
INTERNATIONAL JOURNAL OF ADVANCED LEGAL RESEARCH

INFORMATION AS PUBLIC GOOD- Paras Nath Mishra¹**Abstract**

Information as public good underlines the undeniable significance of validated and dependable statistics. In a phrase of arguing approximately public goods, statistics is a public right. According to William Blackstone: “The public good is in nothing more essentially interested, than in the protection of every individual’s private right” and this year’s subject for World Press Freedom Day, “Information as Public Good”, is about taking care of individual’s right. It is a name to reaffirm the significance of valuing statistics as a public right and to discover what may be used to assist the production, distribution, and reception of content material, strengthening journalism and selling transparency and empowerment without leaving each person.

Keyword: Strengthening journalism, transparency, empowerment, private right.

Introduction

The public disaster of COVID-19 has highlighted the critical position of loose and unbiased media across the world. The media remains an effective supply of statistics that humans access. It has made a sizable contribution to our expertise of the pandemic through making relatively complicated flows of statics, medical data available to the overall public, imparting frequently up-to-date data, and collaborating in fact-checking.

The constitution of India has given rights to media under Article 19(1) and has given freedom so that media can’t be stopped from writing the truth, Media is truth, and the same we believe, the approach of media was never good, it’s always a TRP generating but we have seen even more change in the approach of Media in these 5 to 6 years. In 2012, India was

¹ Student at Asian Law College, Noida

ranked 131 on the list, in 2014 it was 140 and now it is 142 on the list of world press freedom index.

This data shows the approach of media in India, even in hard times like pandemic media has shown the false report which was put forward by one of the Hindi newspaper Dainik Bhaskar with a front headline “Govt. data is fake, don’t believe them” that day Bhopal officially reported only 4 deaths due to COVID-19 but 112 funerals were conducted in the city, and no telecast was made by the Tv news channels. This is not only the case of one city but Gujarat, etc. cities are also included in the list. The media is not showing the correct data and the telecast is pondering people about the situation and they are getting panicked, showing a lie than a truth.

There are several limitations imposed on the media by the constitution but the administration has used them for its purpose and the media has fully supported the administration because it is TRP generating and profit-generating. The media has no data of its own, it has been given by the administration and the media is relying on that without any cross-check.

The Constitutional Provisions and Restrictions on Freedom of Speech and Expression

In India, the right to freedom of speech and expression is granted via Article-19(1) (a) of the Constitution of India. However, this right isn’t absolute. Article-19(2) lets sufficient limitations be imposed on freedoms under Article-19(1) which includes freedom of speech and expression. The judiciary has approved the restraints that can be assessed and the founder interprets them beneath several subheadings, but the tribunals have moreover clenched that the administration’s interference in this right has to moreover be protected in check.

In the case of *Bennet Coleman and Co. v. Union of India*,² it has been opined by the Hon’ble Supreme Court of India that freedom of the press should be both quantitative and qualitative. It must lie in both circulation and content. But it has been prevalent and evident what our news channels prime time show broadcast and it just contains 100 news in only 1 minute and there is no qualitative news we have seen except a few.

Grounds of Restrictions and how the press enjoys more freedom:

²Bennet Coleman and Co. V. UOI, AIR 1958 SC 106,

1. Sovereignty and Integrity of India: While the protest was going on against CAA (Citizenship Amendment Act, 2019) all over India, the Media was broadcasting manipulative content and was objected by the information and broadcasting ministry but the media denied this report and repeatedly telecasted news which was not to make people aware but to incite the offense and mass destruction that happened in India. The mass destruction would have never happened on such a large scale if the objectionable news was stopped.
2. Security of State: In way of protecting nation, media has shown the military techniques, arms, military exercise, etc. in the national news channel, what they want to make people aware of by telecasting the military arms and technique news on national Television. Is this information being for the public good?
3. Friendly relations with foreign states: We are pretty much evident about the [Galwan Ghati fight between India and China](#), the video which was shown on every social networking site was unapproved and unverified still every news channel telecasted the same. No statement was given by the intellectual people of our country (Bureaucrats) on this matter regarding such a rash behaviour between two countries, then on what grounds news telecasted the same.
4. Public Order: In the tough time of a pandemic, where we are losing our people, instead of telecasting a ray of hope of recovery in cases, help from a foreign state etc. we are witnessing depressing news like death rate, death in particular cases due to COVID-19, viral video in social media etc. If the foreign state helps us in this pandemic with medicine etc. the news will only be telecasted for seconds and will never be repeated. [One of the reports shows that people are getting more depressed](#) in this pandemic after watching the news, an indirect threat to public order.
5. Contempt of Court: The Ex-Chief Justice of India [Justice JS Khehar has made a statement regarding "Media Trials"](#) as a contempt of court, he said the judiciary is there to perform its duty that is not to be performed by others for TRP. Media Trials are inappropriate because the way media quickly deliver its judgment and making an innocent until proven guilty is influencing and against the decorum of the court. We the people believe what the media says without any iota of modification, News is so influencing that it can change the perception of an individual and it is changing the perception of every citizen of India. Media trials have successfully happened in cases like Jessica Lal Murder Case, Aarushi

Talwar case, etc. and people after the media trials had also changed their perception towards the innocent.

6. Incitement of an offense: The [broadcast of news which incites the public](#) is not to be shown on national television like a protest of CAA, Farm act, etc. the coverage of media was done with such an angle that it only shows the story of one side of an individual which will incite other to do the same.

Does the Information Given by the Media is for the Public Good?

The information given by the media is not for the public good, it has been rightly observed by the Hon'ble Supreme Court of India that the functioning of [electronic media should be redefined according to the constitutional values](#) so that information can be wealth and good for the general public. In India, the approach of media is to impose on others because this is how the coverage of the pandemic started; the COVID-19 was spread due to recklessness and negligence of Tablighi Jamat and blamed a particular community for the spread of a pandemic which led people to change its perception against a particular community.

The news which is not the TRP generating are for the public good like a piece of news that makes people aware of a particular field like DD News and Bharti news channel is spreading knowledge regarding "how agriculture can more flourish without any loss" but at present, we left watching the DD news even the channel. In a country like India where unemployment is at a peak, the news channel should have a prime time show which makes people aware of financial education at least, when people earn, they should know how to spend and invest. This is how we can start a hope to finish unemployment in India, "[everybody is aware of how to earn money but no one is aware of how to spend it](#)".

There are some News that is doing their job like Zee News telecast its show with the name of "DNA (Daily News and Analysis)" which spread awareness about the reality and truth of a particular topic.

Conclusion

Media has exercised more power than given in the Constitution of India, this is not just the case of a pandemic, and it is everlasting. The media is liable to show researched data, reports, statistics, etc, without any fear of showing truth and esp. without relying on data given by the government. The above-given reference has shown that how media is biased while showing

only selective news for TRP. To improve the trespassing of unreliable news in the premise of truth:

1. Govt. can redefine the electronic media following constitutional values of freedom of speech and expression, right to privacy, and individual rights. This is how the media can be free and with limitations.
2. Laws on the freedom of the press Esp. on Electronic Media should be amended with change in time because an old law will restrict the judiciary to interfere to an extent.
3. By changing the revenue model of news channels because they behave, act, and show what their advertisers, sponsors prefer to say, they decide the quality and quantity of news nowadays.

Reference:

1. <https://caravanmagazine.in/media/republic-debates-study-shows-channel-promotes-modi-ndtv> (Last accessed on: 10th July 2021).
2. <https://time.com/6033152/india-media-covid-19/> (Last accessed on: 10th July 2021).
3. <https://www.livemint.com/news/india/i-b-ministry-pulls-up-tv-channels-for-objectionable-content-amid-caa-protests-11576899535778.html> (Last accessed on: 10th July 2021).
4. <https://www.youtube.com/watch?v=x72qg1OQKNY> (Last accessed on: 10th July 2021).
5. <https://www.youtube.com/watch?v=wqRTfi8KDh4> (Last accessed on: 10th July 2021).
6. <https://www.verywellmind.com/is-watching-the-news-bad-for-mental-health-4802320> (Last accessed on: 10th July 2021).
7. <https://economictimes.indiatimes.com/news/politics-and-nation/supreme-court-hints-at-end-to-media-trial/articleshow/57028827.cms?from=mdr> (Last accessed on: 10th July 2021).
8. <https://www.outlookindia.com/website/story/opinion-the-trp-race-and-television-journalism-in-india/361014> (Last accessed on: 10th July 2021).