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Gunjan Sharma

Indian Journalism: Decentre the Centre to Integrate the Society

Dr. Dharmendra Singh

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From the Editor

Mass Media is a significant force in modern culture and society. It has the power to mobilize mass movements. When Mass Media has become one of the most dynamic and fastest growing disciplines of our times, particularly in India, Pragmaan: Journalism of Mass Communication (Pragmaan: JOMC) has the responsibility to explore all the significant changes and developments and to provide insightful research on new trends in the area of mass media and communication. Pragmaan: JOMC is a bi-annual, peer reviewed, open access Journal. The Journal welcomes high quality research papers/articles, review articles and case reports describing original research in the fields of communication and mass media studies. This issue of Pragmaan: JOMC presents five research papers/articles covering diverse areas of Mass Communication.

In this issue, the first paper on “The Role of National Education Policy- 2020 in Promoting Digital Media Education” attempts to understand the role of National education policy 2020 in promoting digital media education in India. Second Paper “Online Teaching and its Impact on Students: An Analytical Study” aims to understand the discipline of online teaching in the midst of an exceptional circumstance arising out of the worldwide COVID-19 pandemic and its impact on students. A third study on “Status of Media Education in Himachal Pradesh: An Exploratory Study” analyses the status of media education, the satisfaction level of media students, infrastructure and quality of teaching in the various media institutions of Himachal Pradesh. Fourth paper on “Branding on Digital Media: An analysis of key determinants” identifies the various aspects of website content and design which act as determinants that influence branding, by carrying out an extensive review of literature on branding in digital media, specifically websites. Fifth paper entitled “A Study on Media and Courts to Advocate for a Comprehensive Pandemic Justice Regime in India and Nepal” has attempted to study the role of media and courts to make a clear dialogue and discourse at the international level to interpret and analyze the success or failure of the concept of the social contract and duties during health emergency like situations. A sixth study on “Social Media and its Negative Implications on Society: The Case of Mob Lynching in Karbi Anglong District of Assam and Chandga on Village of Aurangabad” attempts to analyze the negative implications of social media on the society with special reference to two different Mob Lynching cases. Seventh paper on “Coping with Post Truth: Bollywood Dances to the Tune” focuses on exploring the study of content generated by the users during social media campaigns triggered to promote recent Bollywood films. Eighth paper on “Indian Journalism: Decentre the Centre to Integrate the Society” aims to highlight the facing problem of dissociation, rejection in every sphere within and outside of the State, within, among the communities and societies and outside with the States.

We are thankful to the authors for their scholarly contributions to the Journal. We express our gratitude to our panel of referees for the time and thought invested by them into the papers and for giving us sufficient insights to ensure selection of quality papers. We would like to acknowledge the valuable contributions of Prof. Gautam Sinha (VC), Dr. Aditya Kumar Shukla (Associate Editor) and all the faculty members of School of Mass Communication in preparing the reader friendly manuscript for the Press.

We hope our readers find the contents, findings and suggestions contained in this issue of Pragmaan: JOMC as informative, stimulating and of practical relevance. We welcome comments and suggestions for further improvement in the quality of our Journal.

Thanking You

With Best Wishes

Dr. Sushil Kumar Rai

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The Role of National Education Policy-2020 in Promoting Digital Media Education

*Dr. Renu Singh

ABSTRACT

Digital media has become an important tool for communication, education, commerce and governance. During pandemic times social media, digital games, e-commerce, e-political campaigning were the popular forms of information dissemination and message sharing. The National Education Policy-2020 has also provided an implementation plan to make India more sustainable knowledge economy. The paper tries to find out the role of National education policy-2020 in promoting digital media education in India.

Keywords: Digital Media; New Education Policy; Social Media; e-Commerce; Video Games; Digital Literacy.

1. Introduction

The National Education Policy-2020 has encouraged the democratic participation in pedagogy and lifelong learning process in order to make a sustainable knowledge society. Digital media provides a platform for users to register their voice. It allows participation of the users and provides them a power to disseminate information and feedback. In the present article, the term digital media meant, any media that can be encoded in a machine- readable format. The information and messages that are stored in binary system or in 0 and 1. It is referred to as machine-readable format. According to Peakson "digital media can be created, viewed, distributed, modified and preserved on digital electronics devices. Computer programs, software, digital video, video games, web pages and websites including social media etc. are examples of digital media".

The digital media is also referred as New Media. The characteristic features of digital media like the concept of time and space or the timeless time, has made it more popular and easily accessible by its users. A user staying thousands of kilometres away from his family, friends and teachers can be in contact with them through digital media. The internet has become a platform that can amalgamate the print, audio and video form of media on a single virtual space. The process is called convergence and this unique feature of digital media has enabled the newspaper, television, radio and other forms of mass media to survive and find a place in the virtual platform. The hypertext feature provides the user an enhanced way of reading experience of the e-text. The concept of virtual reality has provided digital media a power to communicate with people, form community and chat in real time without being face to face in real space.

Thus, the concept of space and time is now not a hindrance in the process of communication. Digital media is utilised in online education, e-commerce, e-governance sectors due to its feature of virtual reality. The digital media is also characterised by augmented reality and simulation. The video games utilise this feature of digital media to provide real stimuli response and real experience in the virtual setting. These characteristic features of the digital media have given it a different dimension that provides us the scope for further research and theoretical findings.

2. Review of Literature

According to Fedorov (2014), media education ensures that people learn how to analyse, critically reflect upon and create media texts. It helps people to identify the sources of media texts, their political, social, commercial and/or cultural interests, and their contexts. It helps students to interpret the messages and values offered by the media and select appropriate media for communicating their own messages or stories and for reaching their intended audience. "Although digital media add new features to communication and raises new questions, the conceptual framework developed during last decades in the field of media education is still considered a useful and comprehensive approach to address digital texts and to guide the work of media educators" (Buckingham, 2008).

Matos (2016) has stated that "digital media enables citizens to be more active and participative as communicators and the increased opportunities for participation bring with them increasing responsibilities as participants in the media culture, implying the ability to communicate in an effective, critical and socially responsible way". Thus, digital media education is an

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important area of focus in the education system of India. The theories of digital media should be studied in the context of Indian culture and society.

3. Objective of the Study

- To understand the importance of digital media education and need to revisit media theories.
- To understand the various forms of digital media and need for constant monitoring and research in the field.
- To analyse the role of National Education Policy-2020 in strengthening the infrastructure and access of digital technology.
- To analyse the role of National Education Policy-2020 in digital media education.

4. Need to Revisit Media Theories

Mass media like newspaper, radio, television etc has always been defined as the relation between sender and receiver. The receiver has been relatively passive in mass media but in digital media the concept of sender and receiver seems blurred. The receiver can become the creator of news through the digital media. Thus, the two-way flow of information by the digital media forces us to revisit the old theories of mass communication. Digital media provides an identity to each and every user. It works on the concept of timeless time and interactivity. Digital media is dynamic and decentralised. The control of information that was in the hands of sender in mass media has now been questioned.

Mass media has been considered powerful and effective and it is believed that media controls mind. The mass media theories like propaganda, persuasion, agenda setting, spiral of silence etc deal with the concept of public opinion. Media has the power to make or break the opinion of public on an issue. The popularity and widespread usage of digital media remind us to revisit these theories again in the light of the new information and communication technology. It has to be understood that whether in the age of digital era, the agenda setting theory is relevant or not. For example, it must understand how the news gets viral. The relationship between various media houses, political groups and business firms should be understood to analyse their control and holding on the digital platforms. The digital media is believed to be more interactive, decentralised and more democratic but it needs to be understood whether it is the reality or whether digital media is being controlled and regulated indirectly. If a political party, a business group or a media mogul can make a news viral and distribute the information among its users then it means that it has control over the various platforms of media. This can be serious threat for the democratic nature of the digital media.

5. Need for Monitoring and Research in Digital Media

The digital media needs constant monitoring and evaluation as it has its impact on the public opinion and behaviour of its users. The most popular form of digital media is the social media. Social media is characterised by its feature of allowing everyone to participate. It is very user-friendly and bridges the digital divide. But it has its own uses and misuses. Social media has helped in mass movements as well as riots. People need to be digital literate to understand the difference between real news and fake news. Digital literacy is the concept that every user from school children to adult should be aware of.

The area of video games is also very popular among children and youth. Children are addicted to video games and they can be persuaded for their behaviour change very easily through animation and simulation. The language used, the violence and the vulgarity in the video games can easily affect the children. It is seen that vulgar and abusive content are used in the video games that are against our culture and society. Children are very vulnerable and games like blue whale can easily affect their behaviour and psychology. Thus, the area of video games and animated movies and programmes need constant monitoring and evaluation to understand the persuasion techniques used to affect the psychology and behaviour of children and youth. Similarly, the area of e-political communication has also become the popular and effective area of digital communication. In the last few months of pandemic situation-political parties are planning out ways to reach to the public to appeal them and motivate them.

The online advertisement and social media are effective tools that were utilized in earlier election campaigns also but in Bihar election 2020 virtual rallies, viral news, virtual campaigning etc. are used to persuade the voters. Similarly, digital platform can be effectively used in e-governance sector. The villages and distant tribal areas can be transparently managed and governed through digital platform. E-commerce has been flourishing very fast in recent times. The social media like Whatsapp, Facebook has become the platform from where small entrepreneur sell their product. A digital literate person can utilize this platform for their own employment. Digital media has been utilized for online education even in the villages and distant places in India during the recent pandemic crisis.

6. Methodology

The present research has used qualitative analysis method to understand the role of National Education Policy 2020 in promoting digital media education. The success of digital media education depends on the factors like digital infrastructure available in the country, digital literacy, reducing digital divide, e-contents, online education, online evaluation, training and workshop for teachers, transforming into knowledge society etc. The content

analysis of the National Educational Policy 2020 report will try to understand how it is promoting the digital media education by focusing on the factors like online education, online evaluation, digital infrastructure, virtual labs, e-contents etc.

7. Data Analysis

The National Education Policy-2020 was launched in the very right moment. The recent rise in epidemics and pandemics forced us to search for alternative modes of quality education. Information Communication Technologies should be utilized to fulfill the current need of alternative mode of quality education. In normal situation also, Indian students staying in sub urban and remote villages need the digital platform to attend online lectures and e-resources to get quality education. The National Education Policy has given special focus on how to build and enhance the digital infrastructure to transform the entire nation into a digitally empowered society and knowledge economy. The National Education Policy-2020 has proposed various new initiatives like the National Educational Technology Forum (NETF) that can be utilized as a platform to discuss and exchange ideas related to teaching-learning, evaluation, training, workshop etc. for school and higher education. National Education policy-2020 also focus on creation of e-content, e-library and e-repository. The policy proposes to make e-contents more creative and engaging for students with the help of techniques like simulation, augmented reality and virtual reality.

The policy also prefers to make the e-content using symbols, character, stories from Indian art, culture and mythologies. It should be in Indian languages so that it can appeal to learners and student can directly connect themselves enthusiastically with the e-resources. National education policy has proposed to develop a variety of educational software for students, teachers, life-long learners as well as for differently abled persons.

National educational policy focuses on the training and incentives for teachers regarding utilization of technology. Teachers are encouraged to attend seminar, conference, paper presentation and publication. A teacher who is good at classroom should not be necessarily expert in the usage of technology, so they should be provided training and workshop. National Education Policy-2020 also focuses on establishing virtual labs for conducting practical classes, online assessment and examination. The National Education Policy-2020 also focused on understanding of Indian culture, traditions and cultivating moral values among students. The digital platform provides various vulgar and immoral contents as well as porn websites and adult web series etc. created in foreign countries. Digital technologies are very actively utilized by our young generation and children are more likely to be affected. The education policy insists on generating more

e-content based on our moral values, tradition and culture. The education policy understands that the benefits of online/digital education cannot be leveraged unless the digital divide is eliminated through the projects like Digital India Campaign and availability of affordable computing devices.

National education policy-2020 believes in a holistic and multidisciplinary education and proposed an imaginative and flexible curricular structure of higher education system. Education policy-2020 has proposed multiple entry and exit points, thus removing the prevalent rigid boundaries and thus creating new possibilities for lifelong learning. The policy proposed research-based specialization in graduation level, Master's and doctoral education in large multidisciplinary universities.

According to the policy, "the structure of undergraduate degree will be of either 3 or 4 year duration, with multiple exit options within this period with appropriate certifications", e.g., a certificate course degree will be provided after completing one year in a discipline or field including vocational and professional areas, or a diploma will be provided after two years of study. A Bachelor's degree will be provided after a three-year programme and the four-year programme will lead to a degree with Research. Higher education institutions will have the flexibility to offer different designs of Master's programmes:

- a) there may be a two-year programme with the second year devoted entirely to research for those who have completed the three-year Bachelor's programme.
- b) For students completing a four-year Bachelor's programme with Research, there could a one year Master's programme;
- c) There may be an integrated five-year Bachelor's/Master's programme.
- d) To undertake a Ph.D. degree a student will require either a Master's degree or a four year Bachelor's degree with Research.

The multiple entry and exit structure is the flexible and participatory form of education just like the digital platform. A student can study through the digital platform in very flexible format according to his time and place. The poor students, women candidates who had to break their education in the middle of their programme due to inevitable reason can now get their certificate, diploma or degree and they can complete their studies whenever they want. Digital technologies can be effective and alternative mode of quality education for these students and life-long learners. National Education Policy-2020 proposes to build "a dedicated unit for the purpose of orchestrating the building of digital infrastructure, digital content and capacity building will be created in the Ministry to look

after e-education needs of both school and higher education. Thus the policy has provided a clear plan to create quality e-contents that can be monitored and evaluated by various subject and technological experts. Thus, policy has effectively tried to reduce the digital divide prevalent in Indian society. It has focused on reducing access divide by promoting the need of digital infrastructure as well as it also focused on usage divide by minutely discussing plans on making creative and quality e-content, making educational software, virtual labs, e-learning platforms like DIKSHA, SWAYAM etc.

8. Conclusion

The National Education Policy has made an implementation plan to strengthen the digital infrastructure, to promote the interesting e-contents, to train the teachers to use technology in education and even proposed for a dedicated unit in the Ministry to overview all the progress in this area. This will lead India into an empowered knowledge society in near future. The demand of digital media will be optimum when India becomes more digital literate and digitally equipped. The more and more uses of digital media will demand better digital infrastructure and digital literacy. A common man can utilise the digital platform of e-commerce, governance, online education, political communication etc if she/he is digitally equipped and digital literate. The role of digital media education becomes very important in the era of information communication technology because it will focus more on the areas of research and monitoring. It needs regular monitoring to understand how digital platforms are utilised by media conglomerates, political parties or business groups. The theories of mass communication and public opinion formation needs to be revisited again in the light of digital media. Thus, the National Education Policy-2020 has foreseen the

importance of digital media and has promoted the importance of digital infrastructure, e-content, e-commerce, e-training, e-evaluation, e-libraries etc to make India as an empowered and sustainable knowledge society.

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Online Teaching and its Impact on Students: An Analytical Study

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**Dr. Vinod Pandey

ABSTRACT

World is in the midst of an exceptional circumstance rising out of the worldwide pandemic and its subsequent lockdown. With this kind of unusual lockdown, everything has gone to a sudden stop and the academic world has also not been spared. Consequently, the entire academic framework has been affected quite severely. In this kind of circumstance, e-learning has risen as the best choice – both for the students and instructors. In this regard, UNESCO has suggested the utilization of online learning projects and open instructive applications that schools and educators can use to provide education to students distantly and limit the disturbance of training. Learning from home has now become an extraordinary test for the instructors and students. The HRD service through the National Digital Library of India (NDLI) has made a unique assortment called "Crown Outbreak: Study from Home," which contains both scholarly and examination material to empower students and teachers to have proceeded with admittance to content during the pandemic lockdown. Students from remote area have not been able to access online classes as easily as the students from urban areas. This study was done in order to understand the online teaching and its impact on students in Amity University Chhattisgarh.

Keywords: Online Teaching, Online Training, Education, Live, Internet

1. Introduction

The COVID-19 pandemic has influenced instructive frameworks around the world, prompting the close absolute terminations of schools, colleges and universities. The Internet has changed how we speak with each other just as how we access, share and evaluate data. Closing of education institute has affected students, teachers and families as well with extensive monetary and cultural outcomes. Closing of schools because of the pandemic has revealed insight into different social and monetary issues, including student obligation, computerized learning and vagrancy. Training innovation can make learning more intelligent and community-based and this can assist the students in learning the course material in a better way. Instead of learning by reading, they learn by doing. This could be as straightforward as taking an intuitive test in class or partaking in tech-empowered gathering conversations or as included as playing instructive games, rehearsing science tests in a virtual lab or taking a virtual field trip. But to make it genuinely captivating, it must be really intelligent. Doing math on a personal computer is not quite the same as doing math with a pencil on a paper. In any case, utilizing expanded reality to vitalize math challenges is an entire diverse ballgame. For certain students, intelligence gives a superior learning experience.

1.1. Key Benefits of Teaching Online:

- **Increased adaptability of time:** Learning and instruction can continue to benefit both students and educators. Students can work at their own pace within a given structure and the internet learning and training commitment cycle can be broken into smaller segments.
- **Increased adaptability of area:** Learning and instruction can occur in any area (home, office, while driving, café) and can incorporate students and instructors from various geographical areas.
- **Context:** Online instruction gives learning another perspective to contemporary society and expert and industry practice.
- **Information sharing:** Online training gives opportunities to access and offer data all the more effectively and promptly. Educators and students can join online networks of training dependent on their area of interest instead of their geographic area.
- **Online assets:** Online instruction gives admittance to a more prominent profundity and expansiveness of assets and data.
- **Diverse and improving experience:** Online instruction can upgrade the student learning

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experience by giving chances to cross-disciplinary, culturally diverse as well as cross-grounds joint efforts. This learning experience can happen at a nearby, public or worldwide level, and can be advanced by expanded communication and commitment, peer criticism, and gathering work aptitudes.

- **Access, value and incapacity:** Online learning is an instrument to approach opportunity among students and instructors living with incapacity or who have availability challenges that limit their capacity to go to a vis-à-vis class.
- **Digital data education:** Online learning creates advanced education aptitudes that are progressively required in contemporary society and working environment situations.
- **Administration:** Online instruction can smoothen out some regulatory parts of educating.

1.2. Key Limitations, Impediments or Contemplations:

- **Access to innovation:** In a few occasions, students and instructors might be restricted in their standard admittance to dependable or suitable innovation. A few people might be sharing a PC or cell phone within a family or may depend on utilizing PCs nearby or in a public spot (eg public library, Internet cafe and so on). Students or instructors may likewise just have restricted admittance to required programming.
- **Access to the Internet:** Not all students and instructors have standard or solid admittance to the Internet. As a result, Internet access might be restricted to dial-up speed or there might be a top-up month to month utilization on their Internet, which can confine their capacity to access internet data.
- **Ability to utilize innovation:** Some innovations and apparatuses require preparing. In certain examples, specialized preparing may not be promptly accessible to students or instructors.
- **Isolation:** Teachers teaching without peers can make the teaching experience a desolate and seclude done.
- **Information over-burden:** In numerous occasions, the measure of data, 'how to' aides, help and assets gave online can tend to get overpowering and befuddling if not appropriately oversaw. It very well may be hard for students and instructors to observe which are significant or insignificant.

The Covid-19 pandemic has overturned our reality. The scholastic schedule everywhere all over the world has been upset. Trapped in the whirlwind, a few pieces of the metropolitan Indian instruction framework have turned towards training by means of the web - or online training. Generally, only the top-most metropolitan cities in India are the most prepared for online training. State/UT instruction strategy during the lockdown needs a more

populist methods for imparting online training. One option in contrast to online training is transmission of instruction through TV.

For huge numbers of us in self-isolation, it can feel like the Covid-19 has forced the world to postpone as we wait to come back to normalcy. Many individuals are utilizing this opportunity to explore their range of abilities with an upsurge in enrolments on various web-based learning websites. Dedicating a portion of our isolated uninterrupted alone time to training is good. Other than assisting with reinforcing your vocation during this financial vulnerability, learning another skill can give you a feeling of control that will help adapt to uneasiness caused by the pandemic.

As residents of the nation are compelled to remain at home to shield themselves from getting tainted from the destructive Corona infection, free online courses during lockdown are turning into fruitful endeavors. These courses are helping the students and instructorsto learn a new skill and at the same time is an incredibly gainful approach to take a break.

So as to help the individuals who want to take these courses, a few presumed associations, for example, NASSCOM, TCS, Harvard University, AICTE ELIS Portal and Google have permitted free admittance to these on the web and some are in any event, giving computerized confirmations.

2. Objectives of the Study

- To study the impact of online teaching on students in contrast to regular classroom teaching.
- To study the future of online teaching.

3. Methodology

To meet the objective of the research, primary data were collected. Online survey method was applied for the study. Through online questionnaire, researchers collected the responses from 100 randomly selected respondents from Amity University Chhattisgarh, Raipur.

4. Future of Online Teaching

The instruction part in India is not very developed yet. In light of new businesses and better web and cell phone infiltration, the web learning space in India is still a developing complex. The e-learning market in India is assessed to be around \$3 billion. Rather than being in the physical region of a homeroom, students are given admittance to various entries and online assets, for example, digital books and connections so as to help their learning. Individuals were regularly discouraged by the idea of Online Learning because of being unengaged behind a PC screen; but it is presently conceivable to utilize your PC, tablet and even your telephone as an aspect of the learning process.

The focal government's endeavor to make computerized

learning accessible to students in each side of the nation is additionally supporting the division. Presently, web-based preparing in India centers similarly around both school and school-based courses just as mid-level proficient courses. As an example, Bengaluru-based Entrance India gives practice papers to all designing and clinical passage tests in India. The organization expects to help students work in the correct subjects and substance as opposed to swim aimlessly in an expanse of study materials accessible across various media. Additionally, they center around accommodation-based preparing on the grounds that online capacity empowers understudies to encourage admittance to subjects anywhere and anytime. As per studies, India and China will lead the extension in this venture, creating around 4 million and 8.1 million jobs, separately, by 2020. Consequently, the business hopes to develop starting now and into the foreseeable future.

Another motivation behind why web-based preparing will pick up force is expected to the requirement for re-skilling. For example, a couple of decades back, everything necessary to comprehend were customizing dialects. Presently these experts need to refresh themselves on different angles like enormous information examination and cloud computing. Better compensation climbs and advancements are additionally the reasons why individuals embrace new courses. A great deal of new businesses are now setting their foot in what they believe will be resulting huge thing in India after online business. While a few organizations like Simplilearn and Intellipaat hope to get content, particularly focusing on mid-level experts, others like Learn social plays a greater amount of an aggregator job. These organizations likewise offer mixed classes, integrating both on the web and disconnected understanding, alongside self-registered courses. Bangalore-based Simplilearn offers in excess of 200 affirmation courses in venture the board, data innovation administration the executives, Microsoft confirmation, quality administration and money related administration. With the Digital India program's vision to revamp India into a carefully enabled society, technology-drove reach and clear access will cause a financial distinction in the lives of Indian students.

The idea of customary instruction has changed profoundly in the last few years. Being genuinely present in a study hall is not the sole learning alternative any longer - not with the expansion of the web and new innovations, at any rate. These days, you have admittance to top-quality training at whatever point and any place you might want, insofar as you have admittance to a personal computer. All are currently entering a substitution period - the insurgency of online training. There is nothing to limit the incredulity encompassing instruction through the web. It is difficult to know the idea of leaving the customary study hall, particularly if it is to confront this huge space called the web.

5. Data Analysis and Results

Based on the responses collected from the 100 respondents, the data analysis and results of the study are presented as follows:

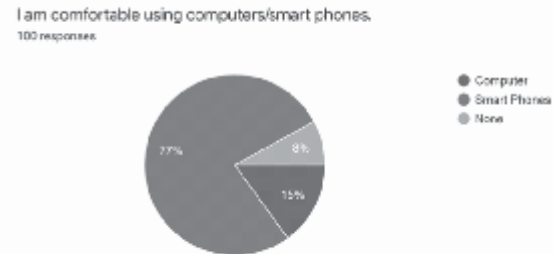


Figure 5.1: Responses related to comfort ability in using computers/smart phones

As per data out of the 100 respondents, 15% preferred using computer, 77% respondents are using smart phones and 8% denied using either of the aforementioned devices.

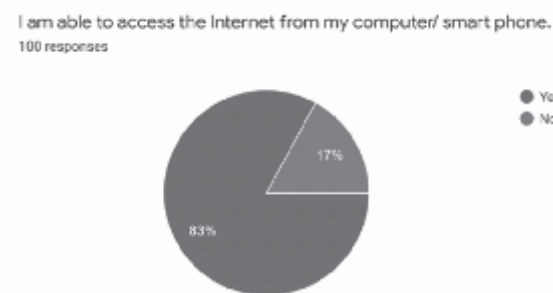


Figure 5.2: Responses related to accessibility of Internet in computers/smart phones

Figure 5.2 showing the results about internet accessibility, 83% of the respondents were able to access internet easily whereas, 17% were not able to access internet easily.

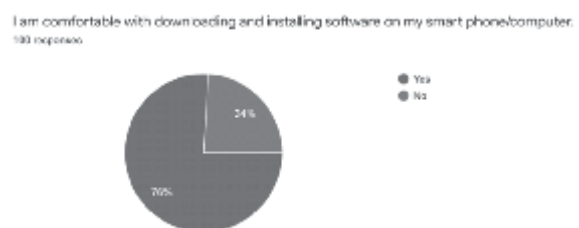


Figure 5.3: Comfort-ability in downloading and installing software and apps

76% of the total respondents were comfortable with downloading and installing the software on their smart phones/ computers. On the other hand, 24% denied being able to download or install the software on their smart phones/computers.

I enjoy reading on smart phone/computer screen and have good reading skills. 100 responses

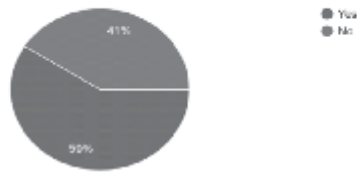


Figure 5.4: Responses on the enjoyment in reading on smart phone/computer

Figure 5.4 showing the results their reading skills on computers/smart phones. 59% responded that they were comfortable in possessing good reading skills; whereas 41% of the total respondents denied being able to read well on their computer/smart phones.

I enjoy watching online video lecture on smart phone/computer screen. 100 responses

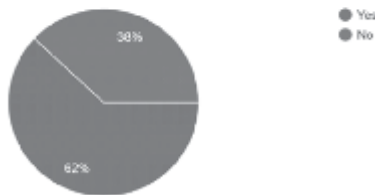


Figure 5.5: Enjoying in watching online video lectures on smart phone/computer

62% of the total respondents said that they are enjoying the watching of video lectures provided to them on smart phone/computer. The rest 38% of respondents did not like viewing online lectures on their smart phones/computers.

I enjoy listening online audio lecture to smart phone/computer screen. 100 responses

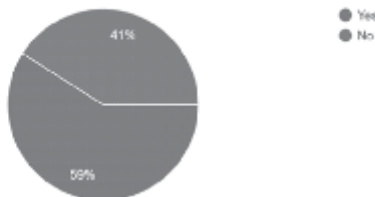


Figure 5.6: Enjoying in watching online audio lectures on smart phone/computer

59% of the total respondents said that they are enjoying the listening of audio lectures provided to them on smart phone/computer. The rest 41% of respondents did not like listening to online audio lectures on their smart phones/computers.

I can dedicate approximately hours per week for online lecture for my studies. 100 responses

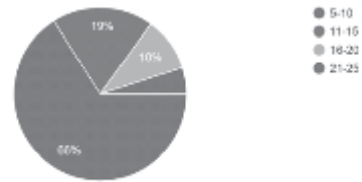


Figure 5.7: Hours spending per week on online lectures related to study

Figure 5.7 showing the results of the number of hours students are dedicating to online lectures on a weekly basis. 66% said they are able to dedicate 5-10 hours per week; 19% responded they dedicate 11-15 hours a week; 10% are able to dedicate 16-20 hours a weeks and 5% of the respondents are able to dedicate 21-25 hours per week.

I don't mind it if I never actually meet my instructor or classmates in person. 100 responses

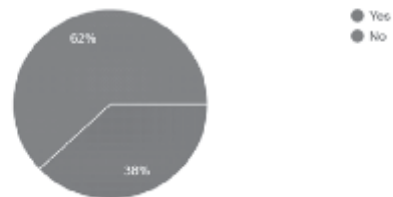


Figure 5.8: In person meeting with classmates and instructors

In response to the question cited above, 62% of the respondents didn't mind actually never meeting their instructor in person or classmate; whereas, 38% were not comfortable with never meeting their instructor or classmate in person.

I like the idea of not having to drive/commute to university. 100 responses

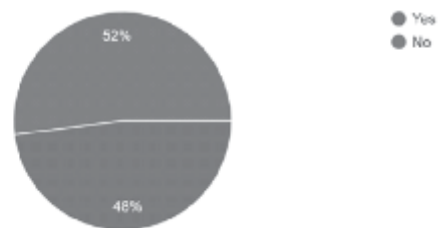


Figure 5.9: Liking of the idea of not having to commute to university in corona period

48% of the total respondents liked the idea of not having to drive/commute to the University for Studies. However, 52% respondents did not like the idea of not having to commute to the university.

Do you mind asking questions when you have a problem or question?
100 responses

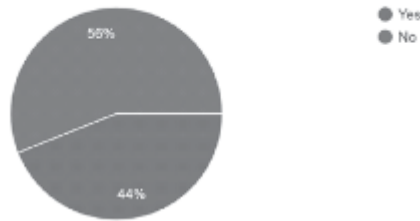


Figure 5.10: Comfort-ability in asking question

Figure 5.10 showing that 44% of the total respondents were comfortable with asking question when a query arises whereas, 56% of the respondents were not comfortable in doing so.

I would like being able to go to class at times and locations that I choose instead of being tied to a set time and place
100 responses



Figure 5.11: Question related to attending the classes

78% of the total respondents preferred being able to go to class at times and locations of their choice instead of being tied to a set time and schedule. However, 22% did not mind being tied to a set time and place.

Do you like new technologies which may require new approaches to learning and problem solving?
100 response

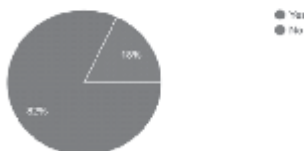


Figure 5.12: Liking of New technologies for online learning

82% of the total respondents liked new technologies which may require new approaches to learning and problem solving whereas, 18% denied the same.

I believe that high quality learning can take place without face-to-face interaction.
100 responses



Figure 5.13: High quality learning and face to face interaction

As per data of Figure 5.13 when respondents asked if they believed that high quality learning can take place without face-to-face interaction, 51% of the total respondents replied in the affirmative and 49% responded in the negative.

I believe that classroom teaching is better than online.
100 responses



Figure 5.14: Comparison between on online and classroom teaching

78% of the total respondents believed that classroom teaching is better than online teaching and 22% believed that this is not the case.

The last question of the questionnaire was related to suggestion for the online classes, majority of students commended the effort taken into organizing the online lectures as well as appreciated the opportunity to be able to complete their course material timely in the face of the current lockdown. A vast number of students shared their inability to properly access the lectures due to poor net connectivity. Some students also shared the technical difficulties they were facing while interacting with the software and had trouble in downloading the lectures. A common complaint among the respondents was about the long working hours and assignments given to them. Many students shared their concern over spending close to 8 hours a day glued to their computer/smart phone screens without a break and the ill-effect this may have on their eyes.

6. Conclusion

Establishments of upper training need to think about whether they can satisfy developing student needs in the coming years. Above all else, most respondents concurred that mixed learning would have more noteworthy significance in instructive movement in the future. Albeit a few foundations have just grasped mixed learning, numerous others are slower at receiving it for different reasons. Maybe the administration from the organization is urgently planning for workforce to get satisfactory help to actualize changes within the instructing cycle. In the event that the norm of online training is to upgrade as extended from this examination, grounds should likewise investigate the academic issues in web-based learning. A few assortments of preparing ought to be given to students and educators to be prepared for internet instructing, schools and colleges need to consider how they will answer to these requirements.

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Status of Media Education in Himachal Pradesh : An Exploratory Study

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Dr. Sukhnandan Singh**

ABSTRACT

Media is the collective communication tool used to deliver information and it is a fastest growing sector in India. So there is need of educated and skilled workers in the different media sectors, to cater this ever growing demand, a number of media schools, colleges and universities have come into existence and many are coming. No doubt, today media education is one of the fastest growing professional disciplines in India. Thus, checking the status of media institution and media education surely has significance. In this present study the researcher has attempted to explore the status of media education in Himachal Pradesh. Along with the status of media education it also explores the satisfaction level of media students, infrastructure, and quality of teaching in the various media institutions of Himachal Pradesh. The survey method was used to collect the data.

Keywords: Media, Media Education, Himachal Pradesh, Media Institution

1. Introduction

The UNESCO defines media education as it "deals with all communication media and includes the printed word and graphics, the sound, the still as well as the moving image, delivered on any kind of technology". "Enables people to gain understanding of the communication media used in their society and the way they operate and to acquire skills using these media to communicate with other" (Fedorov, 2003). Before India attained independence, print media was the only dominant media force in India. After that, with the advancement of technology, electronic media acquired the large chunk of the market and became a powerful media. Now, new media is dominating the media space. Thus, when others fields of education are emerging, there is an urgent need for the good institutions for media education and media training (Dutta, 2011).

The path breaking attempt in this regard was done by Mrs. Annie Besant. She had the credit for the starting of media education in India. She started the media education in the National University of Adyar, Madras. Following it, in 1938 a media course at university level was introduced at Aligarh but was put to an end in 1940. In 1941, it was the first time when the department of journalism as one of the oldest department was started in Punjab University at Lahore by Professor P. P. Singh.

In 1948, the University of Calcutta introduced journalism as subject in its academic curriculum and in 1965 IIMC Delhi was opened under the Ministry for Information and Broadcasting. The discipline was accepted as an

academic discipline in 1970's before this it was treated as a foreign subject (Dutta, 2011). During 1960's and 70's many foreign universities offered collaboration to Indian counterpart to bring forth the journalism education. Osmania University and Nagpur University got this opportunity (Pattnaik, 2013 and Dua, 2001). After that the education of media has not looked behind.

Himachal Pradesh has seen many changes in education in last few years. The present standard of teaching & learning in Himachal has enhanced to a much higher rank. This state has many reputed institutions having all facilities for higher studies. Media education in Himachal Pradesh started with the establishment of the Department of Journalism in Himachal Pradesh University in 1986. Currently Himachal Pradesh is having one central, six state and 17 state private universities providing higher education in the state. Most of the universities are having department of media studies providing education for undergraduate, post graduate and PhD courses.

2. Review of Literature

There has been no relevant research on media education in Himachal Pradesh done by any scholar so far. So the researcher has reviewed some relevant studies related to the study.

Kumar (2007) has given a wider perspective of research in media education and explained that media in entering in the new phase of globalization and there is need to maintain the logical and advance thinking to meet the challenges of the future.

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Murthy (2010) also emphasized in the same direction and elucidated the need of quality infrastructure in the media institutions. He also expressed his concern and advised that the standard of media education must be upgraded. In one more research Murthy (2011) focused on the need to revise the curriculum according to need of the industry as media is a continuously changing field and continuous change in the curriculum of media study is a must requirement. It will make the future ready journalist equipped with the new learning's.

Singh (2015) highlighted the present status of media education in India. He emphasized on the requirement of collective efforts of media academics, professionals, media industry, media universities and professional media bodies to overcome the problems of media education.

Bharthur (2017) in his paper discussed the problem of curriculum of the institutes, which does not match with the demand of today's media industry. He also emphasized on the existing gap of the demand of media industry and curriculum and suggested that there is a need to check the syllabi that will help to fulfill the basic demand of media industry.

3. Objectives of the Study

On the basis of above literature review the following objective of the study has been framed:

To find out the status of media education in the state of Himachal Pradesh.

4. Methodology

4.1. Research Method: An Exploratory research was used in this research survey method was used to collect the data for the study.

4.2. Sampling: Purposive sampling was used to select 120 students from the Bachelor of Journalism and Mass Communication (BJMC), Masters of Journalism and Mass Communication (MJMC), Diploma of Journalism and Mass Communication (DJMC) from different institutions (State and Private University, Govt. Degree College) of Himachal Pradesh.

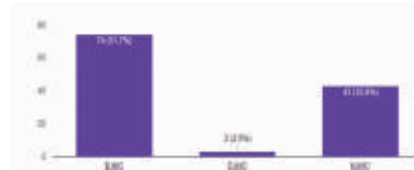
4.3. Data Collection Tool: A self made questionnaire was used to collect the data. As per the demand of the research this questionnaire is having mixed questions related to following categories:

- Infrastructure
- Curriculum
- Practical exposure
- Training

5. Data Analysis & Results

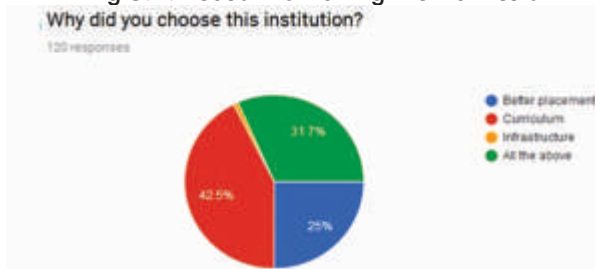
The researcher has used the frequency analysis to make the conclusion based on the questions asked to the 120 respondents. The analysis and discussion are as follows:

Fig 5.1: Respondents' Program of Study



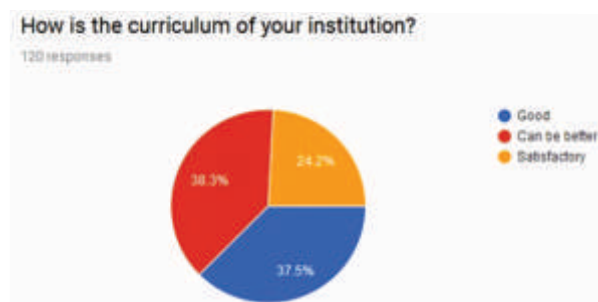
As per data shown in figure 4.1, out of total 120 respondents, 74 (61.7%) was studying in the Bachelors of Journalism and Mass Communication (BJMC), 43 (35.8%) were in Masters of Journalism and Mass Communication (MJMC) and only 3 (2.5%) respondent were doing the Diploma of Journalism and Mass Communication (DJMC). It means the institutions are having more students at Bachelor's level.

Fig 5.2: Reason for taking the Admission



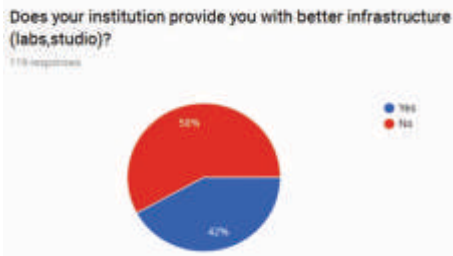
According to the figure 5.2, 42.5% students said that they choose the institution because it is having a good curriculum, 25% said that the institution is providing better opportunities for the placement, only 0.8% respondents mentioned infrastructure is the main reason to take the admission in the institution. 31.7% respondents checked all the things before taking the admission in the different media institutions. It means the students are focusing on all the dimensions of media institution before taking the admission.

Fig 5.3: Responses on Curriculum



As mentioned in figure 5.3, 38.3% students think that the curriculum can be better than it is applicable in the institutions. 37.5% respondents think that it is good, and 24.5% respondents said it is satisfactory. So it can be concluded that most of the respondents are satisfied with the present curriculum of their media institutions.

Fig 5.4: Responses on Infrastructure



As mentioned in figure 5.4, 58% students said that the institution is not having good infrastructure as per the need of media courses and 42% students thought that they have good infrastructure. It suggests that almost half of the institutions are not having good infrastructure. This is the major area of concern.

Fig 5.5: Responses on Infrastructure related to Print Media Practical

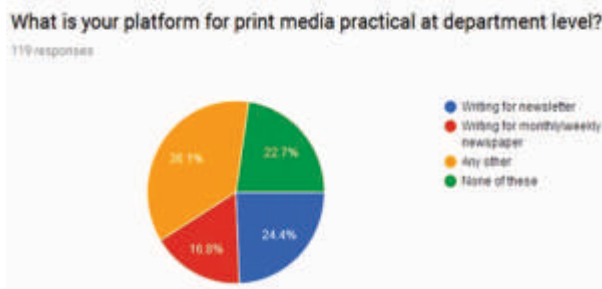


Fig 5.6: Responses on Infrastructure related to Radio Practical

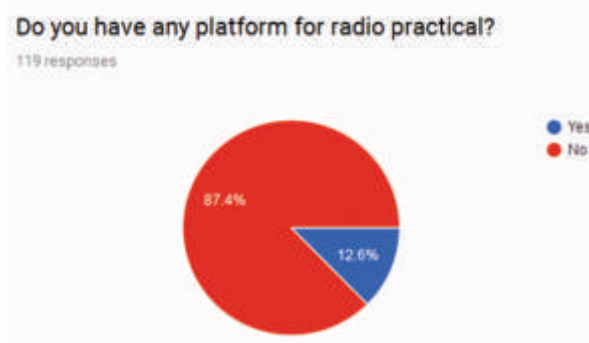
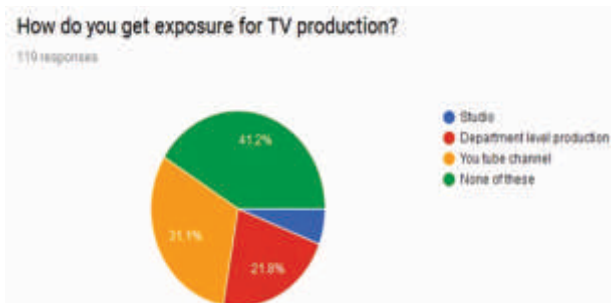


Fig 5.7: Responses on Infrastructure related to Television Practical



Out of 120 respondents 119 has given the answers related to the labs. Figure 5.5, 5.6 and 5.7 are suggesting about the improper infrastructure related to practicals of print, radio and television media. It means institutions must concentrate on the maintenance of the quality of media education by improving the infrastructure of the labs, so that the students can the proper exposure of the media related practical subjects.

Fig 5.8: Responses on use of different social media platform for the departmental activities

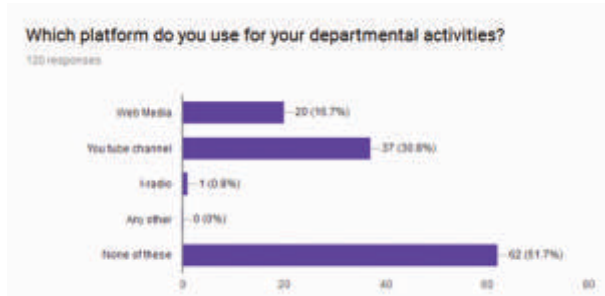


Figure 5.8 is telling one more story related to the lack of infrastructure as 51.7% students said that they are not using any social media platform for the departmental activities.

Fig 5.9: Responses related to Outside Practical Work

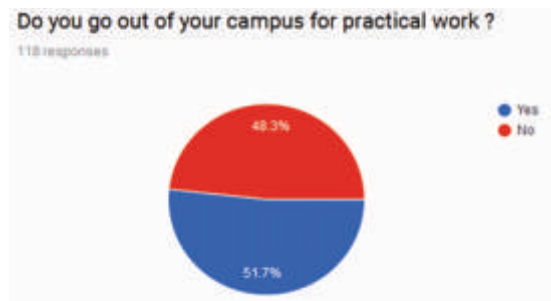


Figure 5.9 is suggesting that the institutions are providing the opportunity for the outside practical works to the students as 51.7% respondents said that they go for the practicals outside the campus. It is suggesting that media institutes are compensating the students by providing them opportunity to do practicals outside the campus.

Fig 5.10: Responses related to Training/Internship Facility

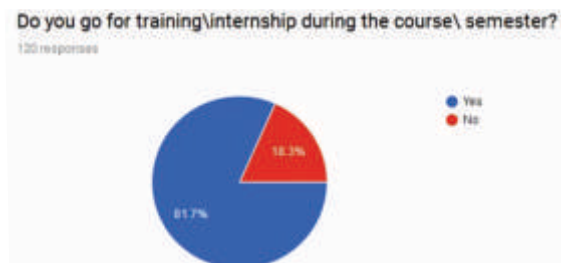


Fig 5.11 : Responses related to Collaborations/tie ups with Media Houses



Fig 5.12: Responses related to Campus Placement



Figure 5.10, 5.11 and 5.12 are showing the responses related to internships, tie ups and campus placements and it is suggesting more than half of the students are not satisfied with these facilities as institutions are not providing them these opportunities.

Fig 5.13: Responses related to Teaching Method
Is the teaching method satisfactory?

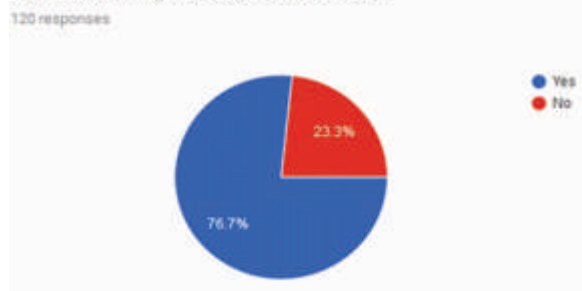
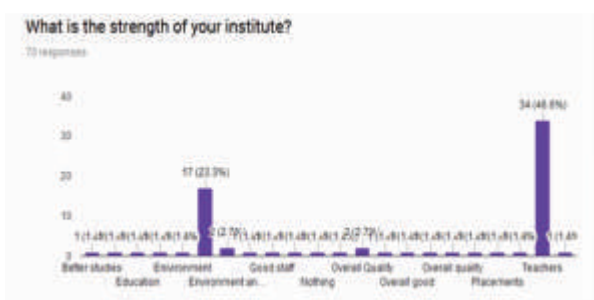


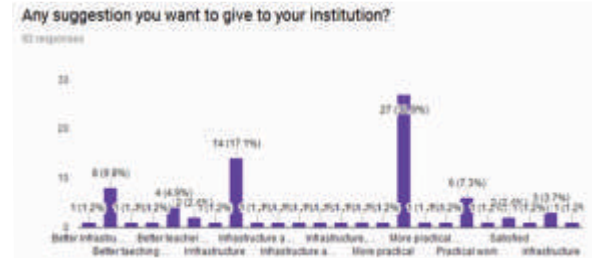
Figure 5.13 is showing the response related to teaching method, and 76.7% students are satisfied with the teaching methods adopted by the teachers, it means teachers are putting their all efforts to train them effectively.

Fig 5.14: Responses related to Strength of the Institute



Responses shown in the figure 5.14 are also supporting the results of 5.13 as almost 34% students believe that teachers are the strength of their institution.

Fig 5.1: Responses related to Suggestions for the Institution



The last figure of the study 5.15 is showing the responses of the students for the better media studies. Students responded that institutions must improve the infrastructure and more practical exposure is required for the making industry ready media professionals.

6. Conclusion

Journalism education in India is still developing and though it has grown in size and importance, but it is still not treated at par with other traditional disciplines of knowledge. The scenario of media education in Himachal Pradesh is still in its evolving stage. The facilities given to the students are limited which is restricting them to a limited exposure. Due to lack of sufficient resources students lag behind in developing their skills. The researcher also observed that the numbers of staff is not sufficient as per the need of the institute. There is lack in terms of infrastructure and practical work because imparting only theoretical knowledge won't help students further in their jobs. There is a need to make students overall competent as media is requiring more professionalism now days. This discipline is striving for an identity of its own and unfortunately there have not been many efforts by the academia, industry or the policy makers.

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Branding on Digital Media: An Analysis of Key Determinants

*Sneha Verghese

ABSTRACT

In the current digital age, consumers are overloaded with information on the internet. Therefore, it is imperative for companies to leverage digital media to establish and maintain a positive image, retain customers and attract prospective customers and diverse stakeholders. Companies have rejigged their branding strategies and have embraced virtual/online branding in addition to offline branding efforts. To sustain the branding efforts, company websites are increasingly being used as they serve as the first point of reference for consumers proactively seeking information. While social media pages provide for frequent updates and quick, informal communication with their "followers", it is the company website that holds as anchor for building the reliability and trust factor. Hence, the website facilitates branding the company online and each element in the website— in terms of design and content- envisages reinforcing the company as a brand showcasing values and identity.

This paper identifies the various aspects of website content and design which act as determinants that influence branding, by carrying out extensive review of literature on branding in digital media, specifically websites. Further it attempts to provide a conceptual framework to analyse websites from the branding perspective.

Keywords: Social Media, Branding, Websites, Online Branding, e-branding

1. Introduction

With the advent of the Internet, marketing communications such as advertising, sales promotion, and Public Relations communication have majorly moved online. While traditional print newspapers and magazines have been replaced by e-newspapers, online news websites and e-magazines, the radio and television have been replaced by podcasts, vlogs and OTT (Over-the-top) media platforms. In short, traditional marketing communications have been replaced by online marketing communications, which have paved the way for digital interaction between a consumer and a company. This has resulted in a real, active, 2-way communication and dialogue between brands and patrons all over the world in the digital sphere, on a scale much higher than traditional media could ever accomplish.

For a company's marketing communications to be more effective, it is necessary to build a strong brand, which can be achieved only through shaping consumer attitudes by ensuring that "the right knowledge structures" exist in the minds of existing and potential customers (Keller, 2009). But building the "strong brand" as Keller iterates, involves

cultivating a "brand identity"- a desired "ideal" personality that the brand wants to project to its audiences by giving consumers the right information (brand knowledge) about the brand, as opposed to the "Brand image", which is the 'perceived image' in the minds of the consumers, and could differ from person to person. (Angeline et. al., 2019) Thus, knowledge of the brand, and what it stands for, i.e., its brand identity, must be communicated and imprinted in the minds of the consumers in order to achieve a positive brand image among the consumer base. Thus, putting out information about the brand through various media is necessary.

Consumers require specific information to choose one brand among a host of competitors, and they would rather rely on heuristic problem-solving than exhaustively search for information that they are looking for (Kim et. al., 2002). Also, the qualities that can help them make the association with the brand are "quality" and "trust". As the internet has become the most used medium, the online environment provides a different kind of challenge when it comes to providing information and building trust and the promise of quality.

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De Chernatony and Christodoulides (2004) build their theory of e-branding on the premise that the concept of 'brand' is universal in nature and does not change in different environments, but rather, the 'enactment' of the brand changes, depending on the environment. The enactment of brands on the internet is different from the traditional media- it is seen in the form of websites, blogs, social media, etc. of these options available online, a website that is officially used by the company to communicate/ convey information, with its own registered domain name generates the most trust in the minds of consumers, as other forms of content such as blogs, vlogs and social media are mostly seen as third- party generated. A website is considered the basic and most effective e-marketing tool in handling reputation management (Stefko et.al., 2015). While a website was once viewed as a competitive advantage, it is now necessary to have a website in order to be in competition, making it vital for successful e-branding (Murphy & Scharl, 2007)

The website is an important brand vehicle for the company in the digital environment and plays an important role in providing the "right information" about the company to build the desired brand image in its existing and potential stakeholders. Consumers are "obliged" to depend on the information provided on a company's website on the internet, to assess the quality of goods or services. This makes an "information-rich" website more effective in gaining trust of a consumer (Eid R. et. al., 2011). Thus, the way the brand promise is executed online determines the efficiency of the company's branding online. This, in turn, affects the "trust" and "credibility" factors for an online consumer.

The 'brand execution' as evidenced from the website can also influence users' opinions of the company/brand, and this will translate into real world dynamics, where its effects can be observed in brand equity and actual sales. According to Lestari et. al. (2017), potential customers prefer to use the company website and social media to obtain information; the official website of the company may fulfil corporate branding objectives by acting as the main source of company information. Brand equity is built when consumers visit a company website, as it helps them have a clearer understanding of its brand personality (Murphy & Scharl, 2007).

Through the use of extensive literature review, this paper attempts to present a comprehensive and organized view of all website content and design factors that influence branding on the company website, which can be used to evaluate branding on a website through content analysis.

Also, it presents a conceptual framework for the analysis of the website branding

2. Brand and Online Branding

In a technical sense, the term "brand" has been defined by the American Marketing Association (1960) as "A name, term, sign, symbol, or design, or a combination of them, intended to identify the goods or services of one seller or group of sellers and to differentiate them from those of competitors." This definition of branding has evolved over the years, to integrate several characteristics and traits of the company. Today, a brand stands for much more than a name or a symbol. The "Brand identity" that a company owns is made of six components: brand vision and culture; positioning; personality; relationships and presentation (Harris & de Chernatony, 2001)

Keller (1993) proposed a conceptual model for brand equity, called the Customer-based brand equity model (CBBE), which he defined as the "differential effect of brand knowledge on consumer response to the marketing of the brand". According to this model, "brand knowledge" is at the root of all branding and marketing efforts, and defines the consumers' response to a particular brand. It should also be kept in mind, however, that brand knowledge is not the facts about the brand - it is also the thoughts, feelings, perceptions, images, experiences, etc., that form a set of associations with the brand in consumer memory (Keller, 2009). Hence, it is necessary to first build "knowledge structures" for a brand - that will provide a set of positive emotions, feelings and experiences - leading to brand awareness and a positive "brand image"- so that consumers develop favourable, strong brand associations (Keller, 1993). It is therefore necessary to place this brand knowledge within the reach of the consumers.

According to Walvis (2007), the brands that hope to become the consumers' choice must follow three branding laws- (1) putting in branding efforts that have distinctive relevance; (2) coherence in branding efforts across time and space; and (3) an engaging brand environment. Thus, it is necessary that even in online branding, the company should create an "engaging brand environment" for its digital users, and put in relevant branding efforts that suit the medium and fulfil the functions intended to be performed by the brand in the online environment. All communication should be directed towards conveying a unified brand identity towards external stakeholders, and should reflect the branding carried out in the physical world. Brand communication with internal stakeholders is also equally important online, so as to ensure that brand identity is reflected in the company's employees, for them to understand the intended brand message and to take

ownership in the brand (Judson et. Al., 2008). But brand value can be maintained only through "ongoing management" (Capon et. al., 2001), and this applies in both offline and online environments.

According to Schultz and de Chernatony (2002), the growing use of cyberspace and digital channels has changed management agenda, from trying to control brand communications, to giving space for feedback from stakeholders, understanding their perceptions and building on more imaginative ways to engage them before they drift away to cyber-channels of competitors' brands.

Three steps were listed by Ibeh et al. (2005) for establishing an effective e-brand communication system: (1) deciding on specific communication objectives (2) identifying the target users (3) recognizing preferred communication methods and using the right marketing tools for communication. Simmons (2007) proposed the conceptual framework that all internet branding efforts and tools could be combined within "four pillars" as follows: (1) understanding customers; (2) marketing communications; (3) interactivity and (4) content.

Eid, R. et. al. (2011) identified "technology and design" and "emotional connections" apart from loyalty and trust, as major factors that contributed to the success of online branding. Successful e-branding finally depends on companies having a clear idea of what their brand stands for; communicating the same online by being "present" in the relevant digital channels and keeping their presence "active" (Lipiäinen & Karjaluoto, 2015).

3. Branding on Company Websites: Analysis of Content and Design

According to Keller (2009), interactive marketing communication must be employed, especially online, of which, websites are an important tool. Brand identity/personality that is conveyed by the content on a company website is an indicator of brand personality strength (Rutter et al, 2017). Successful e-branding has been linked to promoting and managing the company website, with strategies such as search engine optimization, banner ads and "adopting relevant best practice in web design" (Ibeh et al, 2005). The study also found that website attributes were consistently developed by companies to build brand awareness and increase their customer base.

Search engine optimization and Google Adwords have also been recommended as important tools in enhancing online branding to increase the chances of user access to the website (Bresciani & Eppler, 2010). Website attributes/features and message salience, coupled with

audience disposition have been found to influence website credibility (Flanagin & Metzger, 2007). When the criteria of internal and external stakeholder interactivity and transparency are met, effective online reputation management can be carried out (Jones et. al., 2009). The overall site experiences influences the willingness of the consumers to revisit the company website, develop a positive brand image, spread the word and increase purchase intention. (Müller, 2008)

An analysis of branding on websites must factor in two major areas: (1) Website content and (2) Website design.

3.1. Website Content

Website content acts as a tool for creating brand equity through increased visibility, favourable user experience, relevant and valuable information for the users, etc. Content must be planned keeping in mind the target audience; the same content must be framed in a relevant context so as to reflect the branding philosophy and identity of the company; and finally, its effect must be maximized through content distribution (Djoukanova & Georgieva, 2014). A study by Müller et. al. (2008) showed that use of relationship tools or promotional material such as newsletters and consumer magazines on the website supported brand opinion change. Subscribers to newsletters and magazines were found to be more inclined towards remaining loyal to the website and showed a more favourable attitude towards the brand. Structural features such as privacy policy statement and third-party endorsements positively impact perceptions of website credibility (Rains & Karmikel, 2009). Employer branding is another important aspect that must be highlighted in websites. Content with regard to vacancies, recruitment, job roles and other details are a must, apart from cultivating a positive organizational image through website content. Attitudes towards company websites directly affects the attitudes of potential employees towards the organization and also their intention to pursue employment. (Allen et. al., 2007)

3.2. Website Design

Montana et.al., (2007) have articulated Design as an important component of branding and brand management- of the four types of design thus identified, one is "Communication design". A study by Keller (2009) mentions that website design must take into account and express the company's purpose, history, products and vision. While acknowledging the challenge of designing a website that is both attractive and interesting to ensure repeat visits, the study has also mentioned that the range of functionality of websites make them an effective and

efficient option for communication, and can provide more information than any other medium. (Keller, 2009)

The homepage design has been found to have a profound effect on users in terms of navigation, visual appeal and functional ability- the design is indicative of the essence of the company's values and business dealings, while at the same time, presenting the links to important web pages on the same website, such as company information and policies (Eid R. et. al., 2011).

Visually appealing sites have been known to positively affect a user, on condition that the functionality and usability are not overshadowed by aesthetics (Eid R. et. al., 2011). Visual design must incorporate signature graphic elements (colour palette, typography, etc.) in a consistent manner and the design should be scalable and responsive on various platforms and devices. (Dang, 2019)

An initial study by Gehrke and Turban (1999) recommended lesser animation, simpler graphics, and "text-only" option on sites, given that the study was conducted at a time when the world wide web and its specifications were less developed, and the bandwidth and technology available to the user were minimal. Though these are not applicable in present day application of website efficiency, the study did mention some important insights such as avoiding broken links, using distinctive 'hot buttons' and keeping navigation pathways consistent. According to Karimov et. al. (2011), graphical appearances need to be enhanced with suitable background colours, sophisticated typography and enhanced zoom features, along with a user-friendly navigation structure. However, the colour preferences differ across cultures among users. The study also recommended incorporation of 'social cues' such as photos, video clips, avatars, live-help channels, etc. to boost online trust, apart from rich 'information' content.

A study by Rababah and Masoud (2010) identified three main factors that determined the quality of a website : Usability, Conceptual Reliability and Representation Reliability. 83 items of analysis such as correctness of content, flexibility, confidentiality and simulation were listed under various sub categories, and classified into these three main factors. Based on the aforesaid discussion, the following section dilates on the conceptual framework for analysing branding on websites.

4. Conceptual Framework for Analyzing Branding on Websites

A study by Gibson & Ward (2000) measured function and effectiveness of websites in terms of number of documents/pictures, word-count and frequency of

updating, presence of multimedia/live-streaming, etc. A thematic meta-analysis of websites from 2000 to 2004 looked at various categories that were used as units of analysis when studying website content and design (Zhang, 2005). These categories ranged from web design elements of organization, colour and interactive features to transparency and disclosure, content categories and classification.

Other studies identified transparency, accessibility, interactivity and usability as a must for Government (PSU) websites (Parajuli, 2007); identifying key performance indicators based on the type of website being studied (Booth & Jansen, 2010) and use of Social media like Twitter and Facebook (Greer & Ferguson, 2011; Shen & Bissell, 2013).

Thus, based on an extensive literature review of various research studies including the above, this paper proposes a comprehensive conceptual framework that identifies 13 major factors that can be used to analyze branding on websites through content and design analysis. All elements of content and design are grouped into these 13 areas/factors, and can be analyzed for branding. The thirteen factors are:-

- i. Overall Website Presentation
- ii. Website Organization and Navigation
- iii. Brand Identity/Personality
- iv. Reflection of organizational philosophy and culture in branding elements
- v. Interactivity and functionality
- vi. Use of multimedia/media convergence
- vii. Unique features and advanced content/design elements
- viii. Advertising/ Public Relations material
- ix. Communication and transparency
- x. Borderless branding and Reflection of National Culture
- xi. Employer branding
- xii. Consistency/Unity of message and design
- xiii. Brand Attitude

i. Overall Website Presentation:

This includes the overall layout and design of the website, aesthetic appearance and a comprehensive view of the featured content. In terms of content, it includes the first impressions of the website in terms of the brand; in terms of design, it includes Colours/Typefaces used for Homepage/Header/ Copy; Webpage content form diversity (Interactive documents, images, videos, etc); Language features; Content quality; Web Performance

Measure; Aesthetics in design and layout; Clutter and white space. Though subtle indicators, all of these design elements can convey the effort that the company puts into its digital branding.

ii. Website Organization and Navigation:

This includes categorization of content, organization and customization features; and in terms of design, the complexity, navigation and accessibility. The analysis of content here includes the branding strategies in copy, design and user features, and its customization for various stakeholders of the company. It should also consider the 'Company-specific information'; 'Product/Service-specific information'; the number of webpages; the number of sections/ tabs on each webpage; the number of images/photos/videos in each section/content category; the number of documents (PDF/Word); the number of links/hyperlinks/external links; the number of items in each content category, such as feature, press release, CSR content, etc. This helps to assess the "branding knowledge" that the company is willing to put up in a digital, public space. The design features to be studied under this factor include navigability, accessibility, multiple links to different/same content; complexity of choice; ease of use, navigational pathways and personalized content generation.

iii. Brand Identity/Personality:

This includes the communication of the Brand itself on the website- what it stands for and what sets it apart. The Brand personality and attributes reflected in the content and design is to be analysed, in terms of both manifest and latent content/features. The Branding strategy (Product/Corporate/Product-line/Product-range) and Brand positioning conveyed by the company on its website in terms of copy, pictures, slogans, etc., are to be studied.

In terms of content, the characteristics of the Brand identity/personality can be studied based on website design and keywords, tone and tenor of the content- the brand personality can be described as extroverted/introverted, agreeable/irritable, refined/crude, ethical/unethical, etc. The positioning and Brand personality can also be gauged based on the overall presentation of the company, its philosophy, ideals, image/video content, and other features which reinforce the beliefs it wants to espouse - through repetition, continued exposure (through images, animation, interactive modules, public relations material, portrayal of human characters and lifestyle, etc). Website design, too, can be matched to portray the organizational philosophy and ideals subtly - for example, if an organization claims to prioritize transparency and ethics, it should have a website that is designed to provide

maximum information to the user with minimum effort. Disclaimers should not be in "fine print" but presented in a way that the user is aware of it, and also explained in simple language for the benefit of the user. Similarly, if a company's mission statement claims that they value consumer feedback over anything else, but does not provide a feedback link/e-mail id/telephone number or grievance corner on its website, it is an example of poor e-branding. Thus, this key factor assesses user features in web design such as Search bar, hyperlinks, social media buttons, feedback, etc. The messaging to various target groups on the basis of age, gender, income or geographic location can also be included under this factor.

iv. Reflection of Organizational Philosophy and Culture in Branding Elements:

The components of organizational culture also make up the brand identity of the company, which are in turn reflected as Branding elements on the website. The components that are reflected in the website, which are to be studied in both design and content are:

- (a) Core Values/Organizational Philosophy- [includes vision/mission statements, policies]
- (b) Heroes - [includes founders, leaders, brand ambassadors, etc]
- (c) Rites, rituals and artefacts - [includes branding elements - Logos , colours, shapes, icons etc]

The content and design of the website must be analyzed both in its manifest and latent forms. In terms of content, the associations and connotations of the company name, the content and relevance of the "About us" tab, the Vision/Mission statements, and celebrity endorsements owners/spokespersons are determinants of branding. In terms of design, the theme of the website, iconography, logo and use of brand colours on the website determine branding.

v. Interactivity and Functionality:

This includes all the content and design elements that create interaction between the website and its users, and how it caters to their needs. Customization of content/personalized content generation for specific target groups, use of advanced design elements that make the user experience more involved, aesthetic and smooth are to be analyzed.

In terms of content, indicators of branding for this factor include case studies, knowledge base/FAQ, testimonials, blogs, feature pages, employee bios, functionality (details of products/services provided by the company) and need-based and/or region-based customization of content.

In terms of design, indicators of branding would be level of

interactivity on the website, Customer/visitor live chat window/ Bots or virtual agents, 3D/4D virtual simulations/ Online simulation, Subscriber opt in/pop up requiring user's permission for storing cookies in the user's browser, web browser compatibility, presence of Dynamic web pages, Responsive web design/ Adaptive web design, interactive infographics/ dynamic animated charts, a functional Search Bar, option for translation of webpage into another language, web customization options that are user based customization (as in the case of a differently abled person), need based customization (as when a consumer and a business looks for different information as they have different needs) and geographical area based (linguistic and cultural differences), and finally, e-Commerce (wherever applicable).

vi. Use of Multimedia/Media Convergence:

This includes the various types of media used to convey branding messages to the audience, such as pictures, animations, graphic interfaces, infographics, statistical representations, diagrams and illustrations, interactive graphs/diagrams/icons, videos, audios, podcasts, 3D or 4D visualizations/virtual reality simulations, etc. and the diversity and innovation in media use when presenting both content and in web design. Media convergence is an important factor when considering branding in the present context.

vii. Unique Features and Advanced Content/ Design Elements:

This includes unique content features and use of latest technology and special/ modern design elements on the website, and their efficiency in adding to the brand experience. In terms of content too, interesting new features such as quizzes, unique stories of the company can be considered to convey a branding message. The determinants of branding in design include but are not limited to features such as Parallax scrolling, Infinity scrolling/ long scrolling, scroll fade-ins, "Call to Action" CTA tabs, 360 virtual tours, modular tabs/ "hamburger" menu, unique and large typography, large "hero" images/ giant product images, background videos, semi-flat design, content cards/card design, short product or feature videos.

viii. Advertising/Public Relations Material:

The content of advertising and PR material available on the website can be analyzed for branding messages. Design determinants include accessibility and downloading options for Advertisements/PR material.

ix. Communication and Transparency:

The level of open communication with internal employees

and various external stakeholders on the website, social media presence, etc. is an important branding factor.

Treiblmaier et al in a 2003 study identified three successive levels of internal communication: Information, Dialogue and Identity, which act on a digital platform. The first merely provides information, while the second allows a two-way communication (for example, in the form of internal e-mail) and the third, helps them build an identity through the company website (in the form of employee blogs, online groups and communities, chat rooms, etc.). The sense of identity of the employee rises with each level, and in terms of branding, the last level of "Identity" is the desirable feature for a company website.

Similarly in terms of external communication, brand image and credibility are enhanced when meeting the needs of the audience through interactive methods or dialogue. Here too, the level of branding can be determined depending on whether the website features only Self-presentation (information to users) , Two-way Communication (feedback loop, surveys, opinion polls, e-mail) or Community building (online chat forums, discussion groups, collaborative blogs).

Thus, in terms of content, the determinants of this branding factor lie in disclosure and transparency (RTI, privacy statement compliance with norms, complaint box/suggestion/ownership/ shareholder info/web master contact/contact info) and in how many current issues that are relevant to the company are being addressed on their website (for example, allegations of money laundering, environmental concerns, etc.)

In terms of design, the branding efforts are to be analyzed with reference to the feedback mechanisms and community building methods made available on the website for both internal employees as well as external stakeholders; corresponding mobile applications, contact points (mail/telephone/address/Google location map/details of business hours), comments section for blogs/articles, social media links (Facebook, Twitter, Instagram, LinkedIn, RSS, Youtube and others).

x. Borderless Branding and Reflection of National Culture:

Elements and content that make the website functional and appealing across the world, in a globalised manner, constitutes borderless branding. At the same time, elements of National culture may or may not be reflected in the branding strategies/ branding elements to make it more appealing to the users. This can be reflected in the cultural icons used, the website terminology, theme and colours, iconography and presence of content relating to a specific demographic.

xi. Employer Branding:

The ability of the website in appealing to current and potential employees also plays a role in its branding as a company on the whole and its work culture. Apart from the regular aspects of career opportunities, work environment, perks, community building, and communication, analysis of two important factors are important in today's world of employer branding - Diversity and Inclusion in terms of gender, sexual orientation, age, educational qualifications, language, caste, religion and disability.

Content on the website should be analyzed for terminology, language and tone that is gender-neutral, class/race- neutral and indicates a positive attitude towards diversity and inclusion. Presence of a detailed organization chart and teams, testimonials of employees/employee blogs, case studies can help enhance the brand image. The design of the website must facilitate easy access to information regarding vacancies/recruitment drives/ career paths for potential employees. A "Careers" tab on the home page which serves as a direct link to the requisite information, a query corner for job applicants, links for submission of applications/biodata, HR contact information, a forum for interaction with current employees on the website would greatly enhance the brand image of the company.

xii. Consistency/ Unity of Message And Design:

Consistency in all communications/ branding messages in content and design must be analyzed. Errors and contradictions that affect unity of message in content and design form a part of this key factor.

xiii. Brand Attitude:

User reviews, feedback, testimonials, ratings, comments and "likes" of users on the website or its associated social media sites and mobile apps reflect the general attitude of a common digital consumer towards the company.

5. Conclusion

The thirteen key factors of branding on company websites identified in this paper attempt to comprehensively cover all the elements on a website that could contribute to the brand identity and personality. This study has included all the relevant observations from various previous studies with regard to website efficiency and website branding elements, and attempted to fit them into a conceptual framework that can be used as a benchmark when conducting a study of branding on a company website, especially in case of a thematic content analysis that considers branding of the website as a whole. It is possible that better design elements and more innovative content can become a feature of websites in the future. Design

trends and technological interventions will keep evolving. While previous studies focused on determining branding efforts on websites with reference to specific content and design features, the framework proposed in this paper will remain relevant irrespective of the revolution in web technology and design. Later interventions can be added as an aspect of analysis under the relevant factor without disturbing the original framework of analysis.

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A Study on Media and Courts to Advocate for a Comprehensive Pandemic Justice Regime in India and Nepal

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ABSTRACT

The competent parliaments in India and Nepal have enacted fair corpus of laws to stem the transmission of outbreaks. However, the laws have obvious gaps. The epidemic laws prescribe the rights of the state but fail to lay down the duties of the state towards its vulnerable citizens during the health emergency-like situations. The Infectious Disease Act, 1964, which is authenticated by then king Mahendra, nowhere prescribes for welfare functions to be carried out by the state for the welfare of the vulnerable citizens. The legal law does not necessarily oblige the government of Nepal to ensure arrangement of food or compensation or financial assistance to the daily wagers, migrant labourers, informal sectors or poor and needy ones who have suffered due to unprecedented lockdown. The epidemic law of India is also scripted in similar terms. Arguably, the existing epidemic laws of the land fail to direct the state to set up a common forum comprising of bacteriologists, virologists, biomedical scientists and among other healthcare professional to conduct research on antibodies of pandemics. Nor do the epidemic laws in two open-border states direct the governments to devise a mechanism comprising of virologist, economist, lawyers, professors, researchers, political scientists, sociologist or medical doctors to adopt and implement policies for vulnerability reduction. This respect, India and Nepal deserve to adopt a robust comprehensive epidemic law regime to fight the pandemic in future. In this job, media advocacy could play an instrumental role in igniting the debate, dialogue, discussion and discourse in favour of introducing 'Pandemic Justice' in university curricula.

Keywords: Epidemic, Coronavirus, COVID-19, Outbreak, Pandemic Justice

1 Introduction:

Ever since the deadly Coronavirus commenced its journey from Hubei province and Wuhan of China in December 2019, a global war is being waged against a pandemic that has changed the world order. Thousands of people have already lost their lives and the death tally surging up by the hour. The novel Coronavirus outbreak has transcended boundaries and spheres. As the COVID-19 has become a global issue, the World Health Organization (WHO) declared the spread of Coronavirus a pandemic. This declaration triggers the governments across the world to activate their preparedness plans and adopt every possible measure to contain its outbreak. The biggest catastrophe of contemporary world has neither spared the world's mightiest economic and military powers, nor the developing and developed states. It has devastated the world without any distinction. This unprecedented disaster called for the activation of

lockdown measures and quarantine laws. In this respect, the calls for a global solidarity in the time of crisis are understandable. Then, it was imperative for the countries that observe rule of law to implement the epidemic and disaster management laws to stem the transmission of the Coronavirus. Nepal is not exception to it. The government of Nepal executed Infectious Disease Act, 2020 BS (1964) to impose a uniform lockdown across the country. India gave life to Epidemic Act, 1897 to impose lockdown in respective states and National Disaster Management Act, 2005 to impose a nationwide shutdown to stem the transmission of Coronavirus.

The epidemic law regime in Nepal and India witnesses fair corpus of laws to curtail the outbreak of pandemic. But they have glaring gaps. Like India's epidemic law, the Infectious Disease Act, which is enacted by then king Mahendra, nowhere prescribes for welfare functions to be carried out by the state for the welfare of the vulnerable

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citizens amid health emergency-like situations. The regal law does not necessarily oblige the government of Nepal to ensure arrangement of food or compensation or financial assistance to the daily wagers, migrant labourers, informal sectors or poor and needy ones who would not have suffered otherwise. Interestingly, India's epidemic law is also in similar terms. This way, the underprivileged persons or the persons so affected due to pandemic cannot look for the legal remedy (or compensation) under the current epidemic law regime in the two countries.

2. Legal Framework

It is often said that legal frameworks constitute the foundation of an effective and well-functioning private or public institution. Legal frameworks comprise a set of documents that include constitution, rules, regulations and other legislations that aim to govern the national life or international issues pertinent to the nation. In a country that follows rule of law, domestic activities or instruments of the state rest on the firm foundation of legal frameworks. While enforcing epidemic laws, Nepal began lockdown from March 24 to stem the spread of novel Coronavirus, with the Himalayan republic's 30 million people ordered to stay at home. At the time of writing article, Nepal's nationwide lockdown, which was on the progress since March 24, was lifted on July 21 with certain restrictions. The cabinet meeting held on July 21 had decided to resume long-route transportation, allow open academic institutions and resume domestic and international flights from August 16 and open hotels, restaurants, travel agencies from July 30. However, the said order could not be implemented due to rising cases of COVID-19 and the country failed to see normalcy.

In India, lockdown began from March 25 and concluded with the ending date May 31. Though the government refused to call it a lockdown rather it is being dubbed as Unlock 1.0 since it is not an actual extension of full lockdown, the country saw a shutdown in COVID-19 affected areas while a sort of relaxation in green zones. The government of India brought policies for lifting the lockdown in non-containment zones in a phased manner. Then, the states, based on the cases of Covid-19, were empowered to adopt measures--either to lock or unlock--for fighting against the pandemic. For example, Nagaland government had announced a seven-day total lockdown in its capital city Kohima from July 25 to July 31 to break the chain of the spread of virus. Interestingly, Nepal too adopted similar move, allowing the district administration to impose Prohibitory Order or curfew in their respective jurisdiction to prevent the spread of the virus.

Earlier, the KP Sharma Oli government had clarified that

an outlier, i.e., the person who wilfully disobeys the lockdown, would be punished with imprisonment of either description for a term which shall not be more than one month; and/or also liable to fine of Rs 100 (Section 3, Infectious Disease Act, 1964). All the 77 District Magistrates, who are answerable to the Centre, (i.e., Home Minister) are delegated the responsibility of implementing the decision taken in line with Infectious Disease Act, 1964 (Section 4). The Chief District Officers (i.e., District Magistrates) can implement the local administration Act, if required, to enforce the government's decision. Nevertheless, an amendment was introduced in 2018 which conferred power on the provincial governments to enforce the provisions of the Act, 1964. But the ample powers conferred on the District Magistrates, who are answerable to the Centre, suggest that the provincial government has miles to go for enforcing the infectious disease laws.

Moreover, Section 104 of Country Criminal Code, 2074 (BS) envisages for up to 10 years of jail sentence and a fine of up to 100,000/- against a person who intentionally spreads the infectious disease. The provision also allows the judicial department to inflict jail sentence of up to five years and fine of up to 50,000/- on a careless person and up to three years of imprisonment and a fine of up to 30,000/- on negligent ones who indulge in spreading the infectious diseases.

Salmond has rightly said that man is by nature a fighting animal and force is the ultima ratio of all mankind. He believes that without a common power to keep them all in awe, it is impossible for men to cohere in any but the most primitive form of society. Without it, civilisation is unattainable. It is because of this reason; implementation of a coercive law is necessary. Naturally, without punishment, many will break the quarantine laws in Nepal. So, it's crucial to invoke criminal laws and punish the outliers accordingly. The Infectious Disease Act, 1964 envisages that the outliers would be punished with imprisonment of either description for a term which shall not be more than one month; and/or also liable to fine of Rs 100 (Section 3).

The Act, 1964, which is home to as many as five sections, in its Section 2 provides ample powers on the government of Nepal to apply all necessary measures to curtail the outbreaks. It allows the authorized government officials to issue orders, whichever required, to control or abate the outbreak of infections. The officials are permitted to check or inspect any person, pedestrian, goods, or vehicles if they suspect the person or goods may be carrying infections.

On the other hand, India had invoked a 123-year-old

colonial legislation to combat the outbreak of Coronavirus. Constitution experts in India emphasized that it is imperative to amend or repeal the 1897 Epidemic Act, for the century-old-blunt law has glaring gaps. The epidemic laws in both states fail to define what infectious or contagious disease is.

Unlike Nepal, the Epidemic Act, 1897 does not confer power on the centre to play any role in pandemic, epidemic or health emergency-like situations. The 2008 guidelines issued by the Management of Biological Disaster had recommended replacing the long-stayed colonial law. In this respect, Public Health (Prevention, Control and Management of Epidemic, Bio-terrorism and Disasters) Bill, 2017 is under consideration in the House to substitute the 1897 Act.

Section 2 of the Act, 1897 obliges the state governments to adopt measures to curtail the outbreak of epidemic or disease. This way, the law does not provide legal mandate to Union government. The Union falls short on regulating the transfer of swabs or samples from one state's lab to another state's well sophisticated laboratory. Under the current epidemic law regime, it would be an uphill task for the centre to prosecute a person found stealing or misusing samples so collected to test Covid-19.

Moreover, Section 3 of the Act, 1897 provisions that any person found disobeying any regulation or order made under this Act shall be deemed to have committed an offence punishable under Section 188 of the Indian Penal Code (IPC), 1860. Section 188 (disobeying public servant's order) allows the state to inflict jail term of one month, or fine of up to Rs 200, or both. If the "disobedience causes danger to human life, health or safety," the person can be punished with six months' jail term and a fine of Rs 1,000 or both under the section. Other relevant provisions, which are implemented, are as follows:

- Section 269, IPC, 1860 (negligent act likely to spread infection of disease dangerous to life): Fine; or imprisonment for a term which may extend to six months; or both
- Section 270, IPC (malign act likely to spread infection of disease dangerous to life): Fine; or imprisonment for a term which may extend to two years; or both
- Section 271, IPC (disobedience to quarantine rule): fine; or imprisonment for a term which may extend to six months; or both
- Section 144, Criminal Procedure Code (CrPC), 1973 prohibits assembly of five or more people in an area. It prohibits public gathering. This law allows the state to put a ban on educational institutions, office or any public meeting or any movement in an area during the

period when the section is imposed in that area. Every member of such unlawful assembly can be booked for engaging in rioting. The maximum punishment for such an act is three years of jail sentence. This section has been invoked to maximize public safety and to minimize the possible outbreak of Coronavirus.

Apart from this, the government of India invoked National Disaster Management Act, 2005 to declare Covid-19 outbreak as a national disaster. Section 3 provisions for the formation of National Disaster Management Authority, a 9-member body, under the leadership of the Prime Minister. The Authority is shouldered with the responsibility to adopt measures or direct the states to adopt measures to prevent the outbreak. Prime Minister Narendra Modi invoked this law to implement a uniform lockdown in India. There is also provision for the creation of Disaster Management Authority at state and local level and the law allows the second and third tier of the governments to play constructive role against the outbreak of infection or disaster. Understandably, the COVID-19 pandemic is also a disaster. Still, the Act, 2005 would have further strengthened the federal spirit had the legislation incorporated provisions allowing the states to adopt plans and policies at their pleasure, not at the sweet will of the Centre. The disaster law in Nepal is also scripted under the similar terms.

In India, the disaster law envisages for the creation of a separate battalion, i.e., National Disaster Response Force, who will be deployed to deal with emergency situation arising out of a disaster. The law also provisions for National Disaster Response Fund. Every year, the Government of India releases these funds based on the recommendation of the Finance Commission. 75% of the funds are shared by the centre for the states under general category. For the states under special category, 90% of the funds are contributed by the state. The Ministry of Home Affairs is the sole head in managing these funds. However, the Union government has enhanced its contribution in State Disaster Response Fund from 75% to 90%. Now, the central government will contribute 90% and all the states will contribute 10% to State Disaster Response Fund. India's Union government has enhanced the contribution in the face of COVID-19 outbreak. However, Nepal's disaster law does not incorporate provisions for the creation of a separate battalion to deal with the emergency situations nor does it provide for the Centre-Province ratio in distribution of budget/fund to deal with disasters. In this way, the allocation of budget is a central issue and its allocation is entirely up to the discretion of the Centre in Nepal.

The 2017 Disaster management law of Nepal aims to create mechanisms like Council for management of disaster risk reduction under the leadership of Prime Minister, an executive body under the chairmanship of Home Minister, and the similar bodies at provincial levels. But these authorities are yet to be formed. In a significant move, the Narendra Modi government issued an ordinance to amend the Epidemic Diseases Act making attacks on doctors, paramedic staff and nurses a non-bailable and cognisable offence punishable (from six months to) up to seven years in prison and fine of up to Rs 5 lakhs. Now, the police will have to investigate the case within 30 days and the case will be fast tracked with the final judgement to come within a year. Also, those found to be vandalising the private clinic or a car belonging to a doctor will be asked to pay twice. The ordinance entered into force on April 22, 2020. Still, the ordinance may become ineffective after the pandemic is declared over. The government at the helm should assure that those who attack healthcare workers would be dealt strictly in future too.

The ordinance was issued at a time when medical professionals, particularly those involved in battling COVID-19, were attacked by relatives of Coronavirus patients in various places when they went to quarantine those testing positive. The lockdown in Nepal and India was the need of the hour to battle COVID-19 outbreak. The only remedy was to practice social distancing to contain the pandemic. "The three tier governmental machineries are struggling to provide food to poor and marginalized sections of our communities. All these nuances must be adequately addressed by the law. We need to go beyond traditional parameters. To put it simply, we are in dire need of a comprehensive legislation showing a clear roadmap to deal with unprecedented outbreaks," observes much-admired commentator of Constitutional Law Dr Bipin Adhikari.

The meeting of Legislative Management Committee of Parliament held on April 26 had urged the government of Nepal to amend the (outdated) laws relating to epidemic and disaster management. The Committee had said that Nepal is in warrant of a progressive law to battle the epidemic-like situations. In fact, a law which does not prescribe the rights of the citizens and duties of the state towards their citizen deserves to be amended or substituted with fresh enactments showing a clear roadmap of obligations and civil liberties.

While rest of the world managed to implement existing quarantine laws to battle COVID-19, the England government adopted and enacted a special legislation,

known as Coronavirus Act, 2020, to break the chain of the transmission of the deadly virus. The preamble of the Act reads as: "An Act to make provision in connection with Coronavirus; and for connected purposes." The preamble itself gives a message that the Act, 2020, which received royal assent on March 25, is a special legislation enacted to contain the Coronavirus. This Act features as many as 102 Sections and 29 Schedules.

The Act, 2020 casts an obligation on the state to increase the manpower in health and social care sectors. Sections 2-7 and their incidental Schedules provide for the emergency temporary registration of various regulated healthcare professionals and social workers for the duration of the emergency. Sections 11 to 13 of the Act provide indemnity against clinical negligence claims for healthcare professionals assisting in the response to the outbreak, who would not otherwise be so indemnified. Section 9 makes arrangement for the compensation to emergency volunteers who may have incurred loss of earnings or for travel and subsistence.

Also, the legislation prescribes for procedures of registering deaths and still-births (Sections 18 to 21) and temporary arrangements in respect of the transportation, storage and management of the bodies of the deceased (Section 58, read with 28). The Act hosts plethora of measures to combat and contain the spread of the virus. These include: powers in respect of the provision of education, training and child-care (sections 37 and 38; read with schedules 16 and 17); powers to suspend port operations (Section 50 read with Schedule 20); allowing for the use of video and audio technology by Courts and Tribunals to facilitate remote hearings (Section 53 to 57); and the postponement of upcoming elections (Sections 59 to 70). The law provisions for the compensation to the victim-be it natural or artificial person-- of Coronavirus. The researcher is of the humble opinion that India and Nepal could take a leaf from England's Coronavirus Act, 2020 to strike a balance between rights and duties of the state during an outbreak.

Meanwhile, the government of Nepal also implemented Essential Service Operation Act, 2014 BS (1957) to ensure the distribution of goods and services of daily use and Local Administration Act, 2028 BS (1971) to adopt necessary measures, like imposition of Prohibitory Orders by the Chief District Officer, to stem the spread of virus. For instance, District Administration Office Parsa had imposed a Prohibitory Order in Birgunj metropolis from July 25, 2020 following a rise in COVID-19 cases in the city. Under the prohibitory order, individuals are not allowed to come out of their houses, except for medical emergencies or other unavoidable essential works.

Evidence suggests that the likelihood of pandemics has increased over the past century because of increased global travel and integration, urbanization, changes in land use, and greater exploitation of the natural environment. So, it was necessary to impose lockdown, practice 'social distancing' and ensure the compliance of quarantine procedures to curtail the transmission of Coronavirus. But, at the same time, it was also imperative to guarantee the rights of the people and provide necessary relief to the persons-be it natural or juristic-who have suffered the loss due to lockdown. Above all this, the fundamental rights relating to life, liberty, food, housing or health guaranteed to the citizens were in peril in the wake of Coronavirus lockdown. The legal regimes in India and Nepal struggled to provide reliefs to the underprivileged sections of society. This way, the legislation confers blanket power on the state to curtail the outbreak of infection, but it does not necessarily explain duties of the government towards its vulnerable citizens. Nor do the laws explicitly and authoritatively recognize the rights of citizens during an outbreak of any disease. The states-India and Nepal-- failed to act as guardian of the underprivileged people and in this respect, the celebrated common law doctrine of *Parens Patriae* stands in violation in the time of outbreak.

The state could have created special forum with specific power to grant interim relief to people and made arrangement of fixed compensation for the daily wagers and underprivileged people. The epidemic laws don't oblige the state to adopt scientific measures required to curb the spread of an infection. Also, the stipulated fine (of Rs 100/- in Nepal or Rs 200 in India) on violation of the orders of the district administration is so minimal in the days we live in. It's very unfortunate to see that the government of Nepal had shown interest in amending more than a dozen of non-epidemic laws amid Coronavirus outbreak but it remained reluctant to amend the epidemic/disaster laws and make them as per the needs and requirements of the society. It's imperative for the countries to amend the epidemic laws and tailor the provisions in accordance with federal spirit and needs and requirements of society.

3. Media Advocacy for Introducing a Comprehensive Pandemic Code

The relevance of pandemic justice becomes more critical when it comes to learn that a comprehensive pandemic code could only help the states in understanding of pandemic with its socio-legal challenges, medical concerns, indemnification of clinical negligence, the spate of violence or ill treatment against persons infected with

infectious diseases or the issues of compensation against the loss caused due to health emergency-like situations. The lockdown and quarantine measures have been crucial in containing the spread of the virus. But, the mere presence of epidemic law regime, which lays down the rights of the state during an outbreak but fails to prescribe the duties of state towards the people in an unprecedented situation, could not address the overall dynamics of pandemics. The epidemic law regime in India and Nepal prescribe the rights of the state and stipulates punishment for outliers but the prevailing laws in the two-open border state fail to recognize the rights of vulnerable people in health emergency-like situations.

In this regard, the Chief Justice of Nepal Cholendra SJB Rana in his greeting message on the eve of Law Day on May 8 underscored the needs of evolving a pandemic jurisprudence to address the concerns of people in time of an outbreak. In a writ petition, *Advocate Roshani Paudyal v Government of Nepal and Others*-the Supreme Court of Nepal on August 5, 2020 directed the government of Nepal to study the effectiveness of the existing laws and to enact laws in line with the study report submitted to the government. The apex court also directed the government to prioritize the concerns of women and High-Risk Group in the said laws to be enacted to deal with the issues and concerns of the pandemic.

Pandemic Justice could be taught both as an individual course of study as well as an elective or concurrent course in LLB and LLM. Besides, 'Pandemic Justice' also falls within the realm of Disaster Law. The apex courts of Nepal, India and media could play a significant role in this regard. In *MC Mehta v Union of India* (1991) the Supreme Court of India gave directions that environment should be taught as a compulsory subject at every level of education and that UGC should prescribe a course on environment a compulsory subject in college education. The similar welcome directive could be made in case of pandemic justice and the media advocacy could play an instrumental role in this regard.

Understandably, "it is the primary function of the press to provide comprehensive and objective information on all aspects of the country's social, economic and political life. The press serves as a most powerful antidote to any abuse of power by government officials and as a means for keeping the elected officials responsible to the people whom they were elected to serve," observes the admired commentator of Constitutional Law MP Jain. In fact, press seeks to advance public interest by publishing facts and opinions without which a democratic electorate cannot make responsible judgment. This way, there could be a

media advocacy 'for evolving pandemic justice as a subject in university curricula, because, a democracy deserves to adopt a utilitarian approach by giving a humanising touch in providing pandemic justice to society.'

The freedom of the press has always been a cherished right in all democratic countries and the press has rightly been described as the fourth estate. The democratic credentials of a state are judged by the extent of freedom the press enjoys that state," held the Supreme Court of India in the case of *Printers (Mysore) Ltd v. Assistant Commercial Tax Officer*. In India, freedom of press is implied from the freedom of speech and expression guaranteed under Article 19(1)(a) of the Constitution. The Constitution of Nepal under Articles 17 and 19 expressly guarantees the freedom of speech and expression and right to communication. The freedom of the press is regarded as a "species of which freedom of expression is a genus." The significance of freedom of press is of natural import. No one can turn a deaf ear to the importance of media in setting an agenda. The press could take 'Pandemic Justice' as the agenda and ignite a debate, discourse and dialogue for the introduction of a comprehensive jurisprudence to deal with the issues of pandemic in future.

4. Pandemic Justice

Pandemic justice may be understood as an attempt to establish a dynamic link among pandemic, politics, and law to raise a collective voice for humanitarian challenges faced internationally. The researchers argue that a pandemic is an epidemic occurring over a very wide area, crossing international frontiers and usually affecting a large number of people. The studies suggest that most of the new pandemics have originated through the 'zoonotic' transmission of pathogens from animals to humans.

Merriam Webster's dictionary defines justice as the maintenance or administration of what is just especially by the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments. Simply put, justice is the quality of being just, impartial, or fair. It's more in the nature of 'due process', that is just, fair and reasonable. Though the words 'pandemic' and 'justice' cannot be defined 'exhaustively', the terms when studied together may provide an 'inclusive' definition. The pandemic justice may include a fair adjustment of rights and duties of the people and state (during an outbreak) in a democracy which aims to guarantee legitimate expectations of the citizens living under the constitution. The statutes and scholars are yet to provide a definition of pandemic justice and an authoritative definition of the

term pandemic justice is yet to be found. However, a prudent mind may define it as a science of epidemic/pandemic that aims to upright the legitimate expectations of the people in an outbreak.

Julius Stone, professor of jurisprudence, has rightly observed jurisprudence as "the lawyer's extraversion", meaning thereby jurisprudence involves the examination of precepts, ideals and techniques of the law by lawyers in the light of disciplines other than the law. It is for this reason this branch of philosophy aims to investigate the nature of law, and its relationship with human values, attitudes, practices, and political dimensions. So, it is unbecoming to ignore the human concerns during an outbreak and to consider pandemic and law as two different streams, i.e., former as part of medicinal science while the latter as a branch of social science. Its high time we realized that there is a need for evolving pandemic justice as an independent subject and 'lawyer's extraversion' could provide an insight in this regard.

With the help of pandemic justice, we would be able to critically look at the questions of pandemic and its inter-linkages with various subjects, like that of economics, politics, medicine, sustainable development, environment or law; how these disciplines mediate and secure the rights and concerns of the people and enterprises in different ways during an outbreak. Therefore, a pandemic may be of medical nature, its issues could be resolved legally.

Pandemic Justice could be taught both as an individual course of study as well as an elective or concurrent course in LLB and LLM. Besides, pandemic justice also falls within the realm of Disaster Law. So, what should be the pedagogy focus upon? The classifications of infectious diseases - outbreak, epidemic, and pandemic - need to be looked in a holistic and structural manner that makes us realise that the rights and concerns of the people are intertwined rather than separable.

Moreover, the pandemic justice studies in university curricula could be inclusive, covering the issues of compensatory jurisprudence by acknowledging the concepts of 'Parens Patriae'; the interface of justice in health emergency-like situations; judicial activism, international conventions, et al. In fact, pandemic justice could initiate discourse, dialogue, and debate as to the recognition and implementation of international commitments expressed at different conventions, like 1994 Yokohama convention, 2005 Hyogo convention, 2015 Sendai framework or Sustainable Development Goals. Also, it could initiate a debate as to the adoption of comprehensive legislation to deal with the outbreak or bring an amendment in existing pandemic legislation in compliance with international laws.

The incorporation of pandemic justice in university curricula may embolden opportunities for medical doctors, virologists, bacteriologists, lawyers, jurists, sociologists, political scientists or economists to come together and devise a pandemic response to the mechanism for vulnerability reduction, crisis preparedness, and holistic regime for disaster risk reduction and mitigation.

As the current outbreak of coronavirus is in the nature of the disaster, the pandemic justice could initiate a debate as to the recognition of commitments of international conventions in domestic laws and policies in order to think for a safer world. So, with the recognition of international obligations, the states could adopt a unanimous disaster/pandemic risk governance system to enable disaster preparedness and risk reduction mechanisms. As disaster conventions oblige the states to compensate the people against the loss caused due to an outbreak, the pandemic justice could ignite a debate for bringing laws guaranteeing fair compensation to the vulnerable citizens and business enterprises. After all, a welfare state cannot behave like a silent spectator at the time when its natural or juristic persons fall prey to a crisis.

In the time of an outbreak, the Supreme Court could set up its different benches at different places. For instance, Article 130 of the Constitution of India states that the Chief Justice of the Supreme Court may, with the consent of the President of India, cause benches of the Supreme Court to be set up in different places. India is yet to invoke this provision. Perhaps, in an outbreak, it would be imperative to give life to this provision. It would give an option to litigants, who do not reside in New Delhi or don't wish to travel, to seek a remedy through the highest court. Similarly, the case hearing could be done through video conferencing and the petitions could be filed through email and statements could be recorded through digital means in health emergency-like situation. The active role of judiciary or judicial activism amid an outbreak could also become a subject of discussion in pandemic justice.

In university level, law students, while studying pandemic justice, could be made aware of the possible impacts of a pandemic on fundamental rights. For instance, the fundamental rights relating to trade, commerce, health, education, information, food, education, or consumer or right to work are in perilous condition with the onset of COVID-19. The global spread of the COVID-19 has given a message to the world that the global attention and action is required to combat a pandemic against which no country - however powerful or developed - has been able to develop a total protection mechanism. This message

could be acknowledged under the legislation. Furthermore, the international best practices could be adopted at home. For instance, England's Coronavirus Act, 2020, which features as many as 102 Sections and 29 Schedules, envisages a sunset clause (Section 89) which says that the majority of the provisions will expire after two years.

Nevertheless, this period may be extended by six months or shortened in accordance with Section 90. The Acts hosts a plethora of progressive provisions, like indemnity against clinical negligence claims for healthcare professionals assisting in the response to the outbreak, audio-visual conferencing in a court proceeding, or compensation to the victims of coronavirus. It shows the state's strong commitments in the fight against the virus. This way, a comprehensive pandemic law could oblige the states to set a target of eradicating an outbreak in the future within a given time frame - just like England's Coronavirus Act. The media advocacy could work as a pacesetter and their enhanced role in healthy discussion, dialogue, discourse and debate in favour of "Pandemic Justice" could work as a lamp post showing vivid path for the nation.

5. Constitutional Perspective

The Constitution of Nepal shoulders responsibility on all tiers of government to control or abate disaster risks. This way, the disaster risk management is a shared responsibility of the governments (i.e., central, provincial and local). Of 22 entries enumerated under the List of Local Power/Jurisdiction for the local level, entry 20 (Disaster Management) of Schedule-VIII obliges the local bodies to adopt possible measures to fight against disaster.

Entry 17 (Natural and man-made disaster preparedness, rescue, relief and rehabilitation) of List of Concurrent (federal and provincial) Powers/Jurisdiction (Schedule-VII) casts an obligation on central and provincial governments to adopt laws to battle the disaster. Also, Entry 9 (Disaster management) of Schedule-IX, which is the list of concurrent powers of federal, provincial and local level, is put in place which again clarifies that disaster risk management is the shared responsibility of the governance.

Despite this, the republic is in want of an epidemic law regime that would cast bundle of responsibilities on the second and third tiers of government during the outbreak. Under the existing legal regime, the central government has a complete say and the subordinate governments are required to shape their action in line with the Centre. It means the provincial and local governments are not entitled to act independently in their respective jurisdiction.

Likewise, Article 51 stipulates the policies to be pursued by the state. The sub-article (G) that relates to "policies relating to protection, promotion and use of natural resources," envisages that the state shall formulate policies on development of sustainable and reliable irrigation by controlling water-induced disasters and expediting river management. Article 51(G) (9) of the Constitution states that the state shall pursue policies relating to, among several other issues, protection, promotion and use of natural resources. Article 51(G) (9) also allows the government to make policies related to "advance warning, preparedness, rescue, relief and rehabilitation in order to mitigate risks from natural disasters." Yet, these provisions are part and parcel of Directive Principles of State Policies (DPSP), which is not enforceable by law like that of fundamental rights. "There is a subtle jurisprudential distinction between the two in that the provisions of Part-IV [Directive Principles] are positive in content whereas the provisions of Part-III [Fundamental Rights] are virtually negative and it is by force of their negative content that they represent the limits of state action." Nevertheless, the directive principles have their own importance.

Justice Chandrachud in the case of *Minerva Mills v. Union of India* argued that the fundamental rights and DPSP constitute the conscience of the Constitution. "To give absolute primacy to one over the other is to disturb the harmony of the constitution. This harmony and balance between fundamental rights and DPSP is an essential feature of the basic structure of constitution." Similarly, in *Dalmia Cement Ltd v. Union of India*, the apex Court of India opined that fundamental rights and DPSP-the trinity-are the conscience of the constitution.

The Constitution of Nepal in its Article 267 provisions, 'the Government of Nepal may also mobilize the Nepal Army in, among other things, the disaster management works, as provided for in the Federal law.' Article 273 (2) says, "if there arises a grave emergency in a State because of a natural calamity or epidemic, the concerned state government may request the Government of Nepal to declare a state of emergency in respect of the whole of the State or of any specified part thereof." This way, the constitution allows the state to deploy army to control and abate the extraordinary situations during crisis. Even though, India is more prone to calamities, the disaster management law does not figure in the scheme of 1949 Constitution of India. At the time of making of the Constitution, disaster management law was not much in limelight. Maybe due to this reason, the drafters of the Indian Constitution failed to take cognizance of crisis management provisions.

However, there is something called doctrine of residuary power which fills the gap. Entry 97 of Union List (read with Article 248 of Indian Constitution) provides that whichever subject of legislative competence have not been allocated to any level of government through the constitutional scheme of division of powers, such subjects would automatically fall in the domain of Union. This way, though the highest law of the land does not feature disaster management, it's the subject of the Union and the Centre has the legislative competence on it by virtue of doctrine of residuary powers. Thus, the parliament has an exclusive power to make any law with respect to any matter not enumerated under Concurrent List or State List (Entry 97, Union List and Article 248). Therefore, Article 248 extends to the jurisdiction of disaster management.

6. Judicial Activism amid Corona Pandemic

The Supreme Court of Nepal pronounced scores of welcome rulings amid pandemic to upright the rights and interests of the people. In doing so, the judiciary succeeded to acknowledge the philosophy of realist school of jurisprudence. The theory argues that letters of law is made by parliament, but spirit is filled in it by judiciary. Acknowledging this theory, almost every Constitution of the world incorporates judicial precedent clause in order to ensure the full faith and credit to the judicial pronouncements.

Justice Holmes was of the view that judges should recognize their inevitable duty to weigh considerations of social advantage in stating law. "They [judges] do not explain how community expectations or public policy filter into the law through the judicial sieve. If the judges legislate, they do so in a very special way. They cannot decide what is good for the community on the basis of their personal convictions. The court receives the signals of community good from the community's own practices and expectations. The arguments of litigants before the court in the end are not about policy but about the legitimacy or reasonableness of their expectations. The court decides what expectations are reasonably held according to the practice of community. Expectations change as the condition of social life change. Holmes was right to observe that in some areas of law, the community expectations may be unclear so that judges are left with legislative discretion."

This way, the concept of judicial review is a sacrosanct principle embodied under the constitutions which gives a spacious room for the judicial department to act freely for maintaining constitutionalism in the state. It has been hailed as the basic structure of the constitution. The doctrine is the most potent weapon in the hands of the judiciary for quickening the pulse of rule of law.

Amid Coronavirus outbreak, the Supreme Court (SC) of Nepal has taken a big innovative step forward in humanising the administration of pandemic justice by asking the state instruments to expedite welfare functions and respect fundamental rights to every person without any distinction to citizenship or any. In this light, from non-deprivation of life to its preservation and from negative to positive contents, the right to life and liberty has become fundamentally transformed as a result of judicial creativity in Nepal and that too in Coronavirus lockdown. With the robust judicial activism and creativity, the court sought to humanise and liberalise the administration of justice. After all, quick justice is now regarded as sine qua non of the right to life and liberty.

While responding to a writ petition filed by senior advocate Prakash Mani Sharma, the Supreme Court of Nepal on April 17 directed the government to ensure free transportation facility to stranded migrant workers who have hit the roads on foot to reach their homes miles away. The apex court also asked the government to conduct a rapid diagnostic test for Coronavirus on all those stranded persons. In doing so, the court directed the state to stand by the cause of society. In fact, the 'judges should equip themselves with the necessary tools required to write qualitative and thought-provoking judgments', held the Supreme Court of India in case of *Hindustan Times Ltd. v Union of India*.

The Supreme Court of Nepal on March 31 directed private hospitals to attend novel Coronavirus patients unconditionally. Issuing an interim order, the SC said all the private hospitals should make necessary arrangements to treat COVID-19 patients. "Private hospitals shall make necessary arrangements of beds, ICUs and ventilators, and ensure safety of medical staff involved in the treatment of COVID-19 patients," states the SC order.

The non-arrangement of transportation facilities or the reluctance of government agencies in providing sufficient relief materials to the underprivileged groups or not conducting COVID-19 test on the stranded people are just some depressing realities that are currently being seen in Nepal. It gives a gloomy picture that compliance of the orders of the highest court is an uphill task in countries like Nepal where much time and energy are spent on political slugfests.

The apex court on April 23, in a writ petition filed by advocate Ajay Shankar Jha and others, directed the state to ensure special care and protection to citizens during the Coronavirus pandemic. The court wrote, "No government officials or persons holding public office shall endeavour to harm the rights, interests and dignity of the persons." The

top court on April 26 observed that the children kept in juvenile correction centres were at high risk of COVID-19 infection. The state is under an obligation to protect the health of juvenile delinquents. It cannot shrug off the concerns of juveniles amid COVID-19 outbreak. The SC urged the body concerned to hand over those children (juvenile delinquents) to their parents on the condition that the parents, when asked, would bring back their children to the correction centres. The writ petition was filed by advocate Ajay Shankar Jha. Again, on June 8, in the cases of *Advocate Ajay Shankar Jha v. Khotang District Court* and *Advocate Dalabahadur Dhani v. Kailali District Court* and others, the SC wrote the order in similar terms.

While upholding that people's right to live with dignity should be protected and promoted at the time of pandemic, the top court in the case of *Advocate Shailendra Prasad Harijan and others v. Office of the Prime Minister and Council of Ministers* on May 17 issued an interim order to the government directing it to provide relief materials to the economically marginalized and needy people without requiring them to produce citizenship card or its equivalent documents. The Division Bench of Deepak Kumar Karki and Hari Prasad Phuyal held that right to life encompasses right to food without any distinction. In the case of *Advocate Kamalbahadur Khatri and others v. Office of Prime Minister and Council of Ministers* on May 14, the highest court of appeal directed the government to ensure proper arrangement for the test of COVID-19 through PCR. The government shall endeavour to augment the test of COVID-19 and ensure that there shall be no scarcity of testing kits, held the court.

Meanwhile, the Division Bench of Dr Ananand Mohan Bhattarai and Sushmalata Mathema in the case of *Advocate Roshani Paudel and Others v Office of the Prime Minister and Council of Ministers* on June 9 directed the government to adopt all necessary measures to ensure that the right to safe motherhood and right to bear a child are not compromised amid Coronavirus pandemic. The government is obliged to protect the rights and concerns of the expecting women. "The government shall ensure timely and proper treatment to the women with pregnancy." Also, the court directed the appropriate governments to ensure the availability of required vaccines to be given to infants. Similarly, the court ruled that the government shall not disclose the identity of COVID-19 patients. Right to privacy of COVID-19 patients would be hugely compromised with the disclosure of their names. If the identity of COVID-19 patients is revealed, the fellow citizens or community members may start perceiving them as their enemy and that could tear the social fabrics. So, its desirable to keep the names of such patients' secret.

Likewise, the apex court on May 31 directed the government to provide appropriate dress, protection kits and among other essential materials to police staffs as well as government employees or forefront warriors against Corona outbreak who face service-seekers on daily basis. Also, the topmost court directed the government to make necessary arrangements to provide a free of cost test for Coronavirus, food and water to all the persons kept in the quarantine. The government shall ensure social distancing in the quarantines, meaning thereby, the distances between the beds and toilets should be as per guidelines so specified. Appearing as a custodian of fundamental rights, the court held that the government is under an obligation to provide essential medicines as well as masks, sanitizers and among other required materials free of cost to the needy people by virtue of a mandatory legal arrangement provisioned under Public Health Service Act, 2075 BS (2018). The writ petition was filed by advocate Dr. Punyaprasad Khatiwada.

This way, the SC has clarified that free PCR Test for COVID-19 at the cost of the state is fundamental right of a person kept in quarantine. After all, this requirement is implicit in the requirement of a due process (just, fair and reasonable) procedure prescribed by Article 16 of constitution. In India, the apex court issued similar ruling and directed the state to ensure free PCR test to every person. The Supreme Court of India on April 8 pronounced, the tests relating to COVID-19, whether done in approved government or private lab, shall be free of cost. Responding to a writ petition filed by advocate Shashank Deo Sodhi, the highest court pronounced that "Private hospitals including laboratories have an important role to play in containing the scale of the pandemic by extending philanthropic services in the hour of national crisis."

These instances prove that there is an increasing trend of judicial creativity (not amounting to judicial overreach) and public interest litigation (PIL). The developing trends as to and in regard to PIL has unfolded landscapes for interpreting law in the light of existing social needs. But the non-compliance of its decisions impacts public trust. The prestige, stature, and independence of the judiciary are dependent on the public trust and confidence it enjoys. Above all this, it's a rare practice that the courts take stern action against the contemnors who are reluctant to abide by the orders of the court. There is a well-established practice that the non-implementation of the orders of the judiciary amounts to contempt of court.

The courts could devise a mechanism of seeking the compliance report from the authorities concerned who are

supposed to enforce the said ruling of the court. It is imperative for the Nepal government to develop a comprehensive mechanism for dealing with the compliance of court orders and judgments. In India, the Supreme Court in the case of *Bandhua Mukti Morcha Vs Union of India* directed the then Director-General of Labour and Welfare, Government of India, to report within 90 days about the compliance of the directions given by the court. The court had directed the government to ensure sanitary conditions, the arrangement of education for the children of labourers, drinking water, and other necessary conditions for the workmen employed at the stone quarries. The court directed the Haryana government "to draw up a scheme or programme for better and more meaningful rehabilitation of the freed labourers."

Justice P N Bhagwati in his order had emphasized that this is a constitutional imperative that the "bonded labourers must be identified and released from the shackles of bondage so that they can assimilate themselves in the mainstream of civilized human society and realise the dignity, beauty, and worth of human existence." In response to the order, then Director-General on March 15, 1984, reported that none of the directions of the apex court have been implemented. On receiving this unwelcoming response, Justice Bhagwati did not initiate a contempt proceeding against the senior official and the authorities concerned. So, this experience shows that merely asking for a compliance report is not enough.

What is required is a strong mechanism to expedite the implementation of the rulings. A person who is apolitical should be appointed with enough power to initiate contempt proceedings against any authority whatsoever. The non-compliance of court orders would not only lower the public confidence in the judiciary in Nepal, but it will also pose threats to judicial credibility and rule of law.

Moreover, the long-stayed legal philosophy of *Judicium Semper Pro Veritate Acipitur* (A judgment is always accepted as true) would also come under attack with the non-compliance of rulings of the court.

7. Conclusion

There is a significant need of holding a debate, dialogue and discourse at the international level to interpret and analyze the success or failure of our concept of the social contract that says that a state alone is competent enough to resolve its outstanding issues. After all, old and tried approaches have failed to address people's expectation during crisis. A global welfare state seems to be the best option in hand when it comes to marching a fight against pandemics. It's high time we realized that the states should unanimously form a worldwide social contract called

"Vasudhaiva Kutumbakam" (i.e., the world is one family) at least to battle pandemic situations.

Arguably, the existing law of the land fails to direct the state to set up a common forum comprising of bacteriologists, virologists, biomedical scientists and among other healthcare professionals to conduct research on antibodies of pandemics. In fact, it would be an uphill task for the state to combat outbreaks unless there is a specialized research centre to study the causes, symptoms, prevention and cure/treatment of the diseases. Nevertheless, the epidemic laws in both states-India and Nepal--fail to define what infectious or contagious disease is. The legislations explain that the government has an inherent right to adopt measures to contain the spread of infectious diseases, but they do not explain duties of the state towards its vulnerable citizens during health emergency-like situations. Nor do the laws explicitly and authoritatively recognize the rights of citizens during the outburst of any disease. In doing so, the state failed to acknowledge the commitments expressed under different international conventions.

In England, the Coronavirus Act, 2020 obliges the state to provide compensation to the victims of COVID-19. The newly enacted special law succeeds to strike a balance between the rights and duties of the state during the COVID-19 outbreak. It has a provision which seeks to register health workers, volunteers or other persons or organizations engaged in serving the people and society. We lack such welcome provisions in our part of the world. It is advisable for the governments (of India and Nepal) to take a leaf from Coronavirus Act, 2020 which is a special law enacted for defeating COVID-19 in the country.

Moreover, the current epidemic law regime of India and Nepal may fall short on punishing an outlier who commits theft of swabs/samples collected to test COVID-19. Understandably, the poor and underprivileged section of society suffers the most with the loss of wages, unemployment and lack of access to welfare policies of the state. It's imperative to ensure the portability of benefits, such as the provision of food and relief materials to the needy ones through the public distribution system.

In contrast, the state should adopt a long-term strategy to attract the greater number of workforces in formal sector which would ultimately provide them social security. As the workforce in informal sector does not have safety nets, a drop in their income due to lockdown, disaster or health emergency-like situations can push them into poverty.

Arguably, the probability of emergence of many new viruses cannot be overruled as the world is yet to curb deforestation and climate change. The viruses will stalk the

humanity unless and until we develop a robust strategy against environmental degradation. The infectious diseases can bring about both biological and social consequences. It would be disastrous to ignore one at the cost of other.

Meanwhile, Nepal needs to augment medical education with more healthcare professionals and standard medical facilities. The landlocked state is also required to give a push to medical research. Research is not only needed in the field of allopathy but also in the field of disaster law. There should be a comprehensive code to deal with all issues connected with the pandemic. Also, there should be robust research in the field of Ayurveda, homeopathy and traditional knowledge to expedite a fight against the contagious diseases. Together, the three can prepare us for the challenges of the days to come. The researcher is of the humble submission that the government could achieve wonders if it succeeds to ensure the equal growth of allopathy and ayurvedic medicines. No one can turn a deaf ear to the vital role of Ayurvedic medicines in enhancing immunity.

To conclude, Nepal's epidemic law regime would have strengthened the federal spirit had the legislation incorporated provisions allowing the states to adopt plans and policies at their pleasure, not at the sweet will of the Centre. It seems the state is heading towards quasi-federalism or federalism with strong centralizing tendency even after the abolition of monarchy, a unitary system of governance. Its unbecoming for a federal democracy to fight a pandemic with a unitary law in hand. Nepal deserves to enact comprehensive federal pandemic code in line with the federal principles embodied under the constitution. The political parties-- irrespective of their ideology and party line--could stand together to devise a uniform and updated policy to accelerate a fight against disasters that know no boundaries.

The relevance of pandemic justice becomes lucid as the multitudes of challenges including socio-legal challenges, medical concerns, indemnification of clinical negligence, the spate of violence or ill treatment against persons infected with infectious diseases or the issues of compensation against the loss caused due to pandemic begin to emerge that can only be comprehensively dealt with a pandemic focused law or jurisprudence. The existing epidemic law regime in India and Nepal prescribe the rights of the state and stipulates punishment for outliers but the prevailing laws in the two-open border state fail to recognize the rights of vulnerable people in health emergency-like situations. In this regard, 'Pandemic Justice' is something that has potential to be an individual

course of study or an elective or concurrent course in university law programs to deal with the issues pertinent to the contagions. 'Pandemic Justice' also falls within the realm of Disaster Law.

The Apex Courts of Nepal, India and Media could play a significant role in highlighting its urgent need and building a timely and practical jurisprudence. The Supreme Court of India, considering the need of the time, gave directions that environment should be taught as a compulsory subject at every level of education and that UGC should prescribe a course on environment a compulsory subject in college education. The similar welcome directive could be made in case of pandemic justice and the media advocacy could play an instrumental role in this regard.

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Social Media and its Negative Implications on Society: The Case of Mob Lynching in Karbi Anglong District of Assam and Chandgaon Village of Aurangabad

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ABSTRACT

In this age of extensive digital usages, one of the most popular media is the social media, used and liked by many. Although the primary intention of social media has been to connect people and share stories and pictures, one cannot completely overlook its negative role. In this paper, I cite two examples of mob lynching – one in the Karbi Anglong District of Assam where two young people were lynched to death for being mistaken as child kidnappers and the other occurred in Aurangabad's Chandgaon village where two tribal's were lynched and six injured when a mob attacked them suspecting them of being robbers. In both these cases, fake news was spreading on the social media about a group of child kidnappers and robbers. Without verifying the authenticity of these forwarded messages, the entire village turned to angry mobs, which resulted in the loss of innocent lives. These incidents are evidence that social media has negative implications and the only way to curb such incidents is educating the people to be responsible social media users.

Keywords: Social Media, Fake News, Mob Lynching

1. Introduction

Social Media has been defined as a digitally mediated platform that accommodates the formation and sharing of news, information, ideas, videos and any other creative expression via virtual communities and networks. Today social media is used by all age groups for serving different purposes ranging from connecting with friends to posting pictures to sharing information. Every organization today also maintains a social media page to connect with people, especially the millennials. The positive and negative implications of this growing phenomenon of social media on the society cannot be ignored.

Social media has brought about massive changes in the way we form opinion about ourselves, the way we receive the opinions of others and also the way we connect with the world around us. We cannot deny the fact that social media has had many positive and advanced impact on the society like creating awareness regarding important issues, promoting economy and also in fostering connections among people, but the constant unregulated use of social media has also led to many negative consequences.

Although social media has brought about massive changes for the betterment of human life in every aspect and has made connecting with the world across different culture and geographical locations a much easier and less

time-consuming activity, it is essential for us to examine the negative aspects of social media on human lives. The youngsters of today's generation use social media not only to connect but also to study, to express their creativity, to share ideas, to connect as well as to entertain themselves. But studies have shown that the over-utilization of social media can have deep negative impact on our mental and emotional health.

As the demand for social media grows among people, popular social media sites like WhatsApp, Facebook, Instagram, Twitter and Snapchat also continue to evolve since its inception. One very important role of social media has been to accommodate itself to be an outlet to express happiness, sorrow, creativity and also fear. Expressing one's views and opinions as well as creativity in a healthy way is a very important part of human existence and social media allows that experience.

Another boon of social media is that it allows people to get instant information and update about specific interests that an individual may have. It might be in the field of news or sports or films or health and fitness areas. In an instant, an individual can follow pages propagating their interest and also connect to people of similar interest. Social media has also empowered an individual with an overflow of unrestricted information from every field imaginable and it

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can enrich a person's knowledge in many ways. Therefore, this knowledge and information gained through social media has impacted our culture, society and economy at large.

Social media has become a new forum for people to come together to exchange ideas, information, connect, relate and also counsel people and seek advice for different situations. It has removed the barriers of geography and location and has opened the doors to voice opinions in different fields whether its formally or informally and voices are being heard even in repressive countries.

Social media fosters collaborations among people from different walks of life and as such can participate in discussions and debates. These collaborations also result in group projects outside classroom and business partnerships. Although it is quite clear as to how social media has brought about different benefits to each one of us, breaking down cultural and geographical borders to easily connect us, it has come with a price.

In spite of all the benefits that social media gives us, it has also certain negative impact on our lives as the blending of individual isolation and global reach has eroded our society and culture. Social media has destroyed the trust we used to place on each other, replacing fact to face communication, comfort of physical and emotional support that once we used to easily have with virtual connection. It has degraded our independent thinking abilities and has robbed us of self-control and instead tempts us to constantly take part in group discussions and comments on any issue that interests us even to the extent of using unethical words and terms that might amuse and please us momentarily without thinking about the long-term consequences.

Ironically, even though it looks like social media is connecting us and bringing us together, in retrospect, it is actually turning us into an anti-social society. Suddenly, we prefer talking to each other using a device than face to face, we have replaced human interaction with social media platforms. Jonathan Safran Foer in his article, "How Not to Be Alone", said "Each step forward in social media has made it easier, just a little, to avoid the emotional work of being present, to convey information rather than humanity." With each passing day, these words ring truer and truer.

2. Background

Although my paper is primarily focused on the negative implication of social media, it is crucial to recognize the numerous benefits associated with social media usage. Social media is the greatest tool created in recent times to connect with people. It has brought about discussions,

debates, collaborations, forums, exchange of ideas like never before. It has torn down the limitations of international borders or cultural differences and brought the like-minded people in one place.

Besides the social connection part, social media is also an exceptional marketing tool that facilitates brand promotion and product marketing. Some of the popular social media sites like Facebook and different blogs keep alerting the user on a certain product and implants on the minds of the user a certain brand time and again to promote brand identity. These techniques of advertising through social media garner more attention and retention power than the traditional ways of electronic or print media. These ads reach the target audience much faster and reviews are also readily available at the disposal of the consumer. All these qualities of social media make it an excellent tool of marketing and brand promotion.

3. Negative Implications

Today if we look at one of the most popular social media site Facebook, it has more than 1.4 billion users around the world, nearly a fifth of the world's population and its population is greater than the population of some countries as well. This population together connects in one platform making the whole world look like a global village. However, this same social media that has connected thousands of people together has also brought about detrimental side effects to our society. One such negative implication is in the spreading of fake news. These social media sites are easily accessible and reaches maximum people in the fastest way and therefore, spreading any information, including fake news has become very easy and fast. In this paper, I am going to focus on two incidents of mob lynching that took place as a result of fake news being circulated on the social media.

4. Fake News

Fake news is a neologism which is often used to represent fabricated news. This kind of news, which is found mostly in social media sites, has no facts but is presented as factually correct.

Michael Radutzky, a producer of CBS 60 Minutes, said his show considers fake news to be "stories that are provably false, have enormous traction [popular appeal] in the culture, and are consumed by millions of people".

These kinds of fake news that spread through social media comprise not only political news but also information on health and stock values. Guy Campanile, also a 60 Minutes producer said, "What we are talking about are stories that are fabricated out of thin air. By most measures, deliberately, and by any definition, that's a lie."

The purpose behind fake news is important to understand. Why would someone want to spread fake news? How does it benefit anyone? In some cases, what appears to be fake news may in fact be news satire, which exaggerates and presents non-factual elements to amuse or make a point, rather than to deceive. Propaganda can also be fake news. Claire Wardle of First Draft News identifies seven types of fake news:

1. Satire or parody ("no intention to cause harm but has potential to fool")
2. False connection ("when headlines, visuals or captions don't support the content")
3. Misleading content ("misleading use of information to frame an issue or an individual")
4. False context ("when genuine content is shared with false contextual information")
5. Imposter content ("when genuine sources are impersonated" with false, made-up sources)
6. Manipulated content ("when genuine information or imagery is manipulated to deceive", as with a "doctored" photo)
7. Fabricated content ("new content is 100% false, designed to deceive and do harm")

In January 2017 the United Kingdom House of Commons conducted a parliamentary inquiry into the "growing phenomenon of fake news".

In recent times, the US President Donald Trump has also popularized and broadened the meaning of "fake news" to include accurate news they do not like. Trump confirmed this interpretation of fake news as negative news about himself in a tweet on May 9, 2018.

5. Cases of Mob Lynching

In the light of how fake news is being spread through social media, I would like to highlight two cases, which occurred in two different parts of the country but what binds them together is that in both cases, fake news spread and wrong information convinced the people to attack and finally kill innocent people portrayed to be criminals. Both cases occurred in the year 2018.

The first case involves two young people, Nilotpal Das (29), a sound engineer from Mumbai and Abhijeet Nath (30), his businessman friend. Both these young men were beaten to death in Karbi Anglong District of Assam by a mob, which mistook both these young people to be child kidnappers. What was ghastlier was that one of the attackers recorded this act of barbarism and circulated it online.

These two young boys were on their way to a picnic spot called Kangthilangso to capture sounds of nature for sound engineering purpose and collect some ornamental fish. They stopped few times to ask for direction. There were already some rumours going on in that village through social media regarding child kidnappers, which was not verified. But when they stopped their car to ask for direction, some villagers, suspecting them of being the rumoured child-lifters, informed others and this in turn fuelled rumours that the duo had come there to kidnap children.

When they were returning back through that village, the mob which had gathered on the false premises that some kidnappers were roaming around, stopped their vehicle, dragged them out and lynched them. When a friend called and asked for one of these young boys, a stranger picked up the call and informed him that he had been killed. This incident is a consequence of a Facebook post being circulated that some child kidnappers had come to Assam. This tragic incident in Karbi Anglong is a classic example of what happens when people fall for false rumours spread through social media.

The widely circulated clip of this mob lynching incident shows one of the victims pleading with the people not to kill him and that he was an Assamese. He also mentioned his father and mother's name. He kept pleading not to kill him but all his pleading fell on deaf ears, convincing the crowd that whatever they were doing was for a good cause to protect the children of their village. No one tried to verify the information spread through the social media. They were convinced that those two young boys were the criminals and that they had to be punished.

The second incident occurred in Aurangabad's Chandgaon village. Here also, a mob, suspecting few persons crossing the Yeola-Manmad Railways tracks near Chandgaon and going towards the neighbouring forest area to hunt to be robbers, lynched two of them and injured six others. This incident occurred as a result of a rumour spread on social media in the rural parts of Aurangabad regarding thieves and robbers being active in the area. In both the above incidents, it is quite clear that no one tried to understand or find the authenticity of the sources of these messages and news floating on social media.

This ignorance not only cheated and tricked entire villages to commit a crime without verifying but also cost the lives of several innocent people. While these unfortunate incidents took place through social media, people again used the same social media to organize protests and marches to call for solidarity for these young people who died in

Assam. Both the incidents above can be categorized as fabricated content, wholly untrue and meant to do harm.

While social media has many positive impacts of connecting with people, educating students, helping in business and also sharing our creativity at a global platform, these negative implications that cost the innocent lives of people cannot be overlooked or underestimated.

6. Conclusion

What can be the solution to these kinds of fake news spreading through social media? Though 23 of these mobs have been arrested and another 26 have been arrested for misusing social media, the long-term solution is not just arresting the people but also educating the people on social media.

Since a majority of the population is engaged with social media, more and more government as well as non-government initiatives should be taken to educate the people on using social media through digital devices wisely. A very basic sense of verifying the source for lack of time and interest should not be the reason for jeopardizing the lives of innocent people. When a person receives a Whatsapp message, instead of having the tendency to forward it to another 70 people on his or her friend list, he should think about the consequences.

Such responsible behaviour cannot occur simply by fear of being arrested but rather the consequences of one's

action on the society at large. With the increase in accessibility of information on social media, more initiatives like workshops and campaigns and audio-visual content should be created to educate the masses in such a way that every last person is aware of responsible usage of social media and this knowledge can also be passed on from one generation to the next generation just as was done with basic literacy, only this time with digital literacy.

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Coping with Post Truth: Bollywood Dances to the Tune

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ABSTRACT

Post-truth political landscape in India is marred by opinion and emotion. Criticism continues to be called “allegations” in today's post-truth India. Digitization and social media are fueling the ardor. Bollywood, the popular Indian film industry is also experiencing the wrath as the expressions are being gaged and narratives are being manipulated. This paper focuses on exploring the study of content generated by the users during social media campaigns triggered to promote recent Bollywood films. Films selected for this purpose have narrative which support populist sentiments. They can be termed as a potent mix of influencing imagery, a compelling storyline and high emotional quotient. After analyzing the content generated by users during the promotional trailers of films like 'Padmavat', 'Namo', 'Uri-the surgical strike', 'Tashkent files' and 'The Accidental Prime Minister', it can be implied that deluge of the opinion and emotion on social media has exposed post truth tendencies prevailing deepdown into Indian societal mindset. Methodology applied in this research is thematic content analyses of posts and comments which made rounds in various social media platforms during the trailer launch of select Bollywood movies. The paper builds its argument on “The Post-Truth Era: Dishonesty and Deception in Contemporary Life” (Keyes,2004). This study might have some very serious implications for Bollywood which has a hefty influence on Indian society. Film scholars and social media experts will also benefit from the possible outcome of the study. The timing of the research is especially significant as it is being done when Bollywood is in danger of losing its reputation as trusted institution which since its very foundation has been pro people.

Keywords: Post truth, Bollywood, Movies, Social media, Campaign

1. Introduction

Bollywood is Hindi-language film industry based in Mumbai (erstwhile Bombay) in India. Metonyms term Bollywood is a combination of 'Bombay' and 'Hollywood'. In terms of number of films produced annually, Indian film industry is the world's largest. In the year 2017 alone 1,986 feature films were successfully produced in India out of which Bollywood's share was 364. Although Bollywood produced only 18% of Indian films in 2017, but it accounts for more than 45% of the Indian film industry's revenues (FICCI and KPMG, 2006). In the year 2000, The government of India formally gave status of an Industry to Indian film industry authorizing the Industrial Development Bank of India to offer loans to filmmakers. This give film industry a much-needed boost as well as it presented an opportunity for promoting India's soft power (Thussu, 2016).

Bollywood which is considered as the face of the Indian cinema, has power not only to launch new fashion and trends but also to influence thinking of people. It is the potent combination of powerful moving images magnificently integrated with sound which helps to create direct and deepest impact on masses.

Bollywood has in the past played a pivotal role, and continues to do so, in building national identity, national integration and social reconstruction. In its attempt to show mirror to the society, Bollywood has always been critical of social and political tribulation those are rampant in Indian society. By embracing good moral, social and educative themes, and by introduction of nationalist sentiments, Bollywood films and their makers have earned a lot of trust and respect in the hearts of people of India. "The Hindi language Bollywood films have become a major medium for exporting national Indian

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culture abroad (Shrivastava, 2009). Bollywood films have also become a powerful vehicle for culture, education, leisure and propaganda. "Today Bollywood has reached a stage where it can claim to be able to formulate and guide public opinion so much so that 'films (in India) is perhaps the single strongest agency for the creation of a national mythology of heroism, consumerism, leisure, and sociality' (Appadurai & Breckenridge 1996). They not only reflect reality but also construct the political ideology. The public is generally unaware of the extent to which they are being influenced, managed and conditioned by the political discourses in Hindi films (Malhotra, 2014).

1.1 Post Truth and Bollywood

In 2016, Oxford Dictionary dubbed "post-truth" as word of the year. Though Post-truth does not tantamount to lying; however, it describes a state of affairs in which personal beliefs and emotions are more important than the objective facts in creation of public opinion. Ralph Keyes had already written about it in 2004 in the book, *Dishonesty and Deception in Contemporary Life*.

As a practice, Post-truth is not just confined to the political arena and fake news. It has found a place in Bollywood movies also. There is a recent upsurge of films being produced that overlook objective facts in their stories and thrive on personal beliefs and emotions. These films seemingly act as wheels to peddle government's agenda. It is not that the propaganda films were not been made before. Earlier, movies usually stayed away from direct representations of political ideologies, figures, and policies. They often relied on metaphor or subtext to propagate their message and meaning. Though this practice had also invited a ban on release by the government in some cases. A ban inflicted on Gulzar's 1975 film *Aandhi* was by Indira Gandhi, at the height of the Emergency, for the parallels it drew with her estranged relationship with her husband is a fine example of fear of the supposed impact of cinema in India on formation of public opinion.

Former Indian Prime Minister, Manmohan Singh, declared that Bollywood, the Indian film industry, would function as a diplomatic tool in the 21st century. He pronounced that the Indian soft power would be employed to influence world public opinion about the mounting importance of India as a global political and economic actor (Rasul, 2016). Earlier in 2001, *Gadar-ek prem katha*, ran house full during the government of Atal Bihari Vajpayee. The film was jingoistic and, in some sagacity, Islamophobic as well. "In comparison, this is the first time that portrayals of real political figures are being encouraged by those in power. The BJP government has actively enabled the

making and screening of movies that conflate nationalism with pride in a macho, militaristic Hindu state" (Rasul, 2016).

But in the recent scheme of events the films are being made with an objective to influence public opinion right at the time of elections. These films are frugally based on facts and thrive on their emotive quotient. These films released in unprecedented number right during the year of general elections in India, leaving a strong suspicion about their intent. The biopic made on a leader of a political party- Shiv Sena's supremo, Thackeray glorifies and proliferates Thackeray's ideals. In the film Shiv Sena leader has been portrayed as revolutionary activist who fights for the cause of people and rises to become a successful leader. Thackeray's ill-famed comment made in public which was directed towards South Indians- "Uthao lungi, bajao pungli"- is used in the film with a small tweak: "Bajao pungli, hatao lungi".

The Accidental Prime Minister, aludicrous film made on former prime minister Manmohan Singh's time as prime minister of India has found its way to theatres. The film received a lot of condemnation by the critiques for the way Manmohan Singh's character was depicted in the film which came out as a caricature and was more like a mockery and a mimicry. Singh was portrayed as a puppet in the hands of the elite Gandhi family. Terming the film as propaganda for the BJP, the Congress party approached the court and questioned the timing of film's release citing the upcoming state assembly elections, but the film released as per its scheduled date. The film was used as a campaign against congress party. The most questionable of these movies is a biopic based on the present prime minister of the country Narendra Modi. The film is titled as *Namo*. Though the film was prevented from reaching the silver screen at last minute due to court's interventions. It saw release soon after the general elections.

A stealthy propaganda film *The Tashkent Files*, which saw release in 2019, is an investigative story about the unexplained death of former Prime Minister Lal Bahadur Shastri. Slackly based on the leaks of sensational nature made by a former Russian spy in his book, and some of the half-truths, the film seems to be a clever attempt to discredit a particular political party who was in the government at that particular era. Younger generations might consider the arguments shown through the film as facts and this film may become their version of the truth for the unfortunate episode of the death of former prime minister.

Films which carry a social message, like *Toilet: Ek Prem Katha* (2017) and *Padman* (2018), have a striking sync to

the flagship programs of the government. Through sidetracking storyline, they attempt very hard to cover up hyping of the government schemes. The film that does this job exceptionally well is war drama based on the unverified surgical strikes carried out by Indian armed forces on the terrorist launch pads located in Pakistan occupied Kashmir in the year 2016. The title of the movie is *Uri: The surgical strike*. The film is a macho celebration of unconfirmed surgical strikes.

Whichever side of the political ideology the audience of the film may stand, no one can dismiss film's canniness and craft, despite knowing that the film is glorifying the obvious and providing a one-sided narrative. The many questions pertaining to the surgical strikes were not raised at all in the film. In *Uri: the surgical strike*, one can well aspect that the security lapses at Uri camp where the terrorist massacred Indian soldiers while they were in their sleep, will not be brought into sharp focus. And the separatist movement in North East won't be probed (Joshi, 2019). In any era, the dominant ideology embodies and serves to legitimize the interests of the dominant economic and social class. Riding on populist emotions the film *Uri: the surgical strike* generated revenue worth more than 1 billion rupees.

In terms of being films of propaganda genre, these films are sharper and more effective, having learned to camouflage their real, unctuous intent. These films prove to be too blunt to influence the naivest of the audience (Joshi, 2019). In terms of cinema, this is an era when the genre of propaganda has come off age. Filmmakers have learned the craft of wisely winding history and ideology to create maximum desired impact. It is well evident that propaganda cinema will henceforth become more confident in its maneuver. Bollywood is now more equipped than ever to make movies that will envision a narrow-minded landscape which does not need any substantiation. As filmgoers, it is important to be sensitive to the ideological contexts, since no film is free of ideology (Prasad, 1998). 'But the questions here is, whether films like *Uri* can be seen as traditional forms of political skulduggery on celluloid. Or are they effective political weapons in today's hyper-visual, inter-medial, post-truth age?' (Chowdhury 2019).

1.2 Advent of Social Media

As per the convention, movie promotion in Bollywood followed a less intricate process of trailer and song launches on satellite and cable television. Invariably this process would run parallel to the gossip columns and interviews of film stars in various newspapers and magazine. With the arrival of YouTube in the latter half of first decade of the current millennium, film marketing in

India has seen a new chapter. Film trailers were launched on YouTube followed by likes and comments of users. Facebook and Instagram armed with wide range of tools to amplify the reach, engagement and conversions, harbingered a new era dominated by social media campaigns for the film promotion and marketing in Bollywood. Bollywood started outlaying deeply on digital marketing and promotion. Typically, a Bollywood movie now a days is estimated to have a total marketing budgets of almost 30-40 percent of its whole production cost. Out of this nearly percent is spent on digital marketing. A study by Ormax Media has found that Facebook and YouTube together contribute to nearly 40 per cent of the first day collection, while television and in-theatre contribute to only 13 and 9 per cent of the total first day box office collection, respectively.

The emergence of social media has generated a scope to build its own media content in form of film review vlogs. Audiences uses social media tools to campaign for their favorite movies. Facebook official film pages, online contests, creating fan clubs; forums are the recent activities of the younger demographics in social networking sites (Bhattacharyya; Dasgupta, 2014). Since user generated information in form of comments, posts and tweets is ever increasing. This practice has become participatory in nature and often results in conversations and debates. It is becoming more commonplace to find this user-generated information on any film release or a trailer launch. 'Understanding how people are using this information and are influenced by it is an active area of research' (Dhar, V., Chang, E., Leonard, N., (2009).

2. Objectives of the Study

1. To explore the themes of content generated by users during the release of select films on two official social media platforms used during film's promotion.
2. To study if the the engaged users of these promotional material under stand the lack of objective facts in the narrative.
3. To study how the makers of these films engage in conversation with those engaged users who raise questions on timing and ideology of the film.

3. Literature Review

Previous studies on post truth and Bollywood film narrative revolves around the role of Bollywood as chief creator and promoter of one national identity of multicultural and multiethnic India (Bhoopaty 2003; Rasul 2016; Vinay Kumar 2014; Chaturvedi 2014; Mehrotra 2014). These studies demonstrate how 'cinema is widely considered a microcosm of the social, political, economic, and cultural life of a nation. Cinema is questioned site where meanings

are generated, traditions are created and recreated, and identities are affirmed or rejected' (Bhoopaty, D., 2003).

Neelam Shrivastava in her article *Bollywood's National(ist) Cinema: Violence, Patriotism and the National-Popular in Rang De Basanti*, writes about creating new national narrative and on how history can be reexamined by the popular films. She explains this by using example of popular Bollywood movie *Rang de Basanti* (2006). The film can be shelved alongside a part of a body of work that theories and signifies violence as seminal to the development of a national identity. According to Shrivastava, 'The film restages, Indiannationalist history but it does not use customary pacifist Gandhian vein, instead it thrives on martyrdom and armed struggle. For the audience of today, the film recreates a 'masculine' version of the nationalist narrative. Where it uses the tale of the Punjabi revolutionary Bhagat Singh and tries to position him as an Indian hero and as an example for today's generation (Shrivastava, 2009).

Azmat Rasul analyses the role of state in using films for forming and manipulating public opinion. He states that traditionally, the state intervened in the business of media due to their social relevance and impact on public opinion. He further inspects the relation between Bollywood films which contains violent narratives and Indian state apparatus that influences production processes by providing financial assistance to Bollywood. He articulates about multifarious political, social, economic, and ideological pressures (filters) applied by the state in the process (Rasul, 2016).

Rasool further examines sync between political discourse and the adherent themes of the films produced during that time. Explaining this he says that during the beginning of new millennium, Bollywood produced films carrying geo political themes that helped advancing the political agenda of Indian government in the region. Films such as *LOC Kargil* (2003) and *Lakshya* (2004) had strong patriotic and jingoistic tinges. These were in consonance with the foreign policy of the government. Contrariwise, with the start of peace process and efforts of cooperation between the two governments in the region after 2003, Bollywood started producing films such as *Veer Zara* (2004) and *Main Hon Na* (2004) which called for harmony and friendship between India and Pakistan.

C.M Vinay Kumar, Romash Chaturvedi and Shruti Mehrotra in their research paper titled 'Coalition between Politics & Entertainment in Hindi Films: A Discourse Analysis' discuss the change in the role of Bollywood as it tries to woo Indian middle class. They state that after liberalization in 1990s, the country saw the rise of Hindu

nationalism coupled with the rise of Indian middle class, the class which is the primary audience of mainstream Hindi cinema. Bollywood shifted its role and started catering to populist sentiments.

Nataliya Roudakova in her keynote address titled 'Populism and Post-Truth: A Relationship', delivered during ICA Pre conference held in Budapest in 2018, had stated that among many traits shared by both populism and post-truth, having a fundamental disregard for facts is the most communal. She goes on to state that for populists the facts are not relevant because facts can be altered and manufactured to suit someone's narrative. But they themselves prefer to cherry-pick facts that confirm to their version of reality. She further avers to describe populist as 'They reject the possibility of common truth that can translate across political and cultural divisions instead, populism often promotes those viewpoints that thrive on prolonging the eternal conflict between "the people" and "the elites," where the people are pictured as good and pure, while the elites appear as evil and corrupt (Roudakova, N. 2018).

Many scholarly studies in the past have indicated that though social media is a great platform to promote and market movies, but its advent has added fuel to the ardor. (Hou, 2018), (Jaques, C.; Islar, M.; Lord, G., 2019), (Wilcox, 2012) have examined various scopes of user generated content in the recent years. Michael Luca in her study on user generated content and social media states that the user generated content on various platforms has a large economic and social outcome. She avers that 'quality of such content is influenced by factors which invariably include promotional content itself and peer effects between contributors (Luca, M., 2015).

Bonnie Wilcox in his book chapter *Current Trends in the Marketing and Promotion of Movies Using Social Media*, finds out that two-way discussions which take place during social media marketing of movies helps studios and marketing agency to gauge the possible revenue outcome for the movie. He further explains that since in social media reviews and opinion move very fast and they can be manipulated, and a buzz can be created using fake social media accounts. He avers that a good word of mouth in social media is equivalent to conventional marketing efforts in yielding good results. Bonnie voices that Facebook and Instagram are good platforms to engage teenagers whereas a more mature audience is more receptive to twitter. 'A movie marketing is a mix of using these platforms to their fullest and don't let the buzz go down. This is achieved by posting regular updates (Wilcox, B., 2012).

There have been many studies which explore the characteristics and nature of social media content. In a recent study done by Jaques, Islar, and Lord it was observed that emotion and false content tends to travel faster and wider on social media platforms. The impact of such content is the likely cause of the proliferation of conspiracy theories and falsities. They further say that 'because online spaces are inundated with false information, the line between what is real and fabricated is often difficult to distinguish (Jaques, C.; Islar, M.; Lord, G., 2019).

Vaisakh in his study points out an exciting facet of social media. He avers that though social media brings together a richly heterogeneous group of individuals as it presents opportunities to interact with the unknown. Over some period of time these highly dispersed individuals form intentional communities. These communities are consciously created by same individuals based upon common ideologies. He further criticizes Facebook for promoting such communities due to which the platform has turned into an echo chamber. In context of echo chambers, Vaisakh likes to discuss issue of post truth stating 'as mentioned earlier, social media provides an indeterminate space for individuals to articulate their own meaning. Due to its global reach, it also overcomes the physical limits of conversation. When these two characteristics combine, it gives the social media and its users an unprecedented power to create, define and redefine discourses (Vaisakh, R. 2019).

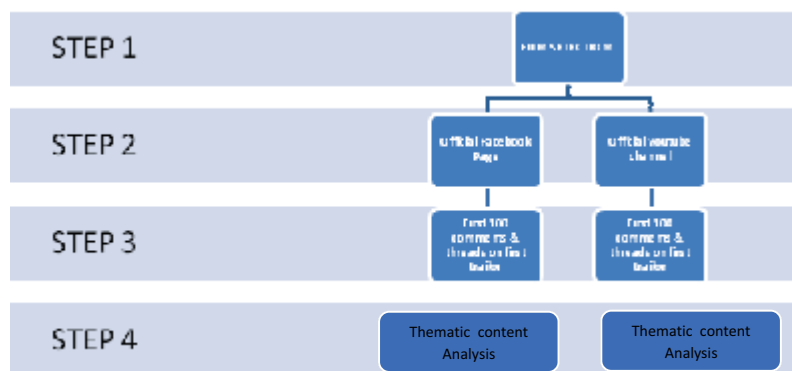
According to Mingyi Hou, advent of social media has marked a new era of celebrity culture. Easy access, affordability and participatory nature of social media present an opportunity before ordinary aspirants to become famous. Social media also presents a prospect of self-branding by maintaining an audience of peer users as fan base. Hou further explains in her article that these practices open up a scope of creation of a social media influencer. These influencers can manipulate opinion of

their peer group. An influence of an influencer on peer group can easily be quantified through the reflection of number of views, subscribers and likes. The boundary between the celebrity's private and public image has collapsed. Rather than keeping a managed distance from the audience, social media celebrities maintain managed connectedness with viewers and subscribers (Hou, M., 2018).

4. Research Methodology

In greater design, methodology for this research followed a two-step sample selection followed by a thematic content analysis of the sample. In step one of the sample selection process, total of five films were selected based on judgmental sampling method which was further based upon the theme carried by the films. The release date of these film ranges from year 2017 to year 2019. First film is Padmavat (2017), a period drama which ran into controversy even before the first promotional trailer of the movie came out. Second film is The Accidental Prime Minister (2019), a film whose theme revolve around former Prime Minister of India Dr. Manmohan singh's time in prime minister office. The third film is Uri: the surgical strike (2019), a film based on surgical strike carried out by Indian armed forces on terrorist camps in Pakistan occupied Kashmir. Fourth film is The Tashkent files (2019), a film based on investigation of death of former Prime Minister of India Lal Bahadur Shastri. Fifth film is a biopic on the current Prime Minister of India Narendra Modi titled Namoh (2019).

Second step involved visiting official Facebook pages and YouTube channels being used for promoting these films. In case of Facebook and YouTube, first hundred comments made on posting of the first trailer release and their threads were taken as a sample. This was done for each film separately. These samples were analyzed for various themes and codes. Following is the flowchart depicting stepwise method of sampling.



5. Analysis and Discussion

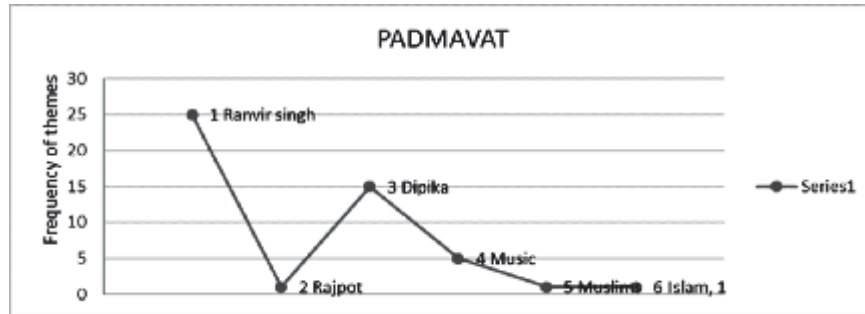


Figure.1.1

As shown in the figure 1.1, during the analysis of data sets of 'Padmavat', large majority of users were engaged in discussing or commenting on the lead actor of the film Ranveer Singh followed by Dipika (female lead of the film), then after the maximum engagement was for Rajput (a cast of warriors who are depicted in the film), A few notable themes that were also popular in discussion were music of the film and Islam (religion). There was little mention of the controversy which surrounded the film that had caused delay in the release of the film due to violent protests in large parts of northern India. Thus, it can be implied that the users are least interested in discussing either ideology in the narrative of the film nor the contentions of various cultural brigades regarding depiction of a particular character in the film belonging to an elite Rajput clan.

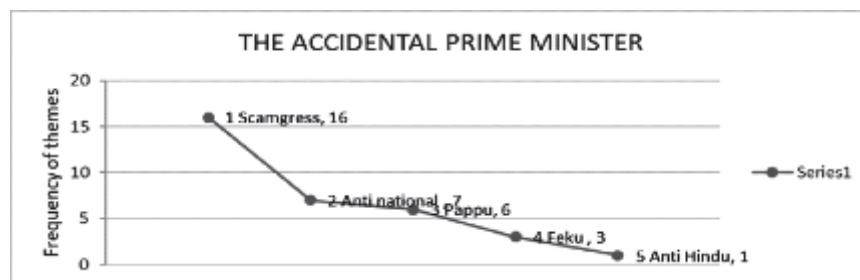


Figure.1.2

As shown in the figure 1.2, during the analysis of data sets of 'The accidental prime minister', the most preferred theme in the content was Scamgress (a negative word often used in social media for congress party. It's a union of two words scam and congress). After scamgress, the second preferred theme was antinational followed by Pappu (an insulting term often used in social media for congress president Rahul Gandhi). Feku (ansolent term often used in social media for Narendra Modi) and anti-Hindu were other two preferred themes of the content. All these themes have no direct connection with the movie. However, these themes suggest a crooked opinion about people who are in public sphere. There is no post or comment found in the sample which was made by official account of director or producer of the film on these two platforms.

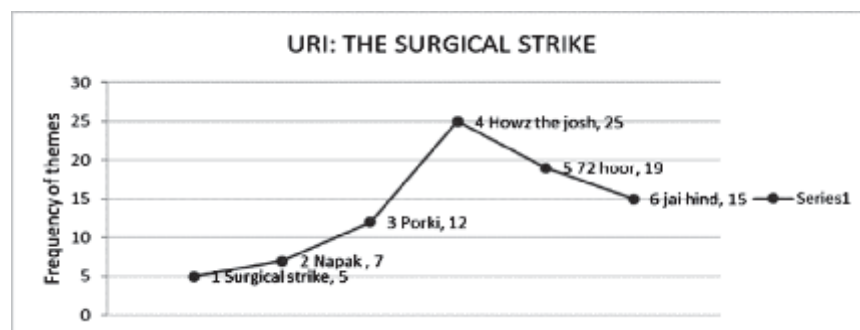


Figure.1.3

As shown in the figure 1.3, during the analysis of data sets of Uri: The surgical strike, the most preferred theme in the content was Howz the josh (how is your enthusiasm?). After Howz the josh, the second preferred theme was 72 hour (in reference to glorification of afterlife in Islamic faith) followed by Jai Hind (long live India). Porki (an abusive term often used

in social media for Pakistani nationals), Napak (not pure) and surgical strike were other preferred themes of the content. These themes indicate populist sentiments and shows hate for other religions. There is no post or comment found in the sample which was made by official account of director or producer of the film on these two platforms.

As shown in the figure 1.4 below, during the analysis of data sets of 'The Tashkent files', the most preferred theme in the content was Kashmiri pandits (Hindu Priests of Kashmir). Kashmiri pandits, the second preferred theme was Porki (an abusive term often used in social media for Pakistani nationals) followed by Jai Hind (long live India). Fuck congress and Islamophobic were other two preferred themes. These themes also indicate populist sentiments and shows hate for other religions.

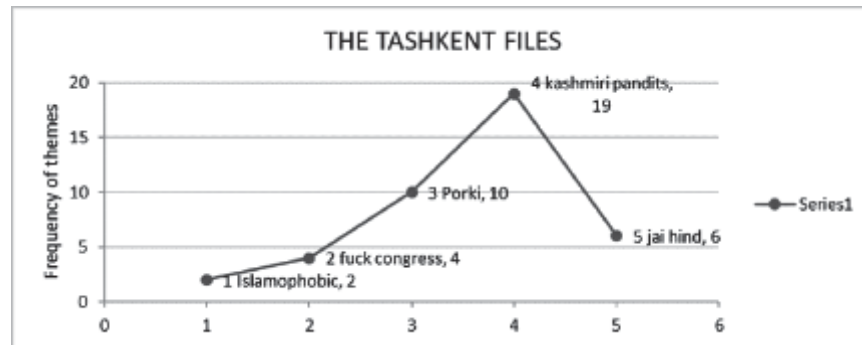


Figure.1.4

As shown in the figure 1.5 below, during the analysis of data sets of 'Namo', the most preferred theme in the content was Namo again followed by, scamgress (a negative word often used in social media for congress party. It's a union of two words scam and congress). These themes are followed by Pulwama (an Indian town where massive terrorist attack took place resulting in heavy casualty to Indian armed forces) and Pathankot (an Indian town where massive terrorist attack took place resulting in heavy casualty to Indian armed forces). These themes also indicate populist sentiments. There is no post or comment found in the sample which was made by official account of director or producer of the film on these two social media platforms.

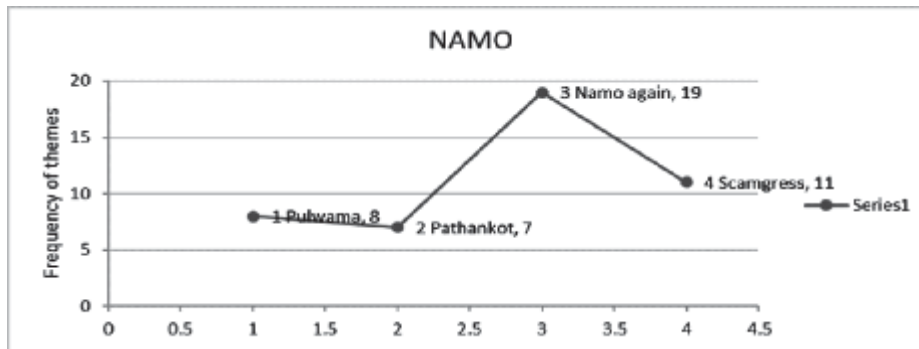


Figure.1.5

6. Conclusion

This study will be significant in marking ongoing trends in Bollywood which are disturbing as well as alarming. Hindi films today support narrative which is high on emotional quotient and low on objective facts. With a view to uncover the attributes that construct current discourse in Bollywood which exhibits post truth characteristics, this study has tried to ascertain extant of validation of these characteristics in public through analysis of user generated content. The study exemplifies that support for populist ideas and convenient truth is rampant in social media. As an industry running on a pre-determined business model, Bollywood is very likely to continue its ongoing harness of emotional appeal. A change in the ideology of Bollywood films indicate rebranding of nationalism which may suit a few to peddle their political agenda. As there are narratives which vouch for creating a new national identity altogether which calls for the dominance of one particular communal group, Bollywood's responsibility as the biggest influencer of public opinion increases many folds to create balance in the society.

An extensive study which includes all available social media platforms into its observation and analysis is immensely needed in order to reach a concrete viewpoint which presents a complete picture of the current socio-political situation in the country.

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Indian Journalism: Decentre the Centre to Integrate the Society

Dr. Dharmendra Singh*

1. Introduction

The roots of Indian journalism can be traced back to 1870 when James Augustus Hicky started the Bengal Gazette or Calcutta General Advertiser, popularly known as Hicky's Gazette from Calcutta (Kolkata). It exposed the private lives of the East India Company's officials which annoyed them no end as they could not tolerate such scandalous content either against them. The ruling EIC's ego could be understood and their anger too which turned into revenge against the publisher of the newspaper. As J. Natrajan's in his book titled 'History of Indian Journalism' writes:

"A personal attack on Mrs. Hastings and attack on one Simeon Droz, Colonel Thomas Dean Pearse and Swedish missionary, John Zachariah Kiernander, soon landed Hicky in trouble."

Hicky is not spared for his attack on the personal lives of the Company's servants which could be seen when then Governor General of the Company, Warren Hasting filed a libel case against Hicky and he was sentenced for four months in jail by the Governor General along with five hundred rupees as penalty. The Company was firmly determined to destroy the career of Hicky. They wanted to teach him a lesson so that a strict message that serves as a deterrent against other such activities is conveyed to others. This was really the award to James Augustus Hicky who unearthed the sleaze of the company which was swelling at every level in the company. This was a significant episode and that showed that the foundation of the Indian Journalism was set to reveal corruption, scam and other illegal activities which harmed society. This social system is not the result of a single year or decade; for centuries great reformers, saints, philosophers and other enlightened personalities of our society did a lot to serve humanity. They had dreamed to make a society where liberty, equality, fraternity could be an integral part of every human being irrespective of caste, creed, community, region, religion, gender and ideology. But one bitter truth which was the cause of our society's decline was Varna System which would be earlier the best for the society but later on it became rigid caste system and society divided as per their caste. Its benefit was always cashed in on by the invaders who came to India. The British East India Company too made use of this. They utilized every moment and looted the resources of the country because they knew that the princely states could not fight with them being divided for centuries on the basis of Varna System which was antithetical to the dream of great thinkers,

philosophers, saints and reformers. Divided states always tried to please the masters and the clear reason was behind of it that they wanted to be in the good books of the company such that they could enjoy the luxurious lifestyles and maintain the status quo. The Company did the same because it never wanted to displease the princely states and their rulers. British people knew that in spite of all odds of princely states rulers who exploited their own people yet the public or citizen of the particular state had faith on their king instead of the company while they were useless in the regime of British East India Company.

The tendency of the company was to loot the natural and other resources of then India which is now divided into the three, Bangladesh, India and Pakistan. Centralization of recourses in the hands of the company compelled Indians to come in the position of starvation. Slowly, maximum population of India was moving towards the periphery where exploitation in every sense started to take place. British people started to out caste and torture the Indians. Indians due to Varna System divided into many. Indian journalism was also affected by all these activities which were taking place in the society and victimised by the system which could be seen in the form of vernacular press which were giving importance to their own people only result disintegration emerged in the society which became the big cause of suffering of humanity which could be seen today too. These lessons were taught in our class of journalism and mass communication where the professors revealed the secret of Indian journalism. Professors wanted that students should know how India and its citizens were colonized by the British. Behind all these episodes there is Big Brother who is watching you (George Orwell) is responsible which is not the spirit of India which could be seen in work of art of Rabindra Nath Tagore's Gitanjali where he composes a poetry which reveals the Upanishad thought of India where freedom of every individual is the birth right because the energy which resides in him is free being complete, full. Tagore's poem begins like this:

"Where the mind is without fear and the head is held high;
Where knowledge is free;
Where the world has not been broken up into fragments by
narrow domestic walls;
Where words come out from the depth of truth;
Where tireless striving stretches its arms towards
perfection;

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Where the clear stream of reason has not lost its way into
 dreary desert sand of dead habits;
 Where mind is led forward by thee into ever widening
 thought and action-
 into that heaven of Freedom, my Father;
 Let my country awake."

These lines are enough to understand Indian Journalism. Tagore puts here the clear objective of journalism and he directs to the budding journalists to follow the principles of Upanishads that is the soul to the humanity and make this country 'heaven of freedom' with the help of their reporting and writing. He provides the insight to the journalists as to what kind of characteristics they should have when they go to field to practice journalism. Now here we should know the etymological meaning of journalism, its purpose and its journey in India after independence. It is essential here to know whether it has followed the path of India actually about which Tagore speaks in Gitanjali or it went in some other direction which was not expected and if went then who is responsible for that. Why has journalism not followed the path of Buddha's nonviolence which was adopted by Gandhi through his experiments?

2. Contemporary Trends

Journalism as David Wrainwright in his book 'Journalism: Made Simple' which is published by Rupa and Co. writes that this word journalism is derived from 'journal' its best contents are 'dujour', of day itself. Again, he writes that journalism is basically news but he does not limit it with only news as he writes:

"Journalism may also be entertainment and reassurance, to satisfy the human frailty of a world that it always eager to be confronted with knowledge that out there are millions of human beings just like us."

If we go through the words of David Wrainwright, we find that he emphasises on three things, the first is news, second is entertainment and the last one is reassurance. And with the help of all these three he says journalism tries to satisfy human desires. When we read the history of journalism, we find that since its origin it has been in controversy and has been used as weapon against 'others' of Edward Said. Whereas Indian society is concerned, history stood up here to present before you the episodes of the past where atrocity, injustice, malpractice and other torment had happened with those who belonged to Harijan community and had been marginalized from the main stream of Indian society. Media too were controlled by them who were known as upper castes, upper class people which are still under their control as the research of Professor Yogendra Yadav and his associate Mr. Anil Chamaria revealed in 2006 that all the gatekeepers of media houses are from the upper castes and upper class. Now you would understand the strength of 'Varna System' where elite castes and class control the media and its content to maintain the status quo.

Through this medium, they have been interfering in the private lives of the people in the name of security since centuries being the agent of the authority who promises the people that only under his regime the lives of people are safe and secure. In the name of culture, the elite imposed their own lifestyle on the poor through the modern mode which was known as journalism then and now in modernism and post modernism, modern media or new media. Adorno says, the cultural industry which creates consumeristic culture which does not have any ethics, principles, if anything exists it is only benefits, profits to the capitalists. To achieve their motives, they have opened their media bureau offices at village level and disseminate their content just to make people consumers of their product which are in the form of videotext or image text and which attracts easily the common people about them. Jean Baudrillard says when simulacrum reaches at the readers level it become hyperreal, a stage of confusion where readers or receivers have to surrender themselves before the capitalists. This binary opposition which is created by the elite for their own benefit can be seen at every stage- national, state, district and village level where there are so many centres and peripheries. Every centre exploits the right of periphery which wants to be strengthened but due to the strategies and manoeuvring of centre it does not fulfil its potential and remain at the same position where it is left since centuries. This could be seen in the form of content of media which does not come from the periphery, and is not covered by reporters of the periphery, not presented by the people of the periphery, it is done by the agents of centre which are in the form of Integrated World Capitalism and about them Guattari talks in his book 'Three Ecologies'.

All types of content of media, socio-economic, political, cultural, educational, science and technology, environmental and others are 'corecentric' which has captured all the resources of content of media and disseminate it among others in the name of information, education and entertainment through their gatekeepers (editors, reporters and managers) who follow the policy or guidelines of the organization which is setup by the capitalists to take possession of the common public so that the legacy of capitalism could be continued. If the media organization is small means its circulation or reach is lowest then it respects the state's law and order or the existing rules and regulations and guidelines to control the media. The Constitution of the State is also respected. But the Big Brothers of Orwell do not care of all those guidelines which are detrimental to their motives. They have their own logic and that is their circulation or reach which makes them powerful because public is with them whom they have made lotus eaters and have lost their rationale.

Public is power that makes the king who rules upon them. The organizational set up of media has changed and the

reason is very clear where it is governed by the Integrated World Capitalism (IWC) of Guattari- who do not have permanent resident and from where they control and run it nobody knows but one thing is very clear that is they do not want to give freedom to those who are controlled by them whose best example can be seen as Arab Spring which went against the authority and then after they became alert. It was their hubris which did not allow them to let the internet democratize the society and splinter net was introduced to control the public. The statement of American President Donald Trump clearly shows his hubris where he says 'close the internet in area where its rivals operate'. Shashi Tharoor writes this in his book *The New World Order*. As we know that the modern journalism is totally based on the internet and the Big Brothers want to control it to maintain the hegemony of Gramsci about which Shashi Tharoor and Samir Sharan write in the same book titled *The New World Disorder and Its Indian Imperatives* 'Westphaliansovereignty/cyber colonization.

In total, these Integrated World Capitalists, by hook or by crook want to maintain their monopoly in the world. They begin their journey being the shareholders of any State's media organization which needs modernization, and it happens when huge investment takes place. States invite foreign investors who invest capital in it and this gradually starts control over the media. From here, their hidden agenda of indirect imperialism begins where heterogeneous human society is persuaded through the media presenters to adopt their content to be modernized. The game of oneness, sameness, same taste, same dress, same way and same culture begins which is commonly known as homogeneous through the product of the Integrated World Capitalism (IWC). Thus, the consumeristic culture of Adorno emerges which makes the human society dependent on the neo elites who are more inhuman than their ancestors, the rulers. Now you are expected by the authority that you should come out of it and be self reliant, should go your own way which is an incongruity in itself. If we think that social media due to the availability of the internet has made us king then it will be the climax of our inanity where we think that again the individualism has emerged because of the internet and the dominance of traditional media has disappeared and individual decides the content but he forgets that it is only out of available content that he chooses what to consume. Thus, the dream of self-reliance again goes against of them and they feel cheated. They are caught in the rhetoric of integrated world capitalism where 'consumer is king'. This could also be understood by the theory of surplus of Marx about which Gayatri Spivak writes in chapter five 'In Other World's titled *Feminism and Critical Theory*:"Marx's notion of use-value is that which pertains a thing as it directly consumed by an agent. It is exchanged-value (after the emergence of the many form) does not relate to direct fulfilment of a specific need, but it is rather assessed in

terms of what can be exchanged in either labour-power or money. In the process of abstracting through exchange, by making the worker work longer than necessary for subsistence wages or by means of labour saving machinery, the buyer of the labour's work gets more (in exchange) than the worker's need for his subsistence while he makes the thing. This "more-worth" is surplus value."

The picture which is shown by Karl Marx that is known as use-value, exchange -value and surplus -value can be allegorically applied on the Indian society and its social system. It can be seen in all the institutions whether they are controlled by public or private people who are popularly known as capitalists, conglomerates or recently Guattari termed it Integrated World Capitalism. India's Varna system, caste system, communal system and gender too where patriarchal system exploits the use -value of women when they exchange it. Gayatri Spivak writes 'In Other World': "the relationship of women with this particular triad- use, exchange and surplus- by suggesting that women in the traditional social situation produces more than she is getting in terms of her subsistence, and therefore is a continual source of production of surpluses, for man who own her, or by the man for the capitalist who owns his labour-power. "Similar scene can be seen in the media houses too about which Spivak talks in above mentioned paragraph where the owners of these media organizations exploit the use value of journalists who get less than what they deserve in terms of salary and reputation. Their principles which were taught to them in the time of their education and training are meaningless in the eyes of owners. Thus, the side effect of exploitation does not stop at that level only it moves forward. The journalists also do the same as their owners did with them when they cover the story or collect information and disseminate it. They too do injustice with the object at the time of coverage about which T.S.Eliot says objective co relative and thus content becomes hyperreal (Bourdillard) because content is embedded which was evident at the time of Gulf war about which Bourdillard says it was not fought, it was fake information, this is the post truth of it.

People and their problems (sphere of Habermas) or issues are kept away by the media houses. Human Rights and its related issues do not get space in the print media and time in the electronic media because the approach of journalism has changed. Gandhian view of non -violence, the positive meaning of it is not to kill and negative is to love all has become meaningless in present journalism because the media houses are run by the profit oriented mind set of owners, the materialists who have given space and time to their products and promoters only. Thus, the use value of public and their issues are thrown away from the mainstream sphere where they are exchanged. That result is the owner of the media houses go from rich to richer because of the surplus. This was the reason journalism of Hicky came into being but ceased to exist

shortly after. Where is now Young India, Harijan of Gandhi ji, what happened with Mook Nayak of B.R. Ambedkar. This is not again 'making of America, White as Ian Breammer writes in his book titled 'Us vs Them' The failure of Globalism. It does not mean that there are no serious journalists in the industry. There are those who want to do serious journalism, the journalism of people and their democratic rights but due to the conflict of ideologies, political-economy and fear of censorship they have to surrender. They know the consequences such as cancelation of licence to run media houses where huge amount is invested by the capitalists who never ever want to go against the policy of the Government. These all things are done by the State just in the name of national security and law and order which indirectly empower the State and deprive the common people to access their fundamental rights and human rights. Breammer rightly says here that modern media organizations want to make 'America White Again, Brahminical/ Sanscritize (M.N. Srinivas) where 'Others' of Edward Said do not have a place. Under this situation what kind of journalism does one expect. One would think it would be critical, analytical, fact oriented, but what is needed is not only advocacy kind of journalism, fake news will exist and it will be known to us after a decade or more when some other burning issues will be in media domain. General public does not want all these things. Ian Breammer writes in his book Us vs. Them The failure of Globalism:

"Human beings want security, opportunity, and prosperity, and Governments want to claim credit for providing these things. Both the government and the governed want to believe they have the means to retake control of their circumstances when they believe these things threatened. This is the battle line between us and them. Nationalism grows from a need to reassert control by declaring shared solidarity. It promises to confront the forces that are believed to breed disorder and that compromise both personal and national sovereignty. It pledges to build strong walls to keep "them" at bay."

This is true lesson to professionals who are working in media organizations. After witnessing modern reporting, it seems that they have understood the message which authority disseminates. Those who have been very close to the particular ideology and political party now they are at bay because they are not patronised by them being out of power.

Three things have always dominated in journalism and reason is it has been very much associated with culture of human being about which Micheal Foucault names them in his book 'The History of Sexuality, Volume 2, The use of pleasure', the pleasures of drink, sex and food (potoi, aphorodisia, edodai). At present it has become the motto of journalism where content is presented in a way which seems more superficial which may create a problem for the reader as Aristotle says in the Nichomachean Ethics:

"The three examples he gives of "common pleasure" are those of eating, drinking and for youth and vigorous men, the "pleasure of the bed". In these three forms of pleasure, he organizes the same type of danger: that of exceeding what is necessary; he even identifies a physiological principle that they hold in common, noting pleasure of contact and touch in all three (according to him, food and drink do not cause their particular pleasure except by coming in contact with the tongue and specially the throat)"

Maximum content of media at present is put in the same way as Aristotle quoted above. Realization of the message from the media is missing. Exchange meaning of the content which is disseminated by it to the readers/ audiences are not matching and as a result is the gap between them is widening. This can be seen in every aspect of human life, socio-economic, political, education, culture, gender and others. As Shashi Tharoor and Sameer Sharan's book titled 'The New World Disorder and the Indian Imperatives, which shows the disparities of our society, says:

"The richest 1 percent own nearly 82 per cent of the world's wealth and global inequality is at its highest in modern history."

Recall the report of late Shree Arjun Gupta Committee which was floored in the Indian Parliament in 2007 where it was said that 80 per cent population of this country earns only 20 rupees per day. After going through these reports, you can imagine the status of our society and the negligence of media which does not give priority to this very important issue related to the lives of maximum population. Inclusion is only on paper of the authority which you cannot access because of the Official Secrets Act which is used by the authority for the safety of its own and RTI is not applicable here.

3. Indian Perspectives

You would have been thinking after going through previous pages what kind of picture is shown to all of you here. We would have to accept it and would have to develop a critical approach to reduce the complexities of present media and its content where everybody could feel good. We would have to go back to our early civilization to the treasures of thought which have the capacity to cure the existing problem. In this reference, Upanishads can play an important role. The answer lies in Taittiriya Upanishad which shows the path of integration. The paper tried to light the shortcoming and flaws of Indian journalism as well as the society and the need for integration which means all the components, whether small or big, come together in a single system that functions as one. Human body is a smaller unification, which could be known as micro of both gross and subtle where body and soul are united into one and on the macro level the whole Universe is interconnected or integrated. But it is not easy to understand it. An individual has to go into deep meditation,

Upasana through which he could transcend himself from that stage where he was earlier which was creating misunderstanding and bounding him to confine into a small sphere like caste, creed, culture, region, religion, language, gender and others. Demagoguery, manoeuvre, voyeur and other similar terms which confine the character of human being does not exist once you integrate yourself with the Reality.

Let us understand this with the help of some examples from the Taittiriya Upanishad. The teacher starts prescribing the various methods of Upasanas to remove the misunderstanding so that pupils could connect with the reality which teacher wants. About this Upasana, in Taittiriya Upanishad by Swami Chinmayanand, it is said that it is a technique by which the entire dynamics of the mind is directed through a constant thought flow towards a defined goal through a well chalked out line of contemplation. It's the first chapter which is known as Siksa-Valli, section iii, which is titled Meditation on Juxtaposition, shows the picture of the Upasanas where it is detailed how to connect with the Universe. One thing here should be cleared that all these things are not vague and superstitious or orthodox. They are very much scientifically proven but differ from the materialistic approach of the West where panoptical system is developed to control the people so that rulers can rule the state while the Indian approach talks about the liberation from all the worldly affairs. Teacher teaches the students through Upasanas how the individual body is unified with the Universe and vice-verse Universe to individual body. This is called the secret of conjunction which is taught by the teacher to the disciple.

"The teaching concerning the universe is this: the earth is the prior form, the heaven (firmament) is posterior form; the atmosphere is the junction, air is the connection. Thus one should meditate upon the Universe."

Therefore, the search continuity to know the Ultimate Reality is going on and now the connection of luminaries or meditation upon the light is detailed where the fire is the prior form, the sun is the posterior, water is the intermediate form and the lightning is the connection. The next one is the knowledge where the teacher is the prior and taught is the posterior and learning becomes medium and the instruction given by the teacher is the means of joining. The fourth secret teaching is about the progeny where mother is the prior and the father is posterior, progeny is the junction and the procreation is the connection. The final teaching is about the body. The lower jaw is prior, and the upper jaw is posterior, speech is the conjunction, tongue the means of union. These five teaching is called the Great Blending, he who understands them become united and with progeny, cattle, food and like and with the glory of holy lustre, wealth, and heavenly joys.

4. Conclusion

The whole world, at present, facing problem of dissociation, rejection in every sphere within and outside of State, within, among the communities/ societies and outside with the States. These all things are happening even in the field of journalism and media houses because of our Machiavellian attitude where individual and society has become self centric, arrogant, callous, cynical, bitchy, dogmatic, grumpy and finicky. Journalists / communicators too are suffering with the same problem due to their ignorance or misunderstanding of Reality. This 'gap' is breathing because every individual is disconnected directly or indirectly from the others. Communication is blocked which not good for any civilized society that is why some suggestions are needed to accept which are from the Taittiriya Upanishad, in Brahmanand-Valli, where the Self's discovering process is detailed. It explains how creation first came into being as it is narrated by the saint that five great elements which are known as akasa (the subtlest of the five elements) which emerged from truth, the air, fire, water, and earth (the last four elements are known as grosser elements). The world of matter consists of these five elements. Five senses have emerged from these too. From the element of akasa, sound came and that could be heard through the ears, air in the skin, fire in the eyes, water in the tongue and earth in the nose (Taittiriya Upanishad). The saint further explains how food came into being and his answer is that it is the earth which produces the food which maintains the physical health and stamina of an individual. Purusha is born out of food. In Taittiriya Upanishad it is written that 'all beings that exist on the earth are born of food', and they go back to become food. Therefore, says the saint, food is the first gross element which is self-evident without any special explanation. The soul which is part and parcel of life is also made up of the essence of food. Thus, it is clear to all that each element is inter-connected, unified and equally important- missing of anyone cannot produce the whole which is life. This is integration which is life. Everybody must know it. This is the ultimate Truth which is needed to be applied in all spheres of society. Journalists must learn to integrate it to Indian journalism.

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IMS Unison University at a glance

IMS Unison University, a constituent of Unison Group, is a premier educational and research University nestled amidst beautiful and serene surroundings offering an environment that fosters learning and stimulates creativity.

The Journey started in 1996 as IMS Dehradun, a non-profit organization set by a group of visionaries dedicated to the cause of changing the face of professional education in Northern India.

The University today provides a platform for excellence in teaching, learning, and administration. Its State-of-the-art Infrastructure facilitates in developing well trained graduate, post-graduate and doctorate professionals to meet the ever-changing needs of the corporate world.

IMS Unison University t aspires to become a world-renowned center for creation and dissemination of knowledge. It aims to provide a holistic career-oriented education that develops intellectual, moral and physical capabilities of the students.

The University presently offers under-graduate, post-graduate and doctorate programs in the streams of Management, Law, Mass Communication, Hotel Management and Liberal Arts under the following five schools:

1. School of Management
2. School of Law
3. School of Mass Communication
4. School of Hospitality Management
5. School of Liberal Arts

The University is committed towards delivering quality education, developing strong industry interface and providing placement opportunities to its students.

The University brings out the following three Journals, one each in the three disciplines of Management, Mass Communication and Law, in an effort to fulfill our objective of facilitating and promoting quality research work. These are:

- Pragmaan: Journal of Mass Communication
- Pragmaan: Journal of Management
- Pragmaan: Journal of Law

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