

Ethical Challenges in New Media: Violations of Press Guidelines by Digital Start-ups

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Abstract

The emergence of digital media startups in India has transformed the way information is disseminated through worldwide accessibility, user-generated content, and rapid communication. However, because many new media platforms function outside of conventional regulatory systems, this revolution has also brought about substantial ethical issues. With a focus on four main areas—paid news, defamation, contempt of court, and media trials—this research paper critically analyzes cases in which Indian digital media firms have transgressed press ethics. Through an analysis of well-known examples like Times Group vs. Newslandry, Cobrapost's Operation 136, and high-profile media trials like the Sushant Singh Rajput case, the essay draws attention to the negative effects on democratic fairness, public trust, media credibility, and judicial integrity. In order to strike a balance between freedom of expression and ethical journalism in India's changing media landscape, the findings highlight the urgent need for significant regulatory reforms, stricter implementation of Press Council of India (PCI) rules, and enhanced accountability systems.

Keywords : Digital Media, Paid News, Defamation, Ethics, Regulation

Introduction

The internet and digital technology have altered the way information is disseminated through new media, which makes it possible for instant communication, user-generated content, and worldwide connectedness. However, there have also been serious ethical transgressions brought about by this change, especially by media companies that frequently function outside of established legal structures. In contrast to traditional media, which follows set editorial guidelines, new media platforms usually participate in unethical press practices, including paid news, defamation, contempt of court, and media trials. In this essay, significant instances of unethical behavior by Indian digital media entrepreneurs are examined, along with the ramifications for press regulations and legal frameworks.

Violations of Media Ethics by Startups

1. Defamation

In digital media, where unrestrained criticism and satire can transcend legal bounds, defamation is still a serious concern.

Case 1: Times Group & India Today vs. Newslandry (2021)

- The Times Group accused Newslandry of causing injury to its reputation by making fun of Times Now anchors in satirical films, and filed a defamation lawsuit against them for ₹100 crore.
- India Today filed a separate ₹2 crore lawsuit against Newslandry, alleging defamation and unlawful use of broadcast footage protected by copyright.
- **Press Council Guideline:** The PCI (Press Council of India) forbids malicious attacks that harm reputations without a solid foundation, but it does encourage reasonable criticism (PCI Norms on Journalistic Conduct).

Case 2: Cobrapost's "Operation 136" (2018)

- In its sting operation, Cobrapost accused media outlets of taking donations for propaganda that supported Hindutva.
- In their lawsuit, India Today and others claimed that their position was distorted by altered film. . (Pritam Pal Singh, 2018)

- The IPC's Section 499 (Defamation) requires accuracy and the absence of malice, although investigative journalism is protected.

2. Contempt of Court

Media trials and unauthorized disclosures undermine judicial integrity, violating the **Contempt of Courts Act, 1971**.

Case 1: Dainik Chambal Vani (2024)

- A newspaper was fined ₹1 lakh by the Madhya Pradesh High Court for scandalizing a judge.
- PCI Guideline: Media outlets shall refrain from disseminating information that could sway court decisions (PCI's "Norms of Journalistic Conduct").

Case 2: The New Indian & X (Twitter) (2024)

- Notices were sent out by the Delhi High Court regarding the distribution of confidential case documents.. (Utkarsh Mittal, 2024)
- Legal Position: Interfering with court proceedings is prohibited by Section 2(c) of the Contempt Act.

3. Paid News & Violation of PCI Directives

- According to the Press Council of India, there were 468 paid news instances from 2021 to 2025, with 111 complaints made in Rajasthan alone.(Imran Fazal, 2025)
- **Ethical Breach:** PCI requires sponsored news to be transparent and forbids unreported paid content.

Impact of the Surge in Paid News Cases in India

The major effects of the high increase in sponsored news cases—from 13 in Rajasthan in 2021–2022 to 111 in 2024–2025 and 290 overall in the same year—on democracy, media credibility, and public trust are analyzed below:

1. Erosion of Media Credibility

- By prioritizing financial gain over factual reporting, paid news compromises journalistic integrity.
- Readers lose faith in the media, viewing news as sponsored or manipulated rather than objective.
- For instance, if a political party pays for positive coverage, the public may start to doubt even legitimate reporting.

2. Threat to Electoral Democracy

- By giving affluent politicians or parties an unfair media edge, paid news skews elections.
- The Representation of the People Act (1951), which requires openness in reporting on elections, is violated by undeclared paid content, the Press Council of India (PCI) has cautioned.
- Impact: Rather than considering facts, voters base their decisions on skewed or false narratives.

3. Market Manipulation & Corporate Influence

- Companies utilize sponsored news to sway policy discussions, consumer behavior, and stock markets.
- An illustration would be a business that purchases favorable coverage in order to artificially raise the price of its stock.
- Regulatory Concern: Although market manipulation is punishable by the Securities and Exchange Board of India (SEBI), enforcement of the law is still lax in digital media.

4. Regional Media Vulnerabilities

- The increase in Rajasthan (111 incidents in 2024–2025) indicates that local media are more vulnerable as a result of less stringent regulation and monetary constraints.
- Digital startups and small newspapers may depend on sponsored material to stay afloat, which would be unethical.
- As a result, hyperlocal disinformation grows and grassroots journalism suffers.

5. Legal & Regulatory Challenges

- Due to regulatory gaps in digital media, the PCI frequently disregards its instructions against paid news
- it lacks the statutory authority to punish violators and must instead rely on public disapproval.
- The PCI Act (1978) has to be strengthened, and legislation requiring disclosure (such as the IPSO regulations in the UK) could be beneficial.

6. Social Polarization & Misinformation

- For financial gain, paid news magnifies polarizing narratives, whether they be political, social, or economic.
- As an illustration, consider a media organization that disseminates funded propaganda to exacerbate religious or caste conflicts.
- Long-term Impact: Normalizes bogus news and widens societal divides.

Outcome : Need for Stronger Safeguards

Urgent action is required in light of the 290% increase of paid news cases from 2021 to 2025:

1. Tougher PCI enforcement coupled with legal sanctions.
2. All compensated news must include "Sponsored Content" tags.
3. Coordination between the Election Commission and SEBI to monitor media bias financed by politics and business.
4. Public awareness initiatives to assist readers in recognizing sponsored content.

Paid news would continue to taint India's media environment in the absence of changes, undermining democracy and enlightened public debate.

4. Trial by Media

In violation of PCI's 2021 recommendations prohibiting media trials, sensational coverage frequently skews investigations.

- **Case 1: Air India Urination Incident (2023)**
 - The media's demonization of the accused prior to trial was denounced by the Supreme Court.
 - PCI Rule: The media must refrain from "prejudicial reporting" that hastens the formation of public opinion.
- **Case 2: Sushant Singh Rajput Case (2020–21)**
 - The Bombay High Court decided that a fair investigation was hampered by media conjecture.
 - Legal precedent: The 2020 Rajendra Sail v. MP High Court case upheld the idea that due process is threatened by media trials.

Impact of Media Trials: Analysis of the Air India Urination Case & Sushant Singh Rajput Case

The negative effects of media trials in India are brought to light by the Supreme Court's censure in **the Air India Urination Case (2023)** and the Bombay High Court's observations in the **Sushant Singh Rajput Case (2020–21)**. These incidents show how sensationalized reporting compromises public confidence, justice, and decency. A thorough impact study is provided below:

1. Undermining the Presumption of Innocence

- **Legal Principle:** Indian law follows "**innocent until proven guilty**" (Article 21, Constitution).
- **Media Trial Effect:**
 - In the **Air India case**, the accused was **publicly shamed, labeled, and vilified** before any court proceedings.
 - In **SSR's case**, media channels **declared suspects as murderers** without evidence, influencing public opinion.
- **Impact:** Creates a **prejudiced environment**, making fair trials difficult.

2. Obstruction of Justice & Investigation

- **Court's Observation (Bombay HC in SSR Case):**
 - "*Trial by media obstructs a fair probe.*"
 - **Speculative reporting** (e.g., "murder conspiracy" theories) pressured investigators, leading to **misdirected probes**.
- **Air India Case:**
 - Media's **24/7 coverage** forced authorities to act under public pressure rather than evidence.
- **Consequence: Miscarriages of justice**—innocent people may be punished based on media narratives, not facts.

3. Erosion of Public Trust in Media & Judiciary

- **Loss of Credibility:**
 - When media acts as **judge and jury**, people lose faith in **both journalism and courts**.
 - **Example:** After SSR's case, many viewers questioned whether media was **seeking truth or TRPs**.
- **Judicial Backlash:**
 - Courts now **warn against media overreach** (e.g., SC's remarks in the Air India case).
 - If media keeps interfering, courts may impose **stricter gag orders**, harming press freedom.

4. Violation of Privacy & Human Dignity

- **Air India Case:**
 - The accused was **named, shamed, and mocked**—violating his right to dignity (Article 21).
 - Media aired personal details, exposing him to public hatred.
- **SSR Case:**
 - Private chats, mental health history, and family disputes were broadcast irresponsibly.
- **Impact:**
 - Mental trauma for accused & victims.
 - Normalization of public humiliation as "entertainment."

5. Sensationalism Over Responsible Journalism

- **SC's Criticism (Air India Case):**
 - "*Journalism has become a race for TRPs, not truth.*"
- **Business Model Problem:**

- Channels prioritize **dramatic headlines** over verified facts.
- **Example:** In SSR's case, debates turned into **prime-time entertainment**, not news.
- **Result:** Decline in **ethical journalism**; rise of **clickbait & misinformation**.

6. Weak Self-Regulation & Need for Stronger Laws

- **Bombay HC's Verdict (SSR Case):**
 - "*Media self-regulation has no sanctity.*"
- **Current System Fails Because:**
 - News Broadcasting Standards Authority (NBSA) lacks enforcement power.
 - Press Council of India (PCI) can only issue warnings, not penalties.
- **Solution Needed:**
 - Statutory media ethics body with legal teeth.
 - Stricter contempt laws against trial by media.

Conclusion: Media Trials Threaten Democracy

The **Air India** and **SSR** cases prove that unchecked media trials:

1. Damage fair investigations.
2. Violate privacy & dignity.
3. Reduce public trust in media & judiciary.
4. Promote sensationalism over facts.

Reforms Required:

- a) Stronger regulatory oversight (e.g., PCI with penal powers).
- b) Mandatory media ethics training.
- c) Courts imposing fines for contempt in media trials.
- d) Public awareness to demand responsible journalism.

Without corrective measures, **media trials will keep harming innocent lives and distorting justice.**

Conclusion

The ethical breaches by Indian digital media startups—from defamation and contempt of court to paid news and trial by media—pose grave threats to journalistic integrity, democratic fairness, and judicial sanctity. The **Press Council of India's Norms of Journalistic Conduct** explicitly warn against such practices, mandating fairness, accuracy, and responsibility in reporting. However, cases like *Operation 136*, the *Sushant Singh Rajput investigation*, and the *Air India urination incident* illustrate how unchecked digital journalism erodes public trust, manipulates electoral and market dynamics, and undermines individual rights to privacy and dignity.

While India's dynamic new media ecosystem offers unprecedented reach and innovation, it must operate within an ethical framework that aligns with **PCI guidelines**. To safeguard democracy and maintain public confidence in journalism, urgent and decisive reforms are necessary:

1. **Strengthen the Press Council of India (PCI)** by granting it statutory enforcement powers to penalize ethical violations.

2. **Mandate clear disclosure** of all sponsored or paid content, ensuring transparency in line with PCI's directives against paid news.
3. **Launch judicial awareness programs** to educate journalists on contempt laws, due process, and responsible court reporting.
4. **Enforce stricter accountability** on digital platforms and social media intermediaries amplifying unethical or prejudicial content.

India can only guarantee that its changing digital media landscape respects both the right to freedom of expression and the obligations of ethical, responsible journalism by implementing these corrective measures, which are based on the spirit of the Press Council of India's Norms of Journalistic Conduct (2021).

References

1. Press Council of India. (2021). *Norms of Journalistic Conduct*.
2. Indian Penal Code, 1860 (Section 499: Defamation).
3. Contempt of Courts Act, 1971 (Section 2(c)).
4. Supreme Court Guidelines on Media Trials (2023).
5. Bombay High Court Judgment on Sushant Singh Rajput Case (2021).
6. Imran Fazal, 2025. Press Council of India reports 468 cases of 'paid news' in four years. Storyboard 18.