



# Role of Media in Securing Social Justice to women in India: - An Analysis in present scenario

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## **Abstract**

*In democratic govt. media is presumed as forth pillar of the democracy. Because every democratic Constitution guarantees freedom of speech, Indian Supreme Court had also held freedom of speech includes freedom of press and media. Media is mode of communication between State and citizen. Constitution of India guarantees social security's and social justice to weaker section of the society. In patriarchal Indian society, space of Indian women is limited to the boundary wall of the house irrespective of reasons. Some social issues are hurdle in the overall development of women's in India. Indian press raises voice against these issues and achieved a referendum that force the administration to perform their duties.*

**Key words- Social Justice, Media, freedom of speech,**

## **Introduction,**

Media in the present era has become a mode of communication to consumers who are following it blindly whether it may be radio, television, newspapers, magazines, cinema or internet, since all these are an easily approachable source making people not to probe behind truth of any information. Democracy is the govt . Of the people, for the people and by the people. Democracy as a system has three strong pillars. But as Indian society today has become somewhat unstable on its 3 legs- the executive, the legislature and the judiciary, the guarantee of Article 19 (1)(a)

has given rise to a fourth pillar known as media or press. It plays the vital role of a conscious keeper, a watchdog of the functionaries of society and attempts to attend to the wrongs in our system, by bringing them to the knowledge of all, hoping for correction. It is indisputable that in many dimensions the unprecedented media revolution has resulted in great gains for the general public. Even the judicial wing of the state has benefited from the ethical and fearless journalism and taken suo-moto cognizance of the matters in various



cases after relying on their reports and news highlighting grave violations of human rights.<sup>1</sup>

### **Media's involvement in cases relating to women before the Court**

#### ***'Miscarriage Of Justice' in the Jessica Lal Murder Case<sup>2</sup>***

Jessica Lal a struggling model working part time in restaurant was killed by a strong congress leader son named Manu Sharma on April 29, 1999. All The witness becomes hostile. This was resulted in acquittal of all accused and case was closed. Media, raise a voice against this decision and on public opinion, this case was reopened. All the accused were punished. Later on Tehelka, a news magazine revealed in his sting operation that the father of Manu Sharma had bribed the witnesses hefty amounts of money in order to turn hostile in the court.<sup>3</sup>

#### ***Priyadarshini Mattoo Case: Justice Delayed Not Denied Courtesy: Media<sup>4</sup>***

In this case Priyadarshini Mattoo, a law student was raped and murdered by Santosh Kumar, son of an Senior IPS served as the

<sup>1</sup> " Evolution of press freedom and contemporary challenges to the integrity of India"; Piyush Rai; nov 4, 2014

<sup>2</sup> *ibid*

<sup>3</sup> Available at <https://www.saddahaq.com/evolution-of-press-freedom-and-contemporary-challenges-to-integrity-of-media> last visited on Dec, 10. 2015

<sup>4</sup> *ibid*

Joint Commissioner of Police in Delhi. In the absence of strong evidence Sessions court acquitted Santosh by giving him the benefit of doubt. Media criticized this verdict. Intense media coverage on prime time by various news channels and newspapers was creating a strong pressure on the Government and its investigating agency as a result CBI submitted a fresh appeal in the Delhi High Court against the verdict of the District Court. The hearing of the case was taken upon daily basis and finally the Delhi High Court pronounced Santosh Kumar Singh guilty.

#### ***Arushi Murder case: Over enthusiastic media lost its grammar<sup>5</sup>***

The high-profile Arushi/Hemraj twin murder case is a classic example where media's effort was lauded as well as criticized. Sensational or scandalous reporting of the case force the Supreme Court to interfere in the media coverage passed a restraining order and the media was barred from any Sensational news coverage of the murders case with Justice Altamas Kabir saying,

*"No one wants to gag the press. But someone can gag an irresponsible media reporting. We are asking the press not to sensationalise something which affects reputations."*

<sup>5</sup> *ibid*



The manner in which electronic media and print media of the cover this case ignited intense debate as to where should media draw a line of model conduct self regulation.

***Nitish Katara murder case: Media's efforts lauded again honour killing***

Nitish Katara, a 25-year-old business executive in Delhi, was murdered by Vikas Yadav, the son of influential criminal-politician D.P. Yadav. He was murdered because he was in love with Bharti Yadav, sister of Vikas, the family did not approve their relationship. The trial court held that his murder was a case of honour killing. As accused father was on influential position all the witness, turn hostile. Media obtain the testimony Bharti Yadav in London. On the basis of Vikas along with other accused were later found guilty by the trial Court and awarded life sentence on 30 May 2008. Media's role again proved worthwhile in an accused meeting the desired fate who could have made narrow escape from judicial imprudence and shoddy investigation.<sup>6</sup>

<sup>6</sup> <https://www.saddahq.com/evolution-of-press-freedom-and-contemporary-challenges-to-integrity-of-media> (last accessed on 25/04/2016)

***Sajal Sureshkumar Jain v. State of Gujarat (Bijal Joshi Rape Case):<sup>7</sup>***

Bijal Joshi a victim of rape committed suicide on Jan 7, 2004. The media cover this incidence as failure of justice because accused are misusing the legal machinery. Subsequently The NCW(National Commission for Women) conduct an independent inquiry and pointed out there were lapses in the investigation. The media's role was significant at this stage because it prevented the accused from misusing the legal machinery.

***State v. Ram Singh and another (Nirbhaya or Delhi Gang Rape Case):***

The role played by media in this case was important, as it was instrumental in conveying the graveness of the issue; the process of generating a public opinion and most importantly thorough mass awakening and adequate follow-ups. Furthermore, public outcry ensured that the cases were disposed in a timely manner. The media coverage in this case completely overlooks the vital gap between an accused and a convict keeping at stake the golden principles of Natural justice

<sup>7</sup> <https://www.slideshare.net/IshaSuri2/isha-suri-presentation-role-of-media-indispensation-of-justice-rgsoipl-iit-kharagpur> (last accessed on 25/04/2016)



that 'presumption of innocence until proven guilty' and 'guilt beyond reasonable doubt'. This case forced the govt. to amend the criminal law relating to rape.

## Conclusion

No doubt the role-played by media in the four corner of the society is excellent. Moreover, the issues relating to the gender are sensitive and directly linked with the honor and dignity of women. In last decade, we see a change in role of media. Now it plays a pro women role and strongly raises the women voice and women issues before the society. We observe that media trial in itself a separate investigation. It builds a public opinion against the accused even before a court of competent jurisdiction take cognizance of the case. This may prejudices the judges and judicial machinery.

## Suggestions

At last, the researcher would like to conclude by giving some suggestion.

- (1) Though Media has some loopholes but even then it is play a important and crucial role in many cases where the judiciary cannot reach in delivering justice. However, some time the cross there limit in sensitizing the issue. It

can be corrected by the proper training, education of the journalists and other employees in Press and Media that they may not go beyond the Code of Conduct and fallow Professional Ethics.

- (2) Media should avoid Yellow Journalism. Because, it manipulate the minds of potential viewers and readers.
- (3) Constitution is the basic law of India. Therefore, we cannot avoid reasonable restrictions given by Indian Constitution on the Freedom of Speech and Expression.
- (4) Law commissions and other regulatory bodies of media may fill the gaps and loopholes, business owners of news channels be directed to work with honesty and for securing social justice and welfare of society, telecasting of news without sensitizing the true facts.