
MASS MEDIA-SOCIAL RESPONSIBILITY AND LEGAL CHALLENGES

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Abstract: The mass media display certain defects. These should ideally be addressed and corrected in a democratic manner mass media with stakeholders is of growing importance. Opportunities and challenges faced by the mass media, via, social media channels, the concept of “ Mass Media- Social Responsibility and Legal Challenges”, mass media, i.e. the responsibility towards social system, and its impacts on the younger generation in the Country like India. Social problems connected with the media also involve allegedly harmful media influence on young mind the content like pornography and the degradation of women and sexuality, advertising manipulation, and the promotion of excessive consumerism and materialism. Mass media at the outset, looks like composed of large number of people involved in it, however, its proportion compared to the masses, particularly country like India is miniscule. The Social Responsibility, It is an extension of the libertarian in the mass media recognize their responsibility to resolve conflict through discussion and to promote public opinion, consumer action, private rights, and important social interests. The mass media has its major premise to the freedom carries to social obligations and responsibility. The Constitution of India protects media freedom in Article 19(1) says, ‘all citizens shall have the right, ` to freedom of speech and expression’. Media industry in India is heading towards a big growth rate. Media industry growth and challenges in India are also well known, the electronica media in Indian are violating privacy in day-to-day reporting, like overlooking the issue of privacy to satisfy morbid curiosity, especially news channel. It comes into effect only in the event of a violation. The law on privacy in India has primarily evolved through judicial intervention. It has failed to keep pace with the technological advancement and the burgeoning of news channels. The prevalent right to information cannot be easily compromised for other competing rights of ‘public interest’ and ‘State security’, much of what constitutes public interest or what is private is left to the discretion of the mass media and citizen of the country.

Keywords: Social Responsibility, Legal Challenges and Technological Advancement.

Introduction: -`The mass media constitute a powerful and pervading force in our lives. We are exposed daily to a bombardment of media messages, most of the information we receive about our community, our state, the nation and the world come to us through newspaper, magazines, television and radio. Our understanding of the attitudes towards people, events and problems are greatly influenced by the information and views communicated through these media.” Communication media are everywhere-television screens, car radios, newspaper, magazines, newsletters and smartphones all play a major part in our lives. Their role in many people’s lives is striking. That is why they are often called mass media. Behind the media we see and hear are satellites hundreds of miles above the earth’s surface, ocean cables beneath the water of the planet, computers both simple and sophisticated and increasingly complex of telephone communication system. In addition to visual images and the human voice, huge columns of data can to immense distance in the twinkling of an eye, such as electronic transfers of funds between banks or scientific and military information can be gathered from satellites. We can describe these media collectively as the world’s nervous system. Man is a social animal, he finds his social existence because of communication system. The communication system is based on a symbol system which is evolved over a period through interaction with socio-cultural and environmental factors in society. Man became more capable because of his intellectual ability unlike lesser species he developed various forms of communication media to control and expand his resources

he also tried to control nature. Communication media is tool in his adventure and reflects our changing society. Elinu Katz in his book ``Mass Media and Social Change” has remarked that the central issue is whether the media of mass communication should lead or follow, mirror or mould the society. It has always been debatable question. Communication has both been employed as an instrument of social change as well as reinforcing force for maintaining the status quo in the society. B.P. Sinha while discussing the ``Role of Mass Media in social transformation of a farming community’ ’only provide absorbing entertainment but can also create an environment of receptively in which communication of idea is an effortless process.

Mass Media has assumed greater of role in society by setting greater agenda, changes social structure and order. Mass Media today are setting new standards and new values. Mass Media not help individuals to achieve what was not possible before, they also guide and motivate people. They try to create an awareness of fundamental rights of the people. Unfortunately, people who manage the media, way also misuse media. It is the public opinion and order, created by the public that will guide the destiny of the people, no doubt, there are nexus between media and ruling class. But Mass Media are Public institutions and they stood by public interests. Mass Media has played a vital role in effecting change in the eastern societies. These transformations have also been criticised by the thinkers of the east who opine that he west has changed their culture and value system through satellite and cable TV, the press, and the net. The value system was changed at a faster pace because we were made to depend upon high-profile electronic media that were always associated high-profile media. The mass media led to change in the people’s various culture? has the cinema, for instance- which is in every sense the most popular and the most widespread form of mass entertainment in our country-made any dent in our centuries-old cultural values and behaviour? Has television (which in the Indian context is nothing more than an extension of cinema) in ay affected the culture of our city folk in significant manner. Mass media culture is an entirely urban phenomenon, resulting from rapid industrialization, and alienation from the majority culture.

Media and Legislature: The Indian Constitution confers no special rights or privileges to the media as does the First Amendment of the United States Constitution, however Article 19(i)(a) of the Constitution does guarantee freedom of expression for every citizen. The Right to Privacy, a fundamental and legal right, is enshrined in Article 21 of the Constitution which says ` No person shall be deprived of his life or personal liberty, except according to procedure established by law. The expression `personal liberty’, according to Justice P.N. Bhagwathi (Menaka Gandhi case 1978) `is of the widest amplitude and it covers a variety of rights which go to constitute the personal liberty of man.’ Personal liberty gives dignity to the individual, providing him the freedom to live his own life and to do his own things. It is the necessary means to creativity, growth, autonomy, relaxation and mental health. That explains why the dignity of the individual is ensured in the preamble of our Constitution. The Court, in this case, observed that, Article 19 of the Indian Constitution does not use the phrase “freedom of press” in its language, but it is contained within Article 19(1) (a). There cannot be any interference with the freedom of press in the name of public interest. The purpose of the press is to enhance public interest by publishing facts and opinions, without which a democratic electorate cannot take responsible decisions. The first time in *Kharak Singh v. State of U. P.* question whether the right to privacy could be implied from the existing fundamental rights such as Art. 19(1)(d), 19(1)(e) and 21, came before the court. “Surveillance” under Chapter XX of the U.P. Police Regulations constituted an infringement of any of the fundamental rights guaranteed by Part III of the Constitution. Regulation 236(b), which permitted surveillance by “domiciliary visits at night”, was held to be in violation of Article 21. A seven-judge bench held that:¹

“the meanings of the expressions “life” and “personal liberty” in Article 21 were considered by this court in Kharak Singh’s case. Although the majority found that the Constitution contained no explicit guarantee of a “right to privacy”, it read the right to personal liberty expansively to include a right to dignity. It held that “an unauthorized intrusion into a person’s home and the disturbance caused to him thereby, is as it were the violation of a common law right of a man -an ultimate essential of ordered liberty, if not of the very concept of civilization”

The right to privacy is recognition of the individual's right to be let alone and to have his personal space inviolate. The need for privacy and its recognition as a right is a modern phenomenon. In early times, the law afforded protection only against physical interference with a person or his property. As civilization progressed, the personal, intellectual and spiritual facets of the human personality gained recognition and the scope of the right to privacy expanded to give protection to these needs. There is, then a conflict between the right to publish² and the right to privacy, yet both are equally precious in a free society while commercial exploitation of the private lives of public figures, and of lesser fry, can help step up sales of publications, a balance must be struck between the two rights. Media houses, therefore, must tread warily lest they be hauled up by the law for infringement of privacy. They must act in 'good faith' and in 'public interest,' they must not forget that they have no legal basis to keep their sources of information to themselves. The law respects the confidentiality of the media house sources unless public interest and justice are involved.

Conclusion: Mass Media will remain as a matter of rational speculation, despite claims from the market players, there is no doubt that it will remain largely a metropolitan phenomenon. The mass media will remain a special segment for time come, it will have its social uses if its pressed into public service. Mass Media, has come to stay in country and continue to become popular it is not novelty that a utility to the dynamic society.

References:

1. The Constitutional of India Vol.1 & 2- By Sri. Kagzi and Sri.M.C. Jain
2. Commentary on the Constitution of India- By-Dr.Durga Das Basu
3. Wimal Dissanayake: Asian Theories of Communication; in Media Development.
4. Mahadev L.Apte: Mass Culture, Language and Arts in India.
5. James Carey: Communication as Culture.
6. Mehta.S.R: Communication and Development-Issues and Perspectives.
7. The Journal of Telecommunication-February-1996, Vol XLVI, Issue I
8. Willam J Martin: The Global Information Society.
9. Steins, Stevens and Porter, Presidents commission On Mental Health. Cited in Edward Brawley Mass Media and Human Services Publishers Name: SAGE Inc, Place of Publication: California, USA
10. John B.Thompson:The Media and Modernity
11. Erving Goffman: Behaviour in Public Places
12. Denis McQuail: Towards a Sociology of Communication
13. Denis McQuail and Sven Windahl: Communication Models for the study of Mass Communication
14. W.L.Rivers, W.Schramm and C.G Christians: Responsibility in Mass Communication
15. Wilbur Schramm: Mass Media and National Development
16. Kusum Singh Gandhi and Mao as Mass Communicators
17. 1985 2 SCC 434
18. 1962 (1) SCR 332
19. Mass Communication in India: Keval J. Kumar
