

Coverage of controversial Section 66 A of Indian Information Act 2000: A content analysis of four newspapers

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Abstract

Advancements in modern technology have helped countries develop and expand their communication networks, enabling faster and easier networking and information exchange. In India the Information Technology Act 2000 was passed to provide legal recognition for transactions carried out by means of electronic communication. Section 66A of the IT Act 2000 allows arrest of a person for posting allegedly “offensive” content on websites. This comes in the background of a slew of arrests made under section 66A thereby violating the right to freedom of speech and expression enshrined in Article 19(1) (a) of the Indian Constitution. This article assesses freedom of speech, implementation of applicable legal framework, which provides for freedom of expression and access to information. The report also assesses the work of media institutions in protecting freedom of the media. Sampling technique used for analysis was purposely chosen. This paper analyzes the coverage of 66A related news in four Indian dailies over a period of 3 years. It concludes that the coverage of 66A issue is neither discussing nor arguing in the sample dailies.

Key words: Freedom of expression, Section 66A of IT Act 2000, Internet, Supreme Court of India

Introduction

Freedom of speech and expression is the right to express one’s own convictions and opinions freely by means of mouth, writing, printing pictures or any other mode. It thus includes the expression of one’s ideas through any communicable medium or visible representation, such as gesture, signs and the like. The expression connotes also publications and thus the

freedom of press is included in this category. Free propagation of ideas is the necessary objective and this may be done on the platform or through the press. The freedom of propagation of ideas is secured by freedom of circulation. Liberty of circulation is essential to the freedom as the liberty of publication. Indeed without circulation the publication would be of little value.

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The Google has removed content in response to requests from various governments' authorities in January 2007 the company agreed to an arrangement allowing police forces to directly report objectionable content to Google and ask it for details regarding internet protocol (IP) addresses and service providers, by May 2007, Google have cooperated with the Mumbai police regarding online communities and comments directed against the Indian historical figure Shivaji, right wing leader Bal Thackeray and Father of Indian Constitution Dr. B. R. Ambedkar.

Internet India

India is home to tens of millions of users, thus emerging as an important leader in the high-tech industry. In spite of infrastructure limitations and lost consideration restricting, the access to Internet and other ICTs in India, both infrastructure and bandwidth have improved in last two years. The International Telecommunication Union (ITU) reported 61.3 million users as of 2009. As per the Internet and Mobile Association of India (IAMAI) about 77 million Indians have used the Internet at least once in their lifetime.

A 2000 survey by the New Delhi based research and marketing firm resulted in the estimates of 51 million 'active' Internet users, who had used the Internet at least once in the past year. 40 Million urban and 11 million rural. Several studies put the overall Internet penetration rate at a rather low 5 to 8 percent of the population but there are signs that this figure will increase.

India today (2015) revealed that India has over 24 crore internet users, third largest in the world after China and the U.S. which is likely to more than double by 2020. India also the world's second largest Facebook audience - will surpass 100 million mobile phone Facebook users for the first time this year (2015) and by 2017, will have more mobile Facebook users than the US. According to eMarketer report, Facebook user base in the US will hit 123.1 million followed by India at 101.5 million. However, by 2017, India will have the largest mobile phone user base at 145.9 million followed by the US at 138.8 million.

In the backdrop of terrorist attacks the government preferred to assume power to control the online content. After the November 2008 terrorist attacks in Mumbai killing 171 people, the Indian government felt the need for controlling the communication technologies for censoring undesirable content. As the people feel security of the nation is threatened, most of them favored content monitoring by the government.

The Information Technology Act 2000

In India, the Information Technology Act 2000 was passed to provide legal recognition for transactions carried out by means of electronic communication. The Act deals with the law relating to Digital Contracts, Digital Property, and Digital Rights Any violation of these laws constitutes a crime. The Act prescribes very high punishments for such crimes. The Information Technology (amendment)

Act, 2008 (Act 10 of 2009), has further enhanced the punishments. Life imprisonment and fine up to rupees ten lakhs may be given for certain classes of cyber crimes. Compensation up to rupees five crores can be given to affected persons if damage is done to the computer, computer system or computer network by the introduction of virus, denial of services etc., (Section. 46 (1-A)). Sections 65-74 the Act specifically deals with certain offences, which can be called Cyber Crimes.

On December 22, 2008, the Information Technology (Amendment) Act, 2008 was passed by the Lok Sabha with almost no discussion whatsoever. The Bill had been introduced in 2006 and in the wake of the terrorist attacks in Mumbai on November 26, 2008, the Act was passed as a reactionary measure. The fact that the Bill was not discussed prior to it being passed is clear in its drafting. In some places, apart from being just poorly drafted, it is also vague and criminalizes offences without defining the scope of the activity that could classify as criminal.

The Bill was passed by the Rajya Sabha on December 23, 2008, and received Presidential assent in early 2009. However, even after this, the Act did not come into force until October 26, 2009, when it was notified by the Central Government. The Act though passed in such a rush did not come into effect until a year later. This time could have been used to discuss the Bill and address the various problems with it.

New Regulatory Rules in 2011: The IT ministry introduces the information

technology (Intermediaries guide lines) rules 2011, under the IT Act, 2000 during February 2011. The new rules grant exemption to intimate intermediaries such as telecommunication companies, e-commerce websites, Internet service providers (ISPs) and blogging sites, among others, from liability in certain cases.

These rules require intermediaries to adopt terms of service that prohibit users from hosting, displaying, publishing, sending or sharing any proscribed content, including not just obscene or infringing content, but also any material that threatens national 'unity' or 'integrity', 'public order', or is that 'grossly offensive or menacing in nature', disparaging 'otherwise unlawful in any manner whatever'. It is criticized that such a broad standard lacks clear limits on what kinds of content may be taken down and invites abuse.

The Supreme Court of India set aside section 66A of the IT Act

Section 66A of the IT (Amendment) Act, 2008 prohibits the sending of offensive messages through a communication device (i.e. through an online medium). The Act says any person who sends offensive, menacing or false information to cause annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred or ill will or uses email to trouble it to recipients or deceive him/her about the origin of such messages, can be punished with a jail term up to 3 years and a fine (Richa Kaul Padte, 2012).

The court also struck down section 118(d) of the Kerala police Act, which says any person who makes indecent comments by calls, mails, messages or any such means causing grave violation of public order or danger can be punished with imprisonment up to 3 years or a fine not exceeding 10 thousand, or both.

The Supreme Court had upheld section 69A of the IT Act, which allows the government to block public's access to information in national interest and penalized intermediaries (Telecom or Internet service providers and web hosting services) who fail to comply with the governments directives.

Important Sections in IT Act

Table: 1

S. No	Section	Offences	Punishment
1.	S. 65	Tempering	3 years imprisonment or up to two lakh rupees fine and both
2.	S. 66	Hacking	3 years imprisonment or up to five lakhs rupees fine or both
3.	S. 66A	Sending Offensive Information	3 years imprisonment and with fine
4.	S. 66B	Receiving or retaining stolen computer resource	Up to 3 years imprisonment and fine up to one lakh and both
	66C	Fraudulent use of electronic signature, password	Up to 3 years imprisonment and fine up to one lakh and both
	66D	Cheating using computers, cell phones	Up to 3 years imprisonment and fine up to one lakh and both
5.	S. 66E	Capturing, Transmitting or publishing the image of a private area of any person without content	Imprisonment up to 3 years and with fine up to two lakhs
6.	S. 66F	Cyber information	Imprisonment for life
7.	S. 67	Publishing and transmission of obscene electronic information	May extend to 3 years and with fine which may be extend to five lakh rupees
8.	S. 67A	Publication and transmission of containing sexually explicit Act	Imprisonment up to 5 years and fine up to 10 lakh rupees
	S. 67B	Child pornography	Imprisonment up to 5 years and fine up to 10 lakh rupees

9.	S. 71	Misrepresentation to suppresses any material fact form	May extend to 2 years or with fine which may extend to one lakh rupees or with both
10.	S. 72	Breach of confidentiality and privacy	Punished with imprisonment for a term which may extend to 2 years or with fine may extend to one lakh or with both
11.	S. 72A	Disclosure of information in breach of contract	Up to 3 years imprisonment or with fine up to 5 lakh rupees or with both
12.	S. 73	Publishing digital signature certificate	2 years imprisonment or with fine which may extend to one lakh rupees or with both
13.	S. 74	Publication for fraudulent purpose	Imprisonment for a term which may extend to two years or with fine which may extend to one lakh
14	S. 75 & 76	Confiscation offence or contravention committed outside India by any person irrespective of his nationality	

(Source: IT Act 2000, Ministry of Communications and Information Technology of India)

Cases of arrests under Section 66A

Once the law was made, it was constable raj across India. In 2012 November, when the Congress was ruling the Maharashtra, ShaheemDhada from Palghar simply commented on Facebook about a Shiva Senabandh on the death of Bal Thackeray. Her friend RenuSrinivasan liked it. The two teenagers were bundled into a police station.

Jadavpur University Professor AmbikeshMahapatra was picked up by police in Trinamool Congress ruled West Bengal in April 2012, for posting a

cartoon ridiculing Chief Minister MamataBenarjee.

Vickey Khan (22) was arrested in Rampur, UP, for a Facebook post of Samajvadi party leader Azam Khan. Rampur is of course Khan's pocket. The UP police, controlled by the Samajvadi party government also arrested dalit writer KanwalBharati from Rampur for criticizing the UP governments suspension of IAS officer Durga Shakti Nagpal in 2013.

At least 30 people in AIDMK-ruled Chennai have been booked under 66A,

four of them in 2014. Ravi Srinivasan general secretary of the AamAdmy party in Puducherry, was picked up in October 2012, for his tweets on Karti Chidambaram, son of then union home minister P. Chidambaram.

Whistleblower A. Shankar of Chennai was pulled up by the Madras High Court for the content on his blog 'Savukku'. The Orissa police, controlled by the Biju Janata Dal (BJD) government took Facebook to court in 2011, asking who created a Facebook page in the name of the Chief Minister Naveen Patnaik, it is another thing the page had no content.

Finally, it was left to a young law student SreyaSinghal, to move the Supreme Court on behalf of the Palghar girls. Singhal pointed out that several provisions 66A violated fundamental rights guaranteed by Article 19 (1) (A) – the right to freedom of speech and expression. Several more cases followed and finally the court heard them together.

Constitutionality of Section 66A

Several Public Interest Litigations (PIL) have been filed challenging the constitutionality of Section 66A of the IT Act. In November 2012 PIL, ShreyaSinghal submitted to the Supreme Court that Section 66A curbs freedom of speech and expression and violates Articles 14, 19 and 21 of the Constitution. The petition further contends that the expressions used in the Section are “vague” and “ambiguous” and that 66A is subject to “wanton abuse” in view of the subjective powers conferred on the police to interpret the law (AparnaViswanathan, 2013).

Over the past few years, Sec. 66A has been used in a range of infamous instances. As is perhaps appropriate for a law that struck at the very heart of Web 2.0 and social media, a 21-year-old law student brought the challenge to its constitutional validity, with other individuals and organizations subsequently joining the case.

The parliament passed amendments to the Information Technology Act (ITA) in 2008, which came into effect in 2009; the amendments expanded the government's censorship and monitoring capabilities. The fact is that 66A was knee-jerk legislation. Almost as thought-less and compulsive as a netizens derisive tweet. On December 22, 2008, the penultimate day of the intersession, the UPA government had got seven bills passed in seven minutes in the Loksabha, the opposition BJP had played along.

Need of the Study

While considering these incidents, it indicates there is sheer violation of freedom of expression of the public. Presently, how the media gave importance to Section 66A among the elite circles and how the media should deal with it. In this context, the researchers took this problem with a title of 'Coverage of controversial Section 66 A of Indian Information Act 2000: A content analysis of four newspapers' for this study.

Research Objectives

1. To study what type of cyber activities come under the purview of Section 66A of IT Act.

2. To find out coverage of subject categories with frequency and space by selected news dailies.

3. To find out how the print media gave priority to the incidents come under Section 66A

4. To find out direction of treatment related to subject categories in selected news dailies.

Methodology

Based on the objectives, the researchers used content analysis method for this study. It is both qualitative and quantitative in nature. Content analysis is the systematic, replicable technique for compressing many words of text into fewer content categories based on explicit rules of coding (Berelson, 1952; Krippendorff, 1980 and Weber, 1990). Content analysis can enable one to look beyond the physicality of text for example, to what text tells them, the conceptions and actions the text encourages (Krippendorff, 2004: 18-25, 40-43).

Selection of Sample Newspapers: A purposive sample consisting of four leading daily newspapers (two English National dailies and two Telugu dailies) were taken. The papers were *The Hindu*, *The Times of India*, *Eenadu* and *Sakshi*. The prime consideration in the selection of these newspapers was the prominence as reflected in their circulation.

The Times of India: It tops the English dailies chart is the eleventh most widely read dailies in India across all languages owned by the Bennett, Coleman & Co. It is the flagship company of a group, which

has been in existence for 150 years. It claims it is the world's most widely circulated English daily newspaper. According to Indian Readership Survey (IRS), The Times of India has a total readership of 7, 590,000 by 2014.

The Hindu: It is ranked third among English dailies with a total readership of 1,622,000 by 2014 (IRS 2014). *The Hindu* started off as a weekly in 1878 and became daily news paper from 1889. *The Hindu* is based in Chennai with 18 editions.

Eenadu: It is an Indian Telugu language daily newspaper, which is the largest circulated in both Telugu speaking states of Andhra Pradesh and Telangana, India. *Eenadu* was founded by the Indian media baron Ramoji Rao in 1974. It has a total readership of 5,608,000 by 2014 (IRS 2014).

Sakshi: It is Telugu language daily and the second largest circulating newspaper in Andhra Pradesh and Telangana after *Eenadu*. *Sakshi* is launched on March 24, 2008 publishing in 23 editions by Jagati Publication and owned by Y.S. Jagan Mohan Reddy. It has a total readership of 3,694,000 by 2014, (IRS, 2014).

Selection of Time period: The universe for the study comprises all the editions of the four selected dailies published during the calendar years from April 12, 2012 to March 19, 2015. This study was based on the complete census during the 3 years time span- not a random sampling. If a random sample were taken the risk of missing important instances of 66A cases coverage would be high. Two steps were

adopted to select the editions (dates) to constitute the study.

First Step: The researcher identified 10 major 66A incidents.

Second Step: In the second step, the research examined the consequences of major incidents.

Distribution of total incidents by year

Table:2

S. No	Details of Incidents	Year/ No of Incidents
1	Jadavapur University Professor (West Bengal)	2012/5
2	Aseem Trivedi (Mumbai)	
3	Kashmir students (Jammu & Kashmir)	
4	Ravi Srinivasan (Puducherry)	
5	Two Young Girls (Mumbai)	
6	KanwalBharti (Uttar Pradesh)	2013/1
7	DevuChodankar (Goa)	2014/3
8	Rajesh Kumar (Kerala)	
9	Chaganti Rahul Reddy (Andhra Pradesh)	
10	XI class student (Uttar Pradesh)	2015/1

Units of Analysis: The units of analysis for this study consisted of the Hard news, News stories, by line Articles, Editorials, letters-to-the editor, photos published in the four selected news dailies.

Subject Categories: Keeping in view of the objectives of the study 6 subject categories have been identified. 1. Voice of Victim, 2. Media Initiatives, 3. Legal/Police, 4. Reaction from Public, 5. Political Parties and 6. Others.

Procedures of the Measurement: The units of analysis, coded in to various subject categories were measured both in

terms of their frequencies and space in column centimeters.

Directional Analysis: The purpose of the using the directional analysis is to find out how the newspaper has accorded treatment to 66A frames in their coverage of themes. Subject categories have analyzed to find out the treatment given by the four newspapers on a 3 point scale that is Favorable, Unfavorable and Neutral. The method of coefficient of imbalance was used to establish the favorable, the unfavorable and neutral treatment given to 66A themes in the news items.

Percentage wise analysis of Units in four selected newspapers

Table: 3

Units	f	Per cent	Sp	Per cent
News	79	49.69	2816	69.84
News Story	05	03.14	247	06.12
Photo	46	28.93	-	-
Articles	05	03.14	512	12.70
Editorial	06	03.78	332	08.23
Letters-to-the Editor	18	11.32	125	03.10
Total	159	100	4,032	100

Table 3 shows the total items of Units published on section 66A in selected dailies are 159 with 4,032 column centimeters (CCM) of space in a period of 3 years. Out of six units, News has published in a highest number of 49.69 percent and allotted space of 69.84 per cent of CCM. Photos on this issue were

published with 28.93 per cent. Public feedback was also covered in the form of letters-to-editor with 11.32 per cent. Few news stories with byline with 3.14 per cent (space 6.12% CCM) articles 3.14 per cent (space 17.70 % CCM) and editorials 3.78 per cent (8.23% CCM) were published on section 66A in selected samples.

Frequency and space of content related to Section 66A: Percentage and Units wise analysis

Table: 4

Name of the news paper	Unit of analysis										
	News		News stories		Photos	Article		Editorial		Letters	
	f	sp	f	sp	f	F	sp	f	sp	f	sp
Times of India	20 (25.3)	644 (22.9)	2 (40.0)	88 (35.6)	13 (28.3)	3 (60.0)	362 (70.7)	2 (33.3)	112 (33.7)	2 (11.1)	10 (8.0)
The Hindu	37 (46.8)	1699 (60.3)	-	-	19 (41.3)	1 (20.0)	50 (9.8)	2 (33.3)	90 (27.1)	16 (88.9)	115 (92.0)
Eenadu	10 (12.7)	226 (8.0)	2 (40.0)	75 (30.4)	5 (10.9)	-	-	1 (16.7)	48 (14.5)	-	-
Sakshi	12 (15.2)	247 (8.8)	1 (20.0)	84 (34.0)	9 (19.5)	1 (20.0)	100 (19.5)	1 (16.7)	82 (24.6)	-	-
Total	79	2816	5	247	46	5	512	6	332	18	125

Note: f=frequency, sp=space

Table 4 shows the distribution of unit analysis in selected dailies. The Hindu gave more importance to news items 37

(46.8%) with the space 1699 (60.3%) Column Centimeter (CCM) but there is no coverage on news stories. Times of India

published news items 20 (25.3%) with the space of 644 (22.9%) CCM and gave less priority to news stories, editorials, and letters-to-the editor with 2 items respectively. *Eenadu* gave priority to publish news items 10 (12.7%) with the space 226 (8.0%) CCM and there is no coverage on articles and letters to the editor. *Sakshi* gave importance to news coverage 12 (15.2%) with 247 (8.8%) CCM space and gave less coverage on news stories, articles and editorials one each. *Sakshi* did not publish any on letters to the editors.

Table: 5

Source	f	Sp
Own network	116	2758
Byline	043	1274
Total	159	4032

Note: f = frequency, sp = space

Table 5 explains about source of content on Section 66A in selected four news dailies. Out of total number of 159 published items, 116 items with 2758 col.cms space published by newspaper's own network and 43 items with 1274 col.cmsspace by byline sources.

Source of content on Section 66A in selected newspapers: Percentage wise analysis

Table: 6

Name of the newspaper	Source							
	Own network				Byline			
	f	%	sp	%	f	%	sp	%
<i>Times of India</i>	27	23.3	622	22.6	15	34.9	594	46.6
<i>The Hindu</i>	50	43.1	1504	54.5	25	58.1	450	35.3
<i>Eenadu</i>	17	14.7	301	10.9	1	2.3	48	3.8
<i>Sakshi</i>	22	18.9	331	12.0	2	4.7	182	14.3
Total	116	100.0	2758	100.0	43	100.0	1274	100.0

Note: f=frequency

Table 6 reveals that *The Hindu* gave most priority to publish its own network and bylines. When news content collected its own network is 50 (43.1%) items with 1504 (54.5%) col.cms space, byline is 25 (58.1%) items with 450 (35.3%) col.cms

space. *Eenadu* used its own network and byline in low frequency for collecting news among selected dailies. It published only 17 (14.7%) with 301 (10.9%) col.cms space and byline it published 1 (2.3%) with 48 (3.8%) col.cms space.

Distribution of frequency of articles, editorials and letters by subject category: Percentage and newspaper wise analysis

Table: 7

Subject categories	<i>Times of India</i>			<i>The Hindu</i>			<i>Eenadu</i>			<i>Sakshi</i>		
	Article <i>f</i>	Editorial <i>f</i>	Letters <i>f</i>	Article <i>f</i>	Editorial <i>F</i>	Letters <i>F</i>	Article <i>F</i>	Editorial <i>f</i>	Letters <i>f</i>	Article <i>f</i>	Editorial <i>f</i>	Letters <i>f</i>
Voice of victim	-	-	-	-	-	-	-	-	-	-	-	-
Media Initiative	2 (66.7)	1 (50.0)	-	1 (100.0)	-	2 (12.5)	-	1 (100.0)	-	-	1 (100.0)	-
Legal & Police	-	-	-	-	1 (50.0)	2 (12.5)	-	-	-	1 (100.0)	-	-
Reaction from public	-	-	2 (100.0)	-	-	10 (62.5)	-	-	-	-	-	-
Political parties	1 (33.3)	1 (50.0)	-	-	1 (100.0)	2 (12.5)	-	-	-	-	-	-
Others	-	-	-	-	-	-	-	-	-	-	-	-
Total	3	2	2	1	2	16	-	1	-	1	1	-

Distribution of space in articles, editorials and letters by subject category: Percentage and newspaper wise analysis

Table: 8

Subject categories	<i>Times of India</i>			<i>The Hindu</i>			<i>Eenadu</i>			<i>Sakshi</i>		
	Article sp	Editorial sp	Letters Sp	Article sp	Editorial sp	Letters sp	Article sp	Editorial sp	Letters sp	Article sp	Editorial sp	Letters sp
Voice of victim	-	-	-	-	-	-	-	-	-	-	-	-
Media Initiative	262 (72.4)	67 (59.8)	-	50 (100.0)	-	40 (34.8)	-	48 (100.0)	-	-	82 (100.0)	-
Legal & Police	-	-	-	-	60 (66.7)	10 (8.7)	-	-	-	100 (100.0)	-	-
Reaction from public	-	-	10 (100.0)	-	-	55 (47.8)	-	-	-	-	-	-
Political parties	100 (27.6)	45 (40.2)	-	-	30 (33.3)	10 (8.7)	-	-	-	-	-	-
Others	-	-	-	-	-	-	-	-	-	-	-	-
Total	362	112	10	50	90	115	-	48	-	100	82	-

Table 7 and 8 show that no newspaper has covered the voice of victims. *Times of India* published 2 (66.7%) articles related to media initiative with space 262 (72.4%) CCM. *Times of India* and *The Hindu* gave equal priority with one each in publishing

editorials related to political parties. *The Hindu* gave highest priority in coverage of letter-to-the-editor and the reaction-from-public 10 (62.5%) items with space 55 (47.8%) CCM.

Distribution of frequency of subject categories: Percentage wise,unit wise and newspaper wiseanalysis.

Table: 9

Subject categories	<i>Times of India</i>			<i>The Hindu</i>			<i>Eenadu</i>			<i>Sakshi</i>		
	News	News Story	Photo	News	News Story	Photo	News	News Story	Photo	News	News Story	Photo
	<i>f</i>	<i>f</i>	<i>f</i>	<i>F</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>
Voice of victim	-	-	-	5 (13.5)	-	4 (21.1)	-	-	-	1 (8.3)	-	1 (11.1)
Media Initiative	12 (60.0)	2 (100.0)	9 (69.2)	10 (27.1)	-	7 (36.8)	7 (70.0)	2 (100.0)	3 (60.0)	7 (58.4)	1 (100.0)	5 (55.6)
Legal & Police	5 (25.0)	-	1 (7.7)	8 (21.6)	-	1 (5.2)	1 (100.0)	-	-	2 (16.7)	-	1 (11.1)
Reaction from public	2 (10.0)	-	2 (15.4)	6 (16.2)	-	3 (15.8)	1 (100.0)	-	1 (20.0)	1 (8.3)	-	1 (11.1)
Political parties	-	-	-	8 (21.6)	-	4 (21.1)	1 (100.0)	-	1 (20.0)	1 (8.3)	-	1 (11.1)
Others	1 (5.0)	-	1 (7.7)	-	-	-	-	-	-	-	-	-
Total	20	2	13	37	-	19	10	2	5	12	1	9

Distribution of Space of subject categories: Percentage wise, unit wise and newspaper wise analysis.

Table: 10

Subject categories	<i>Times of India</i>			<i>The Hindu</i>			<i>Eenadu</i>			<i>Sakshi</i>		
	News	News Story	Photo	News	News Story	Photo	News	News Story	Photo	News	News Story	Photo
	<i>sp</i>	<i>sp</i>	<i>sp</i>	<i>Sp</i>	<i>sp</i>	<i>sp</i>	<i>sp</i>	<i>sp</i>	<i>sp</i>	<i>sp</i>	<i>sp</i>	<i>sp</i>
Voice of victim	-	-	-	225 (13.3)	-	-	-	-	-	10 (4.1)	-	-
Media Initiative	367 (56.9)	88 (100.0)	-	498 (29.3)	-	-	172 (76.1)	75 (100.0)	-	161 (65.2)	84 (100.0)	-
Legal & Police	146 (22.7)	-	-	259 (15.2)	-	-	20 (8.9)	-	-	32 (12.9)	-	-
Reaction from public	110 (17.1)	-	-	416 (24.5)	-	-	18 (7.9)	-	-	20 (8.1)	-	-
Political parties	-	-	-	301 (17.7)	-	-	16 (7.1)	-	-	24 (9.7)	-	-
Others	21 (3.3)	-	-	-	-	-	-	-	-	-	-	-
Total	644	88	-	1699	-	-	226	75	-	247	84	-

Tables 9 and 10 show that *Times of India* published total 20 news items among them, it gave highest coverage for media initiative 12 (60.0%) with space 367 (56.9%) CCM. *Times of India* covered only 2 news stories related to media initiative and left other subject categories uncovered. *Times of India* published total 13 photos among them, highest coverage has given for media initiative with 9 (69.2%) photos. There is no coverage on voice of victim and political parties.

The Hindu published total 37 news items among them, the better coverage on media initiative 10 (27.1%) with 498 (29.3%) space. There is no coverage on news stories. *The Hindu* published 19 photos in that, better coverage on media initiative with 7 (36.8%) photos.

Eenadu published total 10 news items among them, better coverage given to media initiative 7 (70.0%) with space 172 (76.1%) CCM. *Eenadu* covered only 2 news stories on media initiative and left remaining subject categories uncovered. It published total 5 photos, in that highest coverage is on media initiative with 2 photos.

Sakshi published 12 news items, among them, highest coverage on media initiative 7 (58.4%) items with space 161 (65.2%) CCM. It published only 1 (8.4%) news story on media initiative. *Sakshi* published total 9 photos and better coverage on media initiative with 5 (55.6%) photos. The remaining subject categories published each 1 (11.1%) photo.

Direction of treatment

Table: 11

Treatment	f	Sp
Favorable	134	3254
Un favorable	22	0712
Neutral	3	0066
Total	159	4032

Note: f=frequency, sp=space

Table 11 shows that the selected dailies published total 159 items with 4032 CCM of space on Section 66A. Among them, the newspapers published 134 favorable items with 3254 space, unfavorable 22 with 712 space and neutral 3 with 66 space.

Direction of treatment in frequency by newspaper

Table: 12

Name of the newspaper	Total	F	Uf	Nu	Co efficiency of in balance
Times of India	42	36	5	1	0.0878
The Hindu	75	58	15	2	0.1146
Eenadu	18	18	-	-	-
Sakshi	24	22	2	-	0.0694
Total	159	134	22	3	0.0974

Note: f=favorable, uf=unfavorable, nu=neutral

Direction of treatment in spacey newspaper

Table: 13

Name of the news paper	Total	F	Uf	Nu	Co efficiency of in balance
Times of India	1216	991	205	20	0.1089
The Hindu	1954	1513	395	46	0.1156
Eenadu	349	349	-	-	-
Sakshi	513	401	112	-	0.1229
Total	4032	3254	712	66	

Table 13 reveals the treatment of space in sampled newspapers. *The Hindu* gave high priority with publishing 1954 CCM space, among them, 1513 are favorable,

395 are unfavorable and 46 are neutral. *Eenadu* gave less priority with publishing total space 349 all these are favorable.

Direction of treatment by subject category: Percentage wise analysis

Table: 14

Subject categories	Name of the Newspaper											
	<i>Times of India</i>			<i>The Hindu</i>			<i>Eenadu</i>			<i>Sakshi</i>		
	F	Uf	Nu	F	Uf	Nu	F	Uf	Nu	F	Uf	Nu
<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>F</i>	<i>f</i>	<i>f</i>	<i>f</i>	<i>F</i>	<i>f</i>	<i>f</i>
Voice of victim	-	-	-	9 (15.5)	-	-	-	-	-	2 (9.1)	-	-
Media Initiative	25 (69.4)	-	1 (100.0)	20 (34.5)	-	-	13 (72.2)	-	-	14 (63.6)	-	-
Legal & Police	3 (8.3)	3 (60.0)	-	3 (5.2)	7 (46.7)	2 (100.0)	1 (5.6)	-	-	2 (9.1)	2 (100.0)	-
Reaction from public	6 (16.7)	-	-	19 (32.7)	-	-	2 (11.1)	-	-	2 (9.1)	-	-
Political parties	-	2 (40.0)	-	7 (12.1)	8 (53.3)	-	2 (11.1)	-	-	2 (9.1)	-	-
Others	2 (5.6)	-	-	-	-	-	-	-	-	-	-	-
Total	36	5	1	58	15	2	18	-	-	22	2	-

Direction of treatment of space: Subject category and Percentage wise analysis

Table: 15

Subject categories	Name of the Newspaper											
	<i>Times of India</i>			<i>The Hindu</i>			<i>Eenadu</i>			<i>Sakshi</i>		
	F	Uf	Nu	F	Uf	Nu	F	Uf	Nu	F	Uf	Nu
Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp	Sp
Voice of victim	-	-	-	225 (14.9)	-	-	-	-	-	10 (2.5)	-	-
Media Initiative	764 (77.1)	-	20 (100.0)	588 (38.9)	-	-	295 (84.5)	-	-	327 (81.5)	-	-
Legal & Police	86 (8.7)	60 (29.3)	-	83 (5.5)	200 (50.6)	46 (100.0)	20 (5.7)	-	-	20 (5.0)	112 (100.0)	-
Reaction from public	120 (12.1)	-	-	471 (31.1)	-	-	18 (5.2)	-	-	20 (5.0)	-	-
Political parties	-	145 (70.7)	-	146 (9.6)	195 (49.4)	-	16 (4.6)	-	-	24 (6.0)	-	-
Others	21 (2.1)	-	-	-	-	-	-	-	-	-	-	-
Total	991	205	20	1513	395	46	349	-	-	401	112	-

Table 14 and 15 reveals the distribution of treatment of frequency, space and subject category wise. *Times of India* published total 36 favorable items with space of 991 CCM. In that, highest coverage on media initiative 25 (69.4%) items with 764 (77.1%) space. *Times of India* published 5 unfavorable items, in those, better coverage on legal and police 3 (60.0%) with 60 (29.3%) space. *Times of India* published media initiative as a neutral item.

The Hindu published 58 favorable news items with space 1513 CCM. It gave highest coverage on media initiative 20 (34.5%) items with space 588 (38.9%) CCM. *The Hindu* published total 15 unfavorable items, among them, better

coverage to political parties 8 (53.3%) with 195 (49.4%) space. *The Hindu* had published legal and police as a neutral items with space 46 CCM.

Eenadu newspaper published only 18 favorable items with space 349 CCM. It gave highest coverage to media initiative 13 (72.2%) items with 295 (84.5%) space. There is no coverage on unfavorable and neutral in *Eenadu*.

Sakshi paper published total 22 favorable items with the space 401 CCM. It gave the better coverage on media initiative 14 (63.6%) with space 327 (81.5%) CCM. *Sakshi* published legal and police as unfavorable items. There is no coverage on neutral news in *Sakshi* newspaper.

Distribution of coverage, frequency and space: Incident wise and newspaper wise analysis

Table: 16

S.No	Incidents	Coverage	Name of the News Paper				
			<i>Times of India</i>	<i>The Hindu</i>	<i>Eenadu</i>	<i>Sakshi</i>	Total (n)
1	Jadavapur University Professor (West Bengal)	Days	3	6	2	2	13
		F	8	22	3	4	37
		Sp	274	564	96	60	994
2	Aseem Trivedi (Mumbai)	Days	3	6	2	3	14
		F	14	22	4	6	46
		Sp	379	838	40	142	1399
3	Kashmir students (Jammu & Kashmir)	Days	-	-	-	-	-
		F	-	-	-	-	-
		Sp	-	-	-	-	-
4	Ravi Srinivasan (Puducherry)	Days	1	2	1	1	5
		F	3	5	2	2	12
		Sp	38	100	22	22	182
5	Two Young Girls (Mumbai)	Days	6	2	1	2	11
		F	12	14	4	5	35
		Sp	391	214	99	186	890
6	KanwalBharti (Uttar Pradesh)	Days	-	-	-	-	-
		F	-	-	-	-	-
		Sp	-	-	-	-	-
7	DevuChodankar (Goa)	Days	1	3	1	1	6
		F	1	4	3	2	10
		Sp	30	114	44	36	224
8	Rajesh Kumar (Kerala)	Days	1	1	1	1	4
		F	1	2	1	1	5
		Sp	20	22	12	8	62
9	Chaganti Rahul Reddy (Andhra Pradesh)	Days	1	1	1	2	5
		F	1	2	1	3	7
		Sp	16	38	20	38	112
10	XI class student (Uttar Pradesh)	Days	2	2	1	1	6
		Fr	2	3	1	1	7
		Sp	68	64	16	21	169

Table 16 shows the distribution of frequency and space of incidents. Out of 10 incidents, Aseem Trivedi incident got 14 days coverage with 46 (28.9%) frequency and 1399 (34.7%) CCM of space. After that, Jadavpur University Professor incident covered with 13 days coverage 37 (23.3%) frequency and 994 (24.7%) space.

Less coverage had given to Rajesh Kumar incident, with 4 days coverage of 5 (3.1%) frequency and 62 (1.5%) space. There is no coverage on Kashmir students and DurgashaktiNagapal incidents in selected dailies.

On Jadavpur University and Aseem Trivedi incidents, *Times of India* and *The Hindu* gave equal priority with 3 and 6 days coverage respectively. *Eenadu* gave 2 days coverage for each incident. While *Sakshi* gave 2 days coverage for Jadavpur University incident and 3 days coverage for AseemTrivedi.No paper covered the incident of Kashmir students. *The Hindu* allocated 2 days for Ravi Srinivasan incident and the remaining dailies covered with one day.

On the incident of two young girls, *Times of India* gave 6 days coverage, while *The Hindu* and *Sakshi* gave 2 days coverage. *The Eenadu* allocated only one day.No newspaper covered the incident of KanwalBharti.The Hindu gave 3 days coverage for DevuChodankar incident and the remaining dailies gave one day coverage.For Rajesh Kumar incident all dailies allocated only one day coverage.

Sakshi gave 2 days coverage for the incident of Chaganti Rahul. The remaining dailies gave one day coverage. On XI Class students incident *The Times of India* and *The Hindu* gave two days coverage respectively. *Eenadu* and *Sakshi* allocated one day coverage.

Findings

1. *The Hindu* gives priority to publish letters-to-the editor, but *The Times of India* not given. *The Times of India* gave much

priority to articles and editorials than *The Hindu*. Remaining both Telugu dailies gave less priority.

2. *The Hindu* much favorable to 66A thanthe other selected dailies.

3.*The Hindu* gives much importance to publish 66A issues comparatively than the selected news dailies

4. These four news papers mainly depending on own news networks and byline sources.

5. *The Hindu* publishes more photographs than the other selected news dailies.

Discussion

The proceedings before Justices Rohinton Nariman and G. Chelameswar were keenly followed and reported by many people on social media, and it is safe to say that the judgment was one of the most keenly anticipated decisions in recent times. The Supreme Court has not failed us in its role as the constitutional guardian against capricious laws that threaten our fundamental rights. Equality is one of the fundamental rights of our Constitution. Print media, visual media and new media should have the same provision as Right to Free Speech and Expression. Most of the print media and visual media have published and telecasted several articles and stories against the *hartal* in Mumbai. Some of them have published serious cartoons which are more critical than which was posted by Prof. Mohapatra. Some print media brought editorials on this issue which is more critical than new media. Then, why none of them was

booked? They are availing free speech and expression as enshrined in our Constitution. All of us are aware that there is no specific law for protecting freedom of the press in our country. It is interpretation of article 19 (1) of our Constitution which ensures Right to Free Speech and Expression. The media is enjoying this freedom. The country is benefiting from that. We are ensuring the democratic nature of our system. But then why is this not allowed to the new media? A person can think and write criticizing what incident has happened in the print media. A person can write a story criticizing one thing in the visual media. But if some persons just tweets a thing — sometimes the access is only for 100 or 150 persons, sometimes it is for 2 or 3 persons — then, they are booked and arrested after sunset and they were jailed

for several days. This is totally unconstitutional. Article 19(2) of Constitution strictly mentions the reasonable restrictions on article 19(1) of our Constitution.

Conclusion

The study on Section 66A of IT Act 2000 explored the loopholes of implementing the Act. Several examples show that this section is improper and media also not give priority to protect to the rights of the public and create awareness among the public on Section 66A. Regional newspapers however, purposefully neglected in covering Section 66A related issues. It is evident that some sections of this kind violate the fundamental rights of the public, guaranteed by Indian Constitution of India.

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