



Legislative & Media Law Overview

Brief Overview

This note covers [Indian Legislative & Media Law](#) and was created from a [22-page PDF](#). It covers the bill-to-law process, Article 19 freedoms, media regulation, and cyber law provisions.

Key Points

- Bill-to-law stages and parliamentary sessions.
- Constitutional Article 19 rights and reasonable restrictions.
- Media and film certification rules (CBFC).
- Cyber law and IT Act provisions.



Journey of a Bill to an Act

Stages in the normal legislative procedure

Step	Description	Key Actors
1 Drafting	Government ministries prepare the initial draft.	Ministry officials
2 Introduction	Bill is presented in Lok Sabha or Rajya Sabha .	Minister or MP
3 Committee Stage	Detailed review, amendment and revision by a select committee .	Committee members
4 Second Reading	Debate on the bill's principles and clause-by-clause discussion.	All members of the house
5 Third Reading	Final vote; bill is either passed or rejected.	All members of the house
6 Passage to Other House	Bill is sent to the opposite house for the same process.	Members of the second house

7 President's Assent	President reviews and gives formal assent.	President of India
8 Publication	Bill is published in the Gazette and becomes enforceable law.	Government Gazette

"A law only comes into force after the President's assent and its publication in the Gazette."

Parliamentary Sessions

- **Budget Session** – Jan – May
- **Monsoon Session** – Jul – Aug
- **Winter Session** – Nov – Dec

If necessary, sessions may be rescheduled, but the gap between any two sessions must not exceed six months.

Article 19 – Freedom of Speech & Expression (FOSE)

*Article 19(1) guarantees the right to **freedom of speech and expression, assembly, association, movement, residence, and possession.***

Sub-clauses of Article 19(1)(a)

- **Freedom of speech**
- **Freedom of expression**
- **Freedom of the press** (implicit, covered under FOSE)
- **Right to information** (includes the right to receive information)

Reasonable Restrictions – Article 19(2)

The State may impose **reasonable restrictions** on the above rights on grounds such as:

- **Security of the State**
- **Friendly relations with foreign states**
- **Public order**
- **Decency and morality**

- **Sovereignty & integrity of India** (added by the 16th Amendment, 1963)

Evolution of Article 19

Amendment	Year	Major Change
First Amendment	1951	Introduced “reasonable restrictions”; clarified grounds (security, public order, etc.).
Sixteenth Amendment	1963	Added “sovereignty & integrity of India” as a ground for restriction.

Right to Information (RTI) Act, 2005

The RTI Act empowers citizens to request information from public authorities, promoting transparency.

- **Background:** Originated from the **MKSS** movement (1994) and Rajasthan’s state RTI law (2000).
- **Key Features:**
 - Mandatory disclosure of government records.
 - Appeals mechanism through designated officers.

Right to Privacy (2017)

Recognized as a fundamental right, privacy means the individual’s right to be left alone.

- Integral to **Article 21** (right to life & liberty).
- Protects personal data, bodily autonomy, and informational privacy.

Obscenity, Hate Speech & Media Ethics

Concept	Definition	Legal Provisions (India)
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Obscenity	Content that offends public decency or morality; sexually explicit, vulgar, or corrupting.	IPC §292; IT Act §67; Cable TV Code; Film Certification Rules
Hate Speech	Offensive discourse targeting groups based on race, religion, gender, etc., threatening social peace.	No specific statute; restrictions under Article 19(2).
Media Trial	Media oversteps its role, conducting parallel investigations and influencing public opinion before a court judgment.	No statutory provision; may constitute contempt of court.



Media Rights & Freedom of the Press

Press freedom is subsumed under **Article 19(1)(a)**; there is no separate constitutional provision for the press.

Core rights of the media

- Deformation & free press
- FOSE
- Right to publish & circulate
- Right to receive information
- Right to conduct interviews
- Right to support court proceedings
- Right to advertise



Defamation, Contempt & Sediton

Defamation

- **Libel** – written defamation.
- **Slander** – spoken defamation.

Type	Nature
Criminal	Offence punishable under the IPC.

Civil	Allows the injured party to claim compensation.
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Defences

- **Justification (truth)**
- **Fair comment**
- **Privilege** (qualified privilege for public interest)

Contempt of Court (1971)

- **Civil contempt** – willful disobedience of court orders.
- **Criminal contempt** – acts that scandalize or lower the authority of the court, or prejudice judicial proceedings.

Sedition (Section 124A IPC)

- **Definition:** Conduct or speech inciting rebellion against the State.
- **Penalty:** Life imprisonment or up to 3 years, with possible fine; non-bailable.
- **Historical note:** Originated from 18th-century British law; first used against Bal Gangadhar Tilak (1897).

Film Regulation – CBFC & Cinematograph Act

Certification	Description
U	Universal – suitable for all ages.
U/A	Parental guidance required for children below 12.
A	Adults only (18+).
S	Specialized audiences (e.g., doctors, scientists).

New categories (2023) – **UA 7+**, **UA 13+**, **UA 16+** (children may watch with parental guidance).

- **CBFC Powers:** Can demand cuts, assign certificates, and enforce penalties.
- **Penalties** (Cinematograph Act, 1952, Sec 7): Up to **8 years** imprisonment, fine up to **₹11 lakh**, plus daily fines for continuing offences.

Cinematograph Bill, 2023 (Rajya Sabha)

- Introduces **3-year jail** and fine up to **5% of a film's production cost** for piracy.
- Allows separate TV certification; **UA** is the only category permitted for TV broadcast.

Cyber Law & Cyber Crimes

Types of Cyber Crimes

Category	Sub-categories
Against Persons	Child pornography, harassment, cyber-stalking
Against Property	Unauthorized intrusion, computer vandalism, harmful programs, unauthorized data possession
Against Public	Cyberterrorism (militant → terrorism / cyber-warfare; non-militant → cybercrime / cyberbullying)

Cybercrime Definitions

- **Computer as target** – Hacking, virus/worm attacks, DoS attacks.
- **Computer as weapon** – Cyber-terrorism, IPR violations, credit-card fraud, e-fraud, online pornography.

Information Technology Act, 2000

Primary legislation governing electronic commerce, digital signatures, and cyber offences in India.

Objectives

1. Promote **e-governance** & digital transactions.
2. Prevent & punish **cyber offences**.
3. Regulate **online activities** (e-mail, e-commerce, etc.).

Key Features

- Legal recognition of **electronic records** and **digital signatures**.
- Definition of **cyber offences** (hacking, data theft, etc.).

- **Intermediary liability** framework.
- Establishment of the **Cyber Appellate Tribunal**.
- **Penalties** and **data-protection** provisions.

Amendment 2008 – Strengthened provisions, fostering growth of **Digital India**, online banking, and e-commerce.

Payments to News Publishers & Digital Media

Platform	Status (2025)
Google	Pays select Indian publishers via News Showcase (since 2021); pilot AI-tool deals with 20 publishers (2025).
Facebook/Meta	Stopped payments to Indian news publishers in 2022; no current payments.
Indian Government	No law mandating payments to publishers; Equalisation Levy (2025) removed in Apr 2025.
Other countries	Australia, Canada, Japan enforce mandatory payments to news outlets.

Intellectual Property Rights – Copyright

Copyright protects original literary, artistic, musical, and cinematic works.

Copyright Act, 1957 (amended multiple times)

- **Exclusive rights** granted to authors (reproduction, distribution, adaptation, etc.).
- **Term**: Life of the author + 60 years.
- **Symbol**: © (registration optional but advisable for disputes).

Filing Procedure

1. Create a user ID at www.copyright.gov.in.
2. Log in and select **Online Copyright Registration**.
3. Complete the **Statement of Particulars** and **Further Particulars**.

4. Pay fees and submit the application.
