

₹ 200

ISSN - 2249-555X

Volume : 1 Issue : 6 March 2012



**Journal for All Subjects**

[www.ijar.in](http://www.ijar.in)

Listed in International ISSN Directory, Paris.



ISSN - 2249-555X

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## INDEX

Sr. No.	Title	Author	Subject	Page No.
1	Impact of Liquid biofertilizers, Chemical fertilizers and Vermicompost on the Growth and Yield of <i>Chenopodium album</i> (L.)	Dr. Sivgami Srinivasan, A. Sabitha	Biochemistry	1-3
2	Production Of Biodiesel From Microalgae Using Sodium Methoxide	M. R. Ananadhi Padmanabhan, Dr. Shaleesha A.Stanley	Biotechnology	4-6
3	Profitability Analysis Of Bharath Sanchar Nigam Limited (Bsnl)	Dr. M.Dhanabhakyaam, Swapna Kurain	Commerce	7-9
4	Water Resource Management Through Community Initiatives	Dr. Mahalaxmi Krishnan	Commerce	10-11
5	IPO Grading – An Insight	Dr. Bheemanagouda	Commerce	12-14
6	Public Private Partnership (PPP) in West Bengal: A Study	Suvarun Goswami	Commerce	15-17
7	Factors Influencing Impulse Buying of Personal Care Products in Salem City	Dr. A. Vinayagamoorthy, P. kannan	Commerce	18-21
8	Employees Savings and Investment Behaviour of Selected Chemical Industries in Cuddalore District	Dr. G. Sasikumar, R. Punniyaseelan	Commerce	22-28
9	Object Oriented Mutation Applied to Java platform and C++ classes	Ravindra K. Gupta, Dr. Shailendra Singh, Titu Singh Arora	Computer Science	29-32
10	Estimating The Intravenous Fluid Resuscitation In Patients In The Intensive Care Units (A Fuzzy Logic Based Expert Advisory System)	Kamal Kumari Dadhirao, M. Surendra Prasad Babu, Mr. Suresh Kumar Maddila	Computer Science	33-36
11	An Evaluation of Women Construction Workers	T. Christy Chanchu, T. Christy Cresida	Economics	37-39
12	Carlson's Tropic State Index(CTSI) Used in Mandya Lakes	Nagarathna, Hosmani S P	Economics	40-42
13	A water pollution of metropolitan cities in India	Dr. Pawar A.S.	Economics	43-44
14	Urbanization & Pollution in India	Dr. Pawar Ashok Shankarrao	Economics	45-46
15	Motivational Strategies on Enhancing Competencies of LIC Professionals	Dr. K. Gunasekaran	Education	47-49
16	Awareness On Socio - Educational Rights Among Students Studying in Secondary School	Dr. A. Selvan, Dr. P. Paul Devanesan	Education	50-52
17	Major Approaches in Instilling Values Related to Human Rights	Dr. A. Selvan, P. Paul Devanesan	Education	53-54
18	A Study On Achievement In Mathematics of IXth Standard Students in Relation to Locus of Control and Test Anxiety	Dr. N .Rajashekara, Prathima .H.P, Narayana Swamy.Y.R	Education	55-58
19	Impact of value-orientation on Leadership Behaviour of Secondary School Teachers in Tumkur District	Dr. Umme kulsum, G.P.Nagaraja	Education	59-62
20	Performance Comparison between LMS and NLMS Algorithm	Baljit Kaur	Engineering	63-65
21	Overview of Speech Enhancement Techniques for Various Applications	N B Umashankar, Anand Jatti	Engineering	66-67

22	Hanford and Radioactive Tumbleweeds: A Case Study	Rajesh Gopinath	Engineering	68-69
23	Construction of a Knowledge Test for Tennis Players	Sanjay Singh, Sani Kumar Verma	Engineering	70-72
24	A Noval Switch Mode Power Supply for Flash Lamp Pumped Nd: Yag Laser	Kireet Semwal, S. C. Bhatt	Engineering	73-75
25	Uniform Price Electricity Market Model in Deregulated Power System	T. Nireekshana, Dr. G. Kesava Rao, Dr. S. Siva Naga Raju	Engineering	76-79
26	Effect of Notch Orientation, Temperature and Filler Material on Impact Toughness of GFRP Composites	M.C.Muruges, Dr. K. Sadashivappa	Engineering	80-83
27	Prediction of Heat transfer rate for Indian coal slurry based on regression analysis	C.M. Raguraman, A. Ragupathy, L. Sivakumar	Engineering	84-86
28	A study of antimicrobial activity of the flavonoid- Kaempferol-3-rutinoside- from <i>Gliricidia sepium</i> (Jacq.) kunth.ex.Walp.	Anandhi, B., Sukumar. D, Arivudainambi. R	Engineering	87-88
29	Amitav Ghosh: Transfiguration of Memory and Imagination in the Shadow Lines	S.Kokila	English	89-90
30	Shareholder Activism in the U.S. and India	Ch. Chaitanya	Finance	91-93
31	Growth and Trends of Population in Nanded City, Maharashtra	Dr. Rathod S. B.	Geography	94-96
32	Regional Disparities of Ground water irrigation in Solapur District: A Geographical Analysis	Dr. G.U.Todkari, Shri B.D. Patil	Geography	97-99
33	Women and Employment in Textile Industries	Dr. S. S. Vijayanchali, Dr. E. Arumuga Gandhi	Home Science	100-102
34	Transition in Nutrition and Marketing of Agro Products	Dr. Anjali Rajwade	Home Science	103-104
35	Assessment of Knowledge About Effects of Inadequate Dietary Pattern on Mother and Child Health	Dr. Anjali Rajwade, Dr. Charuta Rajwade	Home Science	105-106
36	Job Enrichment	Kapil Dev Upadhyay, Dr. (Prof.) Vijay Kumar Soni	Human Resource Management	107-108
37	Quality of Work Life	Himani Avasthi, Dr. (Prof.) Vijay Kumar Soni	Human Resource Management	109-110
38	Understanding Security Requirement Engineering	Velayutham Pavanasam, Chandrasekaran Subramaniam	Information Technology	111-112
39	GENE Prediction	Er. Pankaj Bhambri, Dr. O.P. Gupta, Er. Meenakshi	Information Technology	113-114
40	Predictive Analysis In Data Mining Using Weighted Associative Classifier	Suwarna Gothane	Information Technology	115-119
41	Exchange Rate Forecasting	Dr. T. Koti Reddy	International Trade	120-124
42	Mass Media in India – New Trends	J. Ramanjaneyulu	Law	125-127
43	Right to Education Under the Indian Constitution	Mannava Muni Hemachand	Law	128-130
44	Criminal Law: A Tool for Consumer Protection in India	Aneesh V. Pillai	Law	131-132

45	Public Trust Doctrine: A Repository of Governmental Obligations to Protect the Environment	Dr. Kaumudhi Challa	Law	133-134
46	Application of Biometrics in the Investigation of Crime	Dr. R. Thilagaraj, Mr. G. Deepak Raj Rao	Law	135-137
47	Factors and Situations of Language Change	Dr. Syed Mohammed Haseebuddin Quadri	Literature	138-139
48	Omprakash Valmiki ke kahanio me chitrit dalitoki samajik stithi	Dr. V. P. Mahalinge	Literature	140-141
49	Fund Management in Pharmaceutical Industry in India	Dr. R. Perumal	Management	142-145
50	A study of Relationship management with customers in hospitality sector	Afreen Nishat A. Nasabi	Management	146-147
51	Outsourcing of Geriatric Services	Dr. V. Sreedevi	Management	148-150
52	Factor Analysis and Business Research	Dr. Kakali Majumdar	Management	151-154
53	Faculty Turnover Intention in Educational Institutions	K. R. Sowmya, Dr. N. Panchanatham	Management	155-156
54	Corporate Governance	Kalola Rimaben A., Chauhan Lalit R.	Management	157-159
55	Investment Avenues and Tax Implications for Small Investors	P. Menakadevi, Dr. V. Kumaravel	Management	160-163
56	Analyzing the IT Industry Progressions and Comprehensive Market Downfall Consciences through Deliberate Thinking	Dr. Venkatesh. J, Ms. Aarthi. C	Management	164-166
57	A Study On Problems and Prospects of Farmers in Cultivation of Paddy in Mahabubnagar District, A.P	Mr. M. Madhu Mohan	Management	167-170
58	An Analytical Study of Cash Management of IT Industries in Global Era	Bhavesh P Chadamiya, Mital R Menapara	Management	171-173
59	The Status & Performance of Registered Small Enterprises; A Study in Karnataka	Dr. D. Kumuda	Management	174-179
60	Malnutrition – A Business Opportunity for State Cooperative Dairy Federations (Scdfs)	Dr. N. Ramanjaneyalu	Management	180-181
61	Financial Performance of Indian Corporate Sectors During Pre and Post Mergers and Acquisitions	Dr. Shailesh N. Ransariya, Dr. Butalal C. Ajmera	Management	182-184
62	A Study on Influence of Pedagogical Effectiveness on Academic Achievement of Students of B Schools	Dr. Viral Shilu	Management	185-186
63	Stimulation of Entrepreneurship through Venture Capital in India	Vijayakumar, Subrahmanya K C	Management	187-189
64	Performance Analysis of Indian Banks	Ajay K. Shah	Management	190-192
65	An Emprical Study on Effect of Combination of Sun with Different Zodiac Signs on Return of it Sector of Indian Stock Market	Dr. Jaydip Chaudhari, Pinkal Shah	Management	193-197
66	Internet Banking Customer Satisfaction and Online Banking Service Attributes	Md. Mahtab Alam, Dr. Umesh R. Dangarwala	Management	198-199
67	Changing Customer expectations & preferences in Indian Banking	Ms. Smita S. Shetty	Management	200-202
68	Current e-Governance Scenario in Healthcare sector in India	Samir Roy	Management	203-204

69	Liver function abnormality & Vestibular symptoms with Azithromycin	Dr. Parveen Kumar Sharma, Dr. Rekha Bansal	Medical Science	205-206
70	Unicornuate Uterus with Functional Noncommunicating Rudimentary Horn - A Rare Mullerian Anomaly	Anju Kumari Rani, Anand Prakash, Deepa Kapoor	Medical Science	207-208
71	Antenatal Diagnosis and Successful Delivery of a Fetus with Complete Heart Block	Anju Kumari Rani, Aditya Kapoor, Deepa Kapoor	Medical Science	209-210
72	Kangaroo mother care diminishes pain from heel lance in preterm neonates:	Dr.S.Valliammal, Dr. Ramachandra, Mr. Raja Sudhakar	Nursing	211-213
73	Experiential Domain and Extentionalistic Vocabulary : A Critical Consideration of Behaviourism	Dr. Jatinder Kumar Sharma	Philosophy	214-215
74	The Effect of a Mindfulness-Based Stress Reduction (MBSR) Program on Stress and Well-Being in Adolescents: A Pilot Study	Urvashi Anand, Dr. Mahendra P. Sharma	Psychology	216-218
75	Personality Profile of Patients with Somatic Complaints at a Rural Health Centre	Dr. Mahendra P. Sharma, B. Padmasri and, Dr. Ramchandra	Psychology	219-220
76	Psychological Well-being: A study of the institutionalized aged	Dr. Pankaj S. Suvera	Psychology	221-223
77	Crystal Growth, Thermal and Optical Studies on L-arginine Based Nonlinear Optical Material	J. Ramajothi	Science	224-226
78	Encapsulation of Lactic Acid Bacteria in Calcium Alginate Beads for Bacteriocin Production	Vijay S. Wadhai, Shweta G. Kayarkar, Archana N. Dixit	Science	227-229
79	Synthesis Of Nonatitnate Based Dielectric Ceramic Using Various Grain Size of Starting Materials	Parul, Anand K Tyagi	Science	230-232
80	Separate Telangana Movement and Related Literary Works: A Study In Sociology of Literature	Dr. M. Sreedevi Xavier	Sociology	233-234
81	Changing Interests In Fine Arts as a Profession: A Study In Sociology of Art	Dr. Poonam Gandhi-Moirangthem	Sociology	235-236
82	Modeling Fertility and Growth of Mising Community of Assam, India	Deba Kr. Baruah, S. C. Kakaty	Statistics	237-239
83	Fort Vasota an Adventure Tourism Destination in Satara District	Dr. Ananadrao S. Patil	Tourism	240-242



## Mass Media in India – New Trends

\* J. Ramanjaneyulu

\* Research Scholar, P. G. Dept. of Law, S. V. University, Tirupati

### ABSTRACT

*The Fourth Pillar of this biggest democratic country is media playing vital role in disclosing true and reliable information to citizens. Media gives revolutionary change and growth in every sphere of life and mainly in the communication and media world; media today, plays a decisive role in the development of society. In India started 1780, while the publication of the Bengal Gazette in the Calcutta. In the year 1959 electronic media started in India. Under the constitution of India, freedom of the media is part of the freedom of speech guaranteed by Article 19(1) (a) says that all citizens shall have the right to freedom of speech and expression. However, no freedom can be absolute, and reasonable restrictions can be placed on it. Media has increased communication between people all over the world. The Internet, has allowed people to express themselves through blogs, websites, pictures, and other user-generated media. Law plays a twin role governing media. It protects the creative freedom involved in them and it has to regulate them so as to avoid their possible abuse as well. Despite the laws exists are not enough to regulate the press and electronic media. The author wish to say that there is a need to enact legislation and amend press council Act by bringing electronic media under the ambit of the press council giving more teeth to the press council.*

### Keywords : MEDIA, NEW TRENDS

#### Introduction:

The Fourth Pillar of this biggest democratic country is media playing vital role in disclosing true and reliable information to citizens<sup>1</sup>. Media gives revolutionary change and growth in every sphere of life and mainly in the communication and media world; media today, plays a decisive role in the development of society. Media is a communicator of the public. The impact of media on society today is beyond doubt and debate. The media has been setting for the nation its social, political, economic and even cultural agenda. In India, the media has to still take the major responsibility in educating the people on specific issues of human rights, especially, women, children, environment and other socially important areas. Media means visual and non visual communication. Communication is the procedure, which the people use to exchange information by various methods. Media is the medium or instruct of starting or communicating information. Media system is different in every country depending up on its economy, polity, religion and culture. There are two types of media, one is Print media and other is Electronic media. Print media is one of the largest non visual media in the world. It covers radio, telephone, news paper. etc., Electronic media covers television, desktop computer, game console, handheld devices etc.

#### Historical Background:

In India started 1780, while the publication of the Bengal Gazette in the Calcutta. Electronic media is one of the largest visual media in the world. Electronic media covered television, desktop computer, game console, handheld device. In the year 1959 started in India. Mass media such as press, radio and television, films, play a vital role in socialization, culturalization and modernization of society. The media have the potential value for educated men, in educating them. It has also the character of promoting criminal, anti – social and selfish, escapist tendencies among people. While their positive potential as mass educators has to be amassed for developmental purposes, their negative, harmful potential has to be curbed in public interest. Law plays a dual role vis – a – vis media. On the one hand, it protects the creative freedom involved in them and on the other; it has to regulate them so as to avoid their possible abuse. The evolution of the Media and Communication Laws in India has been greatly influenced by the history of

British colonization in India. In 1799 the first Media and Communication Law in India when Lord Wellesley passed the Press Regulation Act. It imposed pre-censorship on the newspaper publishing industry. The Press Act of 1835 annulled all the previous repressive laws on media and communication. Then the Gagging Act on 18th June 1857. It introduced compulsory licensing for the owning or running of printing presses, empowered the government to prohibit the publication or circulation of any newspaper, book or other printed material and banned the publication or dissemination of statements or news stories which had a tendency to cause furor against the government thereby undermining its authority. The Press and Registration of Books Act were passed in 1867 and presently is in the force. The Vernacular Press Act of 1878 was promulgated by General Lord Litton, which authorized the government to repress the publication of seditious writings and to impose punitive sanctions on printers and publishers who fails to conform to the law. The Newspapers Act was passed in 1908 with the initiation of Lord Minto to prohibit publication deemed to incite rebellion<sup>2</sup>.

#### Role of Mass Media after Independence:

One of the great achievements of India is our free and vibrant press. This is an accomplishment of direct relevance to the working of democracy. Authoritarianism flourishes not only by stifling opposition, but also by systematically suppressing information. The survival and flowering of Indian democracy owes a great deal to the freedom and vigor of the press. The freedom of speech and expression guaranteed by the Constitution of India ensures the right to express one's strong belief and opinions freely by word, writing, printing, picture or electronic media or in any other form of expression. This freedom includes the freedom of press in the absence of any separate provision for press in the Constitution. However, the freedom of press is not absolute. It is subject to certain reasonable restrictions<sup>3</sup>.

Grounds of Restrictions:- clause (2) of Article 19 contains the grounds on which restrictions on the freedom of speech and expression can be imposed:

- Security of the State.
- Friendly Relations with foreign States.
- Public Order.
- Decency of Morality.

- Contempt of Court.
- Defamation.
- Incitement of an offence.

Regarding the restrictions mentioned above, the reasonability is to be determined by the court and not the reasonableness of law. Also these restrictions may amount to prohibition under certain circumstances.

### Constitution and Mass Media

Under the constitution of India, freedom of the media is part of the freedom of speech guaranteed by Article 19(1) (a) says that all citizens shall have the right to freedom of speech and expression. However, no freedom can be absolute, and reasonable restrictions can be placed on it. One of the basic tasks of the media is to provide truthful and objective information to the people that will enable them to form rational opinions, which is a sine qua non in a democracy. Some of the other related legislations of freedom of press and the registration and books Act etc., The Constitution of India provides every Indian citizen the right to freedom, Specifically the Freedom of Speech and Expression under Article 19(1) (a). The Constitution also allows for the freedom to publish proceedings, reports of the Parliament and the State legislatures. [Articles 105 (2), 194 (2)]. Cinematograph Act, 1952 The Act makes provisions for certifying cinematograph films for exhibition. The Press Council Act, 1978 the aim of the Act is to establish a Press Council to preserve the freedom of the Press and maintain and improve the standards of newspapers and news agencies in India<sup>4</sup>.

### Judicial perspective

The Indian Judiciary also recognized that Social Movement Media has changed at a rapid rate since New Media became widely used. In *Ramesh Thapper Vs State of Madras*, (AIR1950SC124) in this case it is decided that there can be no doubt that freedom of speech and expression includes freedom of propagation of ideas, and that freedom is ensured by the freedom of circulation. Liberty of circulation is an essential to that freedom as the liberty of publication. Indeed, without circulation the publication would be of little value. Restrictions on freedom of speech and expression can only be imposed on grounds mentioned in Article 19(2) of the constitution. A law which authorizes imposition of restrictions on grounds of 'public safety' or the 'maintenance of public order' falls outside the scope of authorized restrictions under clause (2) and therefore void and unconstitutional.

*K.A. Abbas Vs Union of India* (AIR 1971SC481) is the first case before supreme court relating to prior censorship of films. The question is whether pre-censorship is included in Article 19(2). The petitioner had challenged the validity of censorship and violative of his fundamental right of freedom of speech and expression as according to him it imposed unreasonable restriction. Under the law (cinematography Act) films are divided into two categories, i.e., "U" films and 'A' films. 'U' films are meant for unrestricted exhibition while 'A' films can be shown to adult only. The petitioner's film 'Tale of Four cities' was refused 'U' certificate. The petitioner also contended that there were other forms of speech and expression besides the films and none of them were subjected to any prior restraint in the form of pre-censorship and claimed equality of treatment with such other forms. The court, however, held that pre-censorship of films was justified under Article 19(2) on the ground that films have to be so treated separately from other forms of art and expression because a motion picture was able to stir up emotions more deeply than any other product of art. Hence classifications of films between two categories that is "A" (for Adults only) 'U' (for all) was held to be valid.

In *Sakal Papers Ltd. Vs Union of India*, (AIR 1962 SC 305) the daily Newspapers order, 1960, fixed a minimum price and number of pages which a newspaper was entitled to publish was challenged as unconstitutional by the petitioner on the ground that it infringed the liberty of the press. The petitioners were required to increase the price of their newspaper without increasing the pages. An increase in price without any increase in number of pages would reduce the volume of cir-

ulation. On the other hand, any decrease in the number of pages would reduce the column, space for news, views or ideas. The order, therefore, acted as double-edged knife. It cut circulation by a price rise or publication or dissemination of news, ideas and knowledge by restricting column space consequent to decrease in the number of pages. The State justified the law as a reasonable restriction on a business activity of a newspaper in the interests of the general public. The Court struck down the order rejecting the State's argument. It said that the right of freedom of speech and expression cannot be taken away with the object of placing restrictions on the business activity of a citizen. Freedom of speech can only be restricted on the grounds mentioned in clause (2) of Article 19. It cannot, like the freedom to carry on business, be curtailed in the interests of the general public.<sup>5</sup>

### New Trends:

The rise of new media has increased communication between people all over the world. The Internet, has allowed people to express themselves through blogs, websites, pictures, and other user-generated media. Today's vastly changed media scenario calls for a recasting of the role of media in promoting social change. The pity of the Indian media is that it is surviving on myths and superstition. It should telecast scientific development taking place and how technology is helping us in day to day life. This kind of telecast will assist in human resource development. As a developing nation, India is lacking behind in many aspects like technology, social and economic development, research development, human resource development<sup>6</sup>. The Internet is quickly becoming the center of mass media. Everything is becoming accessible via the internet. Internet replaces the "one-to-many" model of traditional mass communication with the possibility of "many-to-many" web of communication.

The wave of consolidation in the mass media industry over the last few years has been reported mainly as a commercial story. But now India is in a new phase of media growth, with greater economies of scale for business promoters, and far more options for those who can afford them. As a new trend affordability for the under public is the subject that remains a big question. Growth of Media coverage and expansion of the audience reached have always been presupposed in Indian media policy and were meant to serve state goals of information, education and entertainment. Broadcasting for most of the post-independence period was considered part of the national infrastructure and was treated as a natural monopoly of the state. Mass media in the new scenario can influence the political life of the country by creating opinion. The traditional powers cannot control or criticize the mass media other than through the media itself, other wise their intervention becomes a sanction- either executive, legislative or judiciary- which can happen only if the media commits crimes or appear to lead to the information of political or institutional imbalance. Since media- cannot be exempt from criticism, it is a condition of health for a democratic society that the press put itself on the stand<sup>7</sup> finally natural instinct for self-preservation through self regulation would, in this scheme of things, best guarantee unfettered and responsible media freedom. In the modern technologically developed society media organization must reestablish their credibility and link with the people to continue to assume the freedoms that define the democratic press. They must equally importantly carry out a self reality check to see whether their obsession with the business of the media in driving this definitive journalism of the media out of their market. At present, there is no regulatory authority to cover the electronic media. The Press Council of India governs only the print media, and even in cases of violation of journalistic ethics by the latter the only punishment which can be given is admonition or censure. So there is a need to enact legislation and amend press council Act by bringing electronic media under the ambit of the press council giving more teeth to the press council.

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