtual systems that complicate public perception and ethical reporting. Despite being guaranteed by the constitution,

press freedom has been curtailed by unclear regulations, journalistic arrests, and a drop in international rankings. Notwithstanding these obstacles, the media continues to play a vital role in promoting social mobilisation, jail awareness, and transparency. Coverage decisions have been influenced by the effective discovery of environmental problems and corruption through investigative reporting. Although they are currently not fully enforced, self-regulation procedures and ethical recommendations support responsible journalism.

In India, there is a constant struggle among accountability and liberty in the field of media, which is intrusive in discourse. To maintain information as the 4th Principle of Communism, which is able to protect citizens' rights and improve government, it is imperative to develop moral norms, ensure regulatory balance, and promote digital literacy.

Conclusion and suggestions:

India's media continues to be the "4th Principle of Communism." promoting accountability, transparency, knowledge of the law, and public participation. It has shifted from conventional newspaper and television media to a plethora of virtual platforms, allowing for greater engagement but also bringing with it challenging circumstances such as disinformation, sensationalism, and corporate or political interference. Even though constitutional guarantees protect media freedom, persistent risks are highlighted by regulatory ambiguity and deteriorating press freedom rankings.

1. Strengthen self-regulation systems such as guarantee impartial reporting, PCI and NBDSA are involved.
2. Encourage folks to become virtual literate so they can recognise false and misleading information.
3. Ensure that social media and OTT platforms are regulated impartially and fairly.
4. Promote journalistic independence by reducing political and corporate pressure.
5. Encourage reporters to receive ethics and responsible reporting training.

By taking these steps, the media may continue to be unrestrained, accountable, and responsible, strengthening sovereignty and protecting the rights of Indian citizens in the present day.

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