DJMC - 04

KRISHNA KANTA HANDIQUE STATE OPEN UNIVERSITY

Housefed Complex, Dispur, Guwahati - 781 006

Diploma in Journalism & Mass Communication

COURSE – IV

MEDIA LAWS & ETHICS

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DIPLOMA IN JOURNALISM & MASS COMMUNICATION

COURSE: IV:

MEDIA LAWS & ETHICS

DETAILED SYLLABUS

UNIT- 1: CONSTITUTIONAL RIGHTS

Concept of Fundamental Rights, Types of Fundamental Rights, Fundamental Rights under the *Constitution of India,* Concept of Freedom of Speech and Expression, Constitutional Guarantees and Limitations Concept of Directive Principles of State Policy, Differences between Fundamental Rights and Directive Principles of State Policy

UNIT- 2: EMERGENCY PROVISIONS AND PARLIAMENTARY PRIVILEGES

Emergency and State of Emergency: Concepts , Constitutional Emergency Provisions , Code of Conduct for the Press, 1971, Effect of Emergency Provisions on Media freedom Parliamentary and Legislative Privileges: Concept , Constitutional Provisions on Parliamentary and Legislative Privileges, Freedom of speech Right of publication of proceedings Law Courts and Privileges, Some points on Parliamentary and Legislative Privileges , Effect of Parliamentary and Legislative Privileges on Media Reporting

UNIT- 3: LEGAL ASPECTS OF MEDIA FREEDOM

Media Freedom, Concept History of Media Freedom Media Freedom, Constitutional Guarantees and Reasonable Restrictions, Defamation: Concept Kinds, Defamation and Law Liabilities of Different Persons as regards Defamation, Official Secrets Act, 1923, Right to Information: Concept, Right to Information: A Human Right Right to Information, International Standards Right to Information, Indian Perspectives Right to Information Act, 2005.

UNIT- 4: RIGHTS OF JOURNALISTS

Press Council of India, Ethics of Journalism, Working Journalists and Other Newspaper Employees (Conditions of Services & Miscellaneous Provision) Act, 1955 Prasar Bharati (Broadcasting Corporation of India) Act, 1990

UNIT- 5: MEDIA FREEDOM

Media freedom, Need for restraint on media freedom, Media and importance of ethics, Media Code of Ethics, Common elements of Media Code of Ethics, Plagiarism, Compliance of Ethical Standards, Right of Reply

UNIT- 6: MEDIA AND PRIVACY

Media and Intrusion into Privacy, Privacy under International Law, Privacy and Indian Legal Provisions, Sensationalism: Development of the Concept, Sensationalism in Electronic Media, Sting Operations, Operation West End: Tehelka.com, Sting operations in Movies, Novels, Comics and TV Serial, Paparazzi and Celebrities, Restrictions on Paparazzi and Laws, Yellow Journalism, Yellow Journalism Today

COURSE INTRODUCTION

In law, a 'right' is the legal or moral entitlement to do or refrain from doing something, or to obtain or refrain from obtaining an action, thing or recognition in civil society. Rights serve as rules of interaction between people, and, as such, they place constraints and obligations upon the actions of individuals or groups. On the other hand, Ethics are norms for conduct that distinguish between an acceptable and unacceptable behavior. It is concerned with what is right or wrong, good or bad, fair or unfair, responsible or irresponsible, obligatory or permissible, praiseworthy or blameworthy. Ethics and standards of journalism comprise the principles of ethics and of good practice as applicable to the specific challenges faced by the professional journalists.

Course IV of the DJMC programme introduces you to the various aspects of the media laws and ethics. The Course is divided into six units, which are as follows –

UNIT- 1: CONSTITUTIONAL RIGHTS

In this unit, you will learn about fundamental rights and its types. You will also learn about the guarantees and limitations as regards 'freedom of speech and expression'. Here we will also introduce you to the concept of the Directive Principles of State Policy incorporated in the *The Constitution of India*. We hope that after going through this unit, you will have the basic understanding of the concept 'Fundamental Rights', 'freedom of speech and expression' and Directive Principles of State Policy.

UNIT- 2: EMERGENCY PROVISIONS AND PARLIAMENTARY PRIVILEGES

In this unit you will learn about the concepts of Emergency, State of Emergency, Parliamentary and Legislative Privileges. You will also learn about different provisions and types of Emergency and the types of Parliamentary and Legislative Privileges under the Constitution of India. You will also be given an understanding about the effect and limitations on Media Reporting because of these constitutional provisions.

UNIT- 3: LEGAL ASPECTS OF MEDIA FREEDOM

In this unit you will learn about the rights associated with Media, which is a powerful institution that can act as a necessary instrument of communication. Here, we will also introduce you to the guarantees and limitations contained in the *Constitution of India* as regards the media freedom. In this Unit an attempt is being made to introduce you with the penal provisions in India. Finally, the concept of Right to Information is analysed in relation to international and domestic legislations along with the constitutional provisions. We hope that after going through this unit, you will have the basic understanding of the Official Secrets Act, 1923.

UNIT- 4: RIGHTS OF JOURNALISTS

In this unit you will learn about various welfare measures which are provided in the Working Journalists and Other Newspaper Employees (Conditions of Services & Miscellaneous Provision) Act, 1955 along with the administrative machinery under the Act. You will also learn about the objectives of the Prasar Bharati and the composition and functions of the Broadcasting Council.

UNIT- 5: MEDIA FREEDOM

In this Unit when you will learn about media freedom you will be introduced to media ethics which refers to the value system by which a person determines what is right or wrong, fair or unfair, just or unjust which is necessary for media to survive neutrally. You will also learn the common elements of ethics that are necessary for media — truthfulness, accuracy, objectivity, impartiality, dignity, fairness, public accountability and humanity — as these apply to the acquisition of newsworthy information. Finally, you will learn about 'Plagiarism' and the 'Right of Reply' which is a right of an individual to reply to misleading or inaccurate publications about him.

UNIT- 6: MEDIA AND PRIVACY

In this unit you will be introduced to the concept of privacy along with the concept of sensationalism and its impact on the electronic media, concept of sting operation, paparazzi and restrictions imposed by law and finally the concept of yellow journalism.