

# Review of the Evolution of Media Ethics Regulation in Indian Electronic Media

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**Abstract:** *The evolution of media ethics regulation in Indian electronic media reflects the dynamic relationship between press freedom, technological growth, and democratic responsibility. Over the decades, the shift from traditional print ethics to challenges posed by 24x7 news cycles, digital platforms, and sensationalist tendencies has warranted both legislative interventions and institutional reforms. This review traces the historical progression of ethical norms and their regulatory frameworks, evaluates key developments such as the establishment of the Press Council of India and the self-regulation mechanism through the News Broadcasters and Digital Association (NBDA), and analyzes the emerging landscape shaped by the Information Technology Rules, 2021. The paper highlights persistent issues, including political influence, corporate ownership, fake news, and ethical lapses, while recommending a hybrid model of co-regulation to uphold journalistic integrity.*

**Keywords:** Media Ethics, Electronic Media, India, Media Regulation

## I. INTRODUCTION

Media ethics in India has undergone a substantial transformation, particularly with the emergence and proliferation of electronic media. Traditionally, media ethics revolved around core principles such as truthfulness, objectivity, accuracy, impartiality, and accountability (Thakurta, 2009). These principles were largely enforced within the domain of print journalism under the oversight of institutions like the Press Council of India (PCI), which was established through the Press Council Act of 1978.

However, the landscape changed dramatically with the liberalization of the Indian economy in the 1990s, which paved the way for private television broadcasters and subsequently digital media platforms. The sheer reach, immediacy, and impact of electronic media ushered in new ethical dilemmas, requiring a re-evaluation of the frameworks designed to regulate media conduct.

Electronic media, particularly television and digital news platforms, introduced a 24x7 news cycle, commercialization pressures, and intense competition for viewer ratings (TRPs). These shifts encouraged sensationalism, biased reporting, and the phenomenon of “breaking news” without adequate verification (Kumar, 2020). In the absence of a statutory regulatory body equivalent to the PCI for electronic media, the industry initially relied on self-regulation. The News Broadcasters Association (NBA) now restructured as the News Broadcasters and Digital Association (NBDA) formed the News Broadcasting Standards Authority (NBSA) in 2008 to uphold professional standards and adjudicate complaints related to ethical breaches (NBDA, 2023).

While the NBSA has provided a platform for accountability, its voluntary and non-binding nature has been criticized as insufficient in curbing unethical practices. Moreover, growing concerns about misinformation, paid news, political bias, and corporate influence have exposed the limitations of existing self-regulatory mechanisms (Bhushan, 2022). The situation worsened with the unregulated rise of digital platforms and social media, which became vehicles for unchecked content dissemination.

In response to this regulatory vacuum, the Government of India introduced the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, aimed at regulating online news and OTT content. These rules established a three-tier grievance redressal structure and imposed a Code of Ethics for digital publishers (Mehta, 2021).

While some see this as a step toward accountability, others fear it may encroach upon press freedom and lead to indirect censorship (Karnik & Krishnan, 2021).

This review aims to trace the chronological evolution of media ethics regulation in Indian electronic media, critically examining institutional frameworks, regulatory mechanisms, and emerging challenges. It also discusses the implications of recent policy developments and the need for a balanced, rights-oriented regulatory model that ensures ethical journalism while preserving media independence.

### **HISTORICAL CONTEXT OF MEDIA ETHICS IN INDIA**

The roots of media ethics in India can be traced back to colonial times when newspapers were the primary form of mass communication. Post-independence, ethical discourse was primarily centered on the print media and guided by the Press Council of India Act, 1978, which laid down standards for press freedom and accountability (Press Council of India, 2021). However, with the liberalization of the Indian economy and the advent of electronic media, a new ethical terrain emerged that required updated regulatory mechanisms.

Historical Context of Media Ethics in India, specifically focusing on the legal and regulatory framework:

#### **Colonial Legacy and the Origins of Press Regulation in India**

(Explores laws like the Vernacular Press Act, 1878, and the Indian Press Act, 1910)

#### **Post-Independence Legal Framework for Media Ethics**

(Covers Article 19(1)(a) of the Constitution and the balancing with reasonable restrictions under Article 19(2))

#### **The Press Council Act, 1978 and the Establishment of Ethical Oversight**

(Details the formation and role of the Press Council of India in enforcing ethical standards)

#### **The Cable Television Networks (Regulation) Act, 1995: Addressing Broadcast Media**

(Analyzes early efforts to regulate private electronic media content through statutory means)

#### **Judicial Interventions and Landmark Cases in Media Ethics**

(Examines significant Supreme Court and High Court rulings that shaped media responsibility and freedom)

### **EMERGENCE OF ELECTRONIC MEDIA AND ETHICAL CHALLENGES**

The emergence of electronic media in India, particularly from the 1990s onward, marked a transformative phase in the nation's communication landscape. With the liberalization of the economy in 1991, private television broadcasters gained unprecedented space, leading to the proliferation of 24x7 news channels such as Zee News, NDTV, and Aaj Tak. This shift from state-controlled media (Doordarshan) to a vibrant, competitive private media ecosystem dramatically increased the speed, reach, and influence of information dissemination (Thakurta, 2009). However, it also gave rise to complex ethical challenges, necessitating a re-examination of regulatory mechanisms.

In the early days of broadcast media, content largely adhered to government guidelines. But the rapid expansion of private news and entertainment channels brought with it a race for viewership and advertisement revenue. This commercial pressure often compromised journalistic ethics, leading to sensationalism, paid news, and the blurring of lines between news and entertainment (Kumar, 2020). Ethical lapses, such as misreporting, invasion of privacy, and broadcasting distressing visuals, became increasingly common, raising public concern over the need for ethical oversight.

Unlike print media, which has been governed by the Press Council of India (PCI) since 1978, electronic media lacked a strong statutory regulatory framework. The Cable Television Networks (Regulation) Act, 1995, introduced by the Government of India, aimed to ensure decency and public order in content but was more focused on technical compliance rather than journalistic ethics (Ministry of Information and Broadcasting, 1995). In response, industry-led self-regulation bodies like the News Broadcasting Standards Authority (NBSA) and the Broadcasting Content Complaints Council (BCCC) emerged in the late 2000s to fill the gap. These bodies have formulated codes of ethics and offer grievance redressal mechanisms, yet their voluntary and non-enforceable nature has been criticized for limited effectiveness (Mehta, 2021).

The rise of digital platforms further complicated the ethical landscape. With social media and online news portals gaining traction, unverified information and fake news began to circulate widely, often without accountability (Chaudhuri, 2020). Recognizing this, the government introduced the Information Technology (Intermediary Guidelines

and Digital Media Ethics Code) Rules, 2021, to extend regulatory oversight to digital news and OTT platforms. These rules mandate a three-tier grievance redressal system and require publishers to adhere to a code of ethics (Karnik & Krishnan, 2021). While these developments represent a shift toward greater accountability, they have also been criticized for potentially infringing on freedom of expression and enabling state control over media narratives.

The evolution of media ethics regulation in Indian electronic media reflects the challenges of keeping pace with technological advancement and market-driven content creation. While self-regulatory mechanisms have made some progress, there remains a critical need for a balanced regulatory framework one that preserves press freedom while ensuring ethical responsibility and public accountability.

### **ROLE OF SELF-REGULATORY BODIES**

To address ethical concerns, industry bodies such as the News Broadcasters Association (NBA) (now NBDA) established the News Broadcasting Standards Authority (NBSA) in 2008 to enforce a code of ethics. It has adjudicated complaints on issues like invasion of privacy, hate speech, and misrepresentation (NBDA, 2023). However, critics argue that self-regulation lacks enforcement power and is vulnerable to influence from media owners.

Similarly, the Indian Broadcasting Foundation (IBF) formed the Broadcasting Content Complaints Council (BCCC) in 2011 to regulate general entertainment content. While these bodies have taken significant steps in ethical oversight, their voluntary nature limits effectiveness (Kumar, 2020).

### **GOVERNMENTAL AND LEGISLATIVE INTERVENTIONS**

The absence of statutory control over private broadcasters led the government to periodically consider legislative options. The Cable Television Networks (Regulation) Act, 1995 provided guidelines but lacked teeth in enforcing ethical norms (Ministry of Information and Broadcasting, 1995).

The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, marked a turning point in regulating digital news media and OTT platforms. These rules introduced a three-tier grievance redressal system and required adherence to a Code of Ethics, aiming to bring digital platforms under regulatory purview (Mehta, 2021). While the government claims these rules strengthen accountability, critics argue they pose risks to press freedom and promote censorship (Karnik & Krishnan, 2021).

### **CHALLENGES IN ETHICAL REGULATION**

The regulation of media ethics in Indian electronic media faces numerous challenges that reflect the complexities of a rapidly evolving media ecosystem. With the rise of 24x7 television news, digital journalism, and social media platforms, ethical oversight has struggled to keep pace with technological advancements and commercial pressures.

One of the primary challenges is the lack of a statutory regulatory body for private electronic media. Unlike the print sector, which is overseen by the Press Council of India, the electronic media largely operates under voluntary self-regulation frameworks. Bodies like the News Broadcasting and Digital Standards Authority (NBDSA) and the Broadcasting Content Complaints Council (BCCC) have limited enforcement powers, leading to non-compliance with ethical guidelines and delayed grievance redressal (Kumar, 2020). This self-regulatory model, while essential for preserving media autonomy, often fails to hold powerful broadcasters accountable, especially in cases involving political bias or misinformation.

Commercialization and competition for TRPs (Television Rating Points) have also eroded ethical standards. Sensationalism, paid news, and "breaking news" culture dominate prime-time television, with little regard for accuracy or social responsibility (Thakurta, 2009). In a media landscape driven by profit motives and advertiser interests, ethical journalism often takes a backseat to viewership numbers. This undermines public trust and distorts democratic discourse.

Another critical issue is political interference and ownership concentration. A significant portion of Indian media is owned by corporate entities with political affiliations, leading to editorial bias and suppression of dissenting views (Bhushan, 2022). Regulatory bodies lack autonomy and are susceptible to influence, weakening their role as independent arbiters of media ethics.

The proliferation of digital platforms and online news outlets presents a new frontier of ethical challenges. The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 were introduced to address the regulatory vacuum in digital media. However, these rules have been criticized for giving the government disproportionate control over content and potentially enabling censorship (Karnik & Krishnan, 2021). The rules' lack of judicial oversight and vague definitions of "offensive" content make them controversial from a free speech perspective. Moreover, fake news and misinformation, especially during elections or public health crises, have become rampant on digital platforms. Existing regulatory mechanisms lack the infrastructure, technical expertise, and coordination to combat such large-scale disinformation (Chaudhuri, 2020). There is also limited public awareness about complaint mechanisms or the rights of viewers, reducing civic participation in enforcing ethical norms.

The challenges in ethically regulating Indian electronic media stem from institutional weaknesses, economic pressures, political interference, and the disruptive influence of digital technology. A more robust, transparent, and participatory regulatory model is essential to balance media freedom with public accountability.

Despite regulatory developments, Indian electronic media continues to face several ethical challenges:

**Sensationalism and Paid News:** TRP competition fuels unethical practices like sensationalism and paid content (Thakurta, 2009).

**Political and Corporate Influence:** Media houses often reflect the interests of their owners or political affiliations, compromising neutrality (Bhushan, 2022).

**Fake News and Misinformation:** Digital platforms have become breeding grounds for unverified news, threatening democratic discourse (Chaudhuri, 2020).

**Inadequate Grievance Redressal:** Many viewers lack access to effective complaint mechanisms or awareness of regulatory channels.

## EMERGING TRENDS AND THE NEED FOR REFORM

The future of ethical regulation in Indian electronic media lies in a hybrid model that combines self-regulation with statutory oversight. A Media Council of India, inclusive of stakeholders from civil society, journalists, legal experts, and technologists, can create a more credible ethical oversight mechanism. Furthermore, media literacy initiatives and public awareness campaigns are essential to empower audiences to demand ethical journalism.

Technological tools like AI-driven fact-checking, automated content moderation, and ethical audit frameworks may also support real-time regulation and transparency (Rao, 2021).

## II. CONCLUSION

The evolution of media ethics regulation in Indian electronic media is a reflection of the country's socio-political changes, technological advancements, and democratic aspirations. From the foundational principles established in print journalism to the complex ethical dilemmas presented by television and digital platforms, the Indian media landscape has witnessed a dynamic shift in how ethical conduct is perceived and regulated. While institutions like the Press Council of India provided early frameworks for ethical journalism, they lacked jurisdiction over the rapidly growing electronic media sector. This vacuum was partly filled by self-regulatory mechanisms such as the News Broadcasting Standards Authority (NBSA), which made commendable efforts to instill accountability among broadcasters. However, the voluntary nature of such bodies limited their enforceability and reach, particularly in an era of fierce competition, political polarization, and commercialization.

The introduction of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021, marked a significant policy shift by attempting to extend ethical oversight to digital news and OTT content. However, concerns regarding state overreach, censorship, and freedom of expression have sparked intense debates about the balance between regulation and media independence. Ethical breaches such as fake news, hate speech, and paid content continue to undermine public trust, highlighting the urgent need for reform.

Going forward, a hybrid regulatory framework that combines statutory authority with robust self-regulation, media literacy, and public participation may offer a sustainable solution. Such a model should safeguard journalistic freedom while enforcing accountability in content creation and dissemination. As Indian electronic media continues to evolve, the ethical foundations that guide it must be adaptive, inclusive, and resilient capable of upholding democratic values

while resisting both market pressures and political influence. Ultimately, the integrity of the media depends not just on regulation but on the collective responsibility of journalists, institutions, and the society they serve.

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