



INTERNATIONAL JOURNAL OF CREATIVE RESEARCH THOUGHTS (IJCRT)

An International Open Access, Peer-reviewed, Refereed Journal

The Fourth Estate In Crisis: Ethics Vs. Sensationalism

SEHANAZ T,
B.A., LLB., 2ND YEAR LL.M.,
CRIMINAL LAW AND CRIMINAL JUSTICE ADMINISTRATION
THE CENTRAL LAW COLLEGE, SALEM, INDIA

Abstract: The widespread proliferation of unethical and unprofessional practices, such as paid news, sensationalism, fake news, and partisan reporting, has put journalism's integrity in jeopardy. By putting propaganda and profit ahead of the truth, these practices not only undermine public confidence in the media but also jeopardize democratic accountability. Effective enforcement of ethical standards is hampered by the lack of jurisdiction over digital media and the restricted punitive powers of regulatory bodies such as the Press Council Of India (PCI). This analysis emphasizes how urgently systemic changes are needed, such as more robust regulatory frameworks, media literacy initiatives, self-regulation, and openness in media ownership. It also demands that the public consume media responsibly and that ethical journalists have legal protections. Journalism runs the risk of being compromised and losing its function as a watchdog for democracy if decisive action is not taken. The way forward necessitates cooperation between citizens, media outlets, and regulators in order to restore credibility and preserve the fundamentals of ethical journalism.

Index Terms - Unethical journalism, paid news, media regulation, fake news, Press Council of India, media accountability, sensationalism.

I.INTRODUCTION

“White Collar Crime” is a crime actually inculcated by persons of respectability and high social status while engaged in some activity of their occupation. A white-collar criminal, being from the upper socio-economic strata, offends the criminal law while applying his professional qualifications. In essence, trademark infringement, copyright infringement, patent infringement, fraudulent-sale advertising, are common uses by manufacturers, industrialists and those of well-known repute as part of their occupation to obtain huge profits. In the later phase, Professor Sutherland defines a white-collar criminal as a person belonging to the upper socio-economic class who violates criminal law in the course of his occupational or professional activities.

James Cameron is an eminent journalist who says: “There is not a single soul who would deny that corruption in its totality and persuasiveness in India is almost a matter of National pride.” It has been described as being totally widespread and spectacular¹. State V. Bharat Chandra Raul².

Some professions involving technical knowledge and skills present ample opportunities for white collar criminality. These include Journalists, Teachers, Doctors, and Lawyers.

¹ What Is White-Collar Crime? Meaning, Types, and Examples, INVESTOPEDIA, <https://www.investopedia.com/terms/w/white-collar-crime.asp> (last visited Jun. 25, 2025).

² 1975 Cr.L.J. 2417 (Orissa)

II. JOURNALISM IN INDIA

Journalism in India is a mini world of the country's democratic spirit, encompassing its virtues and contradictions. Constitutionally, Article 19(1)(a) due to India being the largest democracy in the world, grants freedom of the press in India. Hence, this pluralism is reflected through over 17,000 newspapers in more than 22 languages, besides the electronic media that boasts 400+ 24-hour news channels. India is plural in a linguistic, cultural, and political sense; hence regional media often hold more sway than national media in their respective states. Yet this engaging facade hides systemic challenges that are threatening the foundations of free journalism³.

The profession has been struggling against some existential threats: increasing state censorship through laws such as the IT Rules, 2021, which gave the government sweeping powers to regulate digital news content and mandate traceability of encrypted messages. Journalists have been faced with politically motivated harassment in all its forms, such as sedition charges (Section 124A IPC) and the use of anti-terror laws to suppress dissenting voices (such as in the Bhima Koregaon arrests). Financial pressures are leading to the most worrying trends of "paid news" syndicates and corporate-political capture of media houses where editorial independence is compromised by ownership interests. Regional journalists and women reporters are especially endangered, facing a disproportionate share of risks from physical attacks (as documented by the Committee to Protect Journalists) to online gendered abuse⁴.

However, Indian journalism has proven remarkably resilient. Investigative publications such as The Wire, Scroll.in, and News laundry have published ground-breaking stories about social justice (Bilkis Bano case), civil liberties (Pegasus spyware scandal), and corruption (Adani-Hindenburg case). There is hope for financial sustainability without sacrificing integrity thanks to the growth of non-profit journalism models and fact-checking initiatives like Alt News. But there are two sides to the digital revolution: although it has made grassroots reporting possible, it has also sped up algorithmic polarization, deepfakes produced by AI, and disinformation epidemics.

The role of journalism as a watchdog is put to the ultimate test as India's general elections in 2024 draw near, from overcoming state-sponsored narrative control to negotiating government advertising bans. The profession must rethink its business strategies, strengthen legal safeguards, and regain its position as the fourth pillar of democracy.

III. JOURNALIST IN INDIA

In India, journalism is a vibrant and demanding field that is essential to maintaining the biggest democracy in the world. The nation's journalists cover a wide range of topics, including politics, business, social justice, and grassroots movements, on a variety of platforms, including print, television, digital media, and regional outlets. Investigative journalists frequently reveal corporate wrongdoing, human rights abuses, and corruption, promoting greater accountability and transparency. But there are serious risks associated with the profession. Many journalists experience physical violence, legal harassment, and intimidation, especially when covering controversial topics like caste discrimination and religious tensions or powerful politicians or corporations. Due to growing censorship, internet shutdowns, and the abuse of laws like these, press freedom in India has declined recently, and the nation now ranks poorly in international indices⁵.

IV. UNETHICAL AND UNPROFESSIONAL PRACTICE OF JOURNALISM

Despite being crucial to democracy, journalism in India is becoming more and more tainted by immoral and unprofessional behaviour that damages its reputation. With some media outlets putting viewership and financial gain ahead of factual accuracy, sensationalism, biased reporting, and sponsored news have become commonplace. Exaggerated headlines, false information, and the spread of fake news, especially on digital platforms, are all results of the rise of "clickbait journalism." By overtly supporting political parties or corporate interests, many news outlets engage in partisan reporting, making it difficult to distinguish between propaganda and journalism.

Paid news, in which media outlets accept payment to publish positive stories or censor negative ones, is another significant issue, particularly during election seasons. This unethical practice compromises

³ Editor, *Landmark Cases on Article 19(1)(a) of Indian Constitution*, LAWGICAL SHOTS (Oct. 6, 2024), <https://lawgicalshots.com/landmark-cases-on-article-19-1-a-of-indian-constitution/>.

⁴ India: New Amendment to the Information Technology Rules That Threatens Press Freedoms Must Be Withdrawn, ACCESS NOW, <https://www.accessnow.org/press-release/withdraw-india-it-rules/> (last visited Jun. 25, 2025).

⁵ World Press Freedom Index 2025: Top 10 Best and Worst Countries — Where Does India Rank, <https://indianexpress.com/article/trending/top-10-listing/top-10-best-worst-countries-for-press-freedom-2025-indias-rank-9983064/> (last visited Jun. 25, 2025).

journalistic integrity and skews public perception. Conflicts of interest are also common; some journalists have political affiliations or business relationships that affect how they report⁶.

The issue is made worse by a lack of accountability; media oversight organizations such as the Press Council of India (PCI) frequently lack the authority to enforce laws, which permits unethical behaviour to continue unchallenged. The situation is made worse by the lack of strict editorial standards in digital media, which allows deepfake content and unverified stories to spread freely.

Although there is still ethical journalism, professional standards have been undermined by political pressures and the increasing commercialization of news. India needs more robust regulatory frameworks, open ownership disclosures, and a dedication to editorial independence and fact-checking in order to rebuild public confidence. Without these changes, unethical journalism will keep undermining democracy by influencing public opinion instead of educating it.

V. THE PRESS COUNCIL ON UNPROFESSIONAL AND UNETHICAL JOURNALISM

As a statutory body created by the Press Council Act of 1978, the Press Council of India (PCI) acts as a watchdog and defender of journalistic ethics in India. Although upholding press freedom a fundamental component of democratic governance is the Council's main duty, it has become more outspoken in its criticism of the widespread unethical practices undermining professional journalism. The PCI has documented concerning trends through its adjudications and annual reports, such as the danger of blurring the boundaries between partisan commentary and factual reporting, sensationalist reporting that puts viewership above the truth, and paid news syndicates, especially during election cycles. The Council's strategy strikes a careful balance between a strong defence of media independence from governmental meddling and a strong call for strict self-regulation⁷.

1. PAID NEWS & BIAS:

The two interconnected ethical transgressions that afflict Indian journalism paid news and partisan reporting have been strongly denounced by the Press Council of India (PCI). The Council has frequently drawn attention to the risky practice of paid news, in which media outlets take financial rewards for publishing positive stories or purposefully stifling critical reporting. This practice is particularly common during election seasons and seriously skews democratic processes by influencing public opinion. The PCI finds the increasing trend of partisan reporting, in which media outlets forsake journalistic objectivity in favour of overtly advancing political agendas through selective coverage, skewed issue framing, or outright propaganda, to be equally alarming. Collectively, these actions erode the fundamental tenets of impartial and independent journalism, fostering a climate in which the media's function as a democratic watchdog is jeopardized and truth is commodified. The PCI has underlined that such unethical behaviour not only undermines public confidence in journalism but also presents structural threats to the integrity of India's governance and electoral democracy.

2. SENSATIONALISM & FAKE NEWS:

The growing sensationalism culture in Indian media, where outlets increasingly place more emphasis on drawing viewers in with provocative headlines and exaggerated reporting than on providing the public with accurate, nuanced information, has raised serious concerns, according to the Press Council of India (PCI). The PCI cautions that this tendency toward sensational journalism undermines the media's reputation as a trustworthy information source in addition to misleading viewers. The Council is especially concerned about the widespread dissemination of fake news and unverified reporting on digital platforms, where the lack of gatekeeping measures permits false information to spread quickly. In response, the PCI has argued for greater adherence to ethical reporting standards and fact-checking procedures, stressing that journalists should uphold their professional duty to confirm information before disseminating it and avoid the temptation of instant engagement metrics. According to the Council, this corrective action is necessary to protect the integrity of India's information ecosystem and maintain public confidence in media organizations.

⁶ India | Reuters Institute for the Study of Journalism, <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2025/india> (last visited Jun. 25, 2025).

⁷ Navigating Press Ethics and Freedom: The Press Council of India Act 1978 • Journalism University, (Dec. 3, 2023), <https://journalism.university/media-ethics-and-laws/press-ethics-freedom-press-council-india-act-1978/>.

3. INVASION OF PRIVACY & IRRESPONSIBLE REPORTING:

With a focus on protecting vulnerable people, such as crime victims or those involved in delicate cases, the Press Council of India's Norms of Journalistic Conduct expressly forbid media outlets from conducting invasive reporting that infringes upon personal privacy. The necessity of responsible reporting that strikes a balance between the public interest and each person's right to privacy and dignity is emphasized by these ethical guidelines. The PCI has been especially critical of the expanding "trial by media" phenomenon, in which news outlets use sensationalized coverage and speculative reporting to prematurely make judgments on ongoing legal cases. The Council cautions that in addition to undermining the idea of "innocent until proven guilty," this practice runs the risk of swaying public opinion and possibly interfering with legal proceedings. Such reporting has the potential to undermine trust in legal institutions and sway fair trials by generating competing narratives outside of courtrooms. The PCI contends that although the media has a right to cover topics of public interest, it must use caution and refrain from acting as a de facto arbiter of justice in order to protect the integrity of court cases and the rights of those involved.

4. LACK OF ACCOUNTABILITY:

The power of the Press Council of India (PCI) to enforce media accountability is severely limited because it can only issue warnings or censures against publications that are acting improperly; it cannot impose severe penalties like fines or license revocations. The PCI's ability to prevent unethical journalism has been significantly hindered by this narrow mandate, which has left it primarily reliant on moral persuasion rather than tangible deterrence. Aware of these institutional limitations, the PCI has continuously pushed for stronger self-regulation in the media sector, calling on news outlets to create strict internal monitoring programs and moral standards. Since digital proliferation is outpacing traditional regulatory frameworks, the Council stresses that meaningful reform must originate within the profession itself through voluntary adherence to journalistic standards and peer accountability. The PCI's dual commitment to upholding press freedom and tackling the mounting difficulties brought on by unethical practices in a media environment that is becoming more competitive and divisive is reflected in this push for increased self-regulation.

VI. YELLOW JOURNALISM

In India's media landscape, yellow journalism which is typified by sensationalism, exaggerated headlines, and a flagrant disregard for factual accuracy is becoming a bigger problem. In order to increase viewership and engagement, many news outlets, especially those in the digital and television sectors, favour clickbait and inflammatory narratives over ethical reporting, frequently falsifying facts. The dramatization of crime stories, the dissemination of unverified rumours masquerading as breaking news, and the hyper partisan coverage of political issues are all examples of this trend. Such actions damage public confidence and the media's position as a bulwark of democracy, according to the Press Council of India (PCI), which has issued numerous warnings against them. The competitive race for more TRP's and web traffic has resulted in a drop in journalistic standards despite ethical guidelines; some outlets have even resorted to spreading false information and inciting fear. The profitability of sensationalism continues to fuel yellow journalism, despite efforts by regulatory bodies and fact-checking initiatives to buck this trend. This presents a serious obstacle to informed public discourse in India⁸.

VII. PRESS COUNCIL OF INDIA

The press is granted freedom of speech and expression so that it can operate effectively and fearlessly in the public interest. However, freedom without a sense of accountability is dangerous, so in order for the press to carry out its responsibilities effectively and responsibly, it must adhere to a set of rules and recognized standards of journalistic ethics and uphold high standards of professional conduct. There must be a mechanism to monitor or regulate this freedom since it is unethical behaviour whenever it is abused or misused. A different mechanism was considered because handing over control to the government would undoubtedly negate the press's entire purpose. With the help of a few others, the knowledgeable and experienced professionals in this field established the Press Council of India, an impartial organization that is well-organized.

Various forms of yellow journalism, scurrilous writing against communities or groups, sensationalism, biased news presentation, irresponsibility in commenting, indecency and vulgarity, and personal attacks on individuals were all discovered by the First Press Commission in 1954. It made the point that the best way to

⁸ Currently, Yellow Journalism Is Overshadowed by a New Term - JMC Study Hub, <https://jmcstudyhub.com/currently-yellow-journalism-is-overshadowed-by-a-new-term/> (last visited Jun. 25, 2025).

uphold journalism's ethical standards was to refrain from "cheap sensationalism and unwarranted intrusion into private lives⁹."

VIII. PRESS COUNCIL OF 1979

In order to protect press freedom and uphold and enhance press standards in India, new legislation was passed in 1979 to establish the PCI.

It has 28 members in addition to the chairman. Thirteen of the twenty-eight members are journalists in the field. Six of them will be newspaper editors, and the remaining seven will be journalists in other capacities. The six members must come from among those who own or operate a newspaper management company. One is to be a member of the news agency management team. Three members must be individuals with specialized knowledge or real-world experience in the fields of education, science, law, literature, and slurs. Three Lok Sabha members and two Rajya Sabha members make up the remaining five.

According to the new Act, a committee made up of the Speaker of the Lok Sabha, the Chairman of the Rajya Sabha, and an individual chosen by the Council members from among themselves will choose the chairman. The associations of the aforementioned newspaper and news agency categories that have been notified by the Council for the purpose in each category nominate the twenty representatives of the press. The Sahitya Academy, the Bar Council of India, and the University Grants Commission each nominate one member. The Speaker of the Lok Sabha nominates three of the five members of Parliament, while the Chairman of the Rajya Sabha nominates two¹⁰.

IX. OBJECTS OF THE PRESS COUNCIL OF INDIA

The Press Council of India (PCI) was founded with the primary goal of maintaining the freedom of the press while guaranteeing high standards of public taste and journalistic ethics in India. As an independent statutory body, it seeks to maintain and improve the quality of journalism by preventing sensationalism, bias, and malpractices such as paid news. The PCI serves as a watchdog to protect press independence from external or governmental interference and as a grievance redressal body for complaints against the media. It encourages responsible and impartial reporting by creating guidelines, such as the "Norms of Journalistic Conduct," and taking action against infractions through investigations and public censures. Additionally, by preventing the media from functioning as a parallel judiciary ("trial by media"), protecting individual privacy, and discouraging misinformation, the Council works to increase public trust in the media. The PCI's advisory and recommendatory functions aim to strike a balance between press freedom and accountability, thereby reaffirming journalism's position as the Fourth Pillar of Democracy¹¹.

X. POWERS OF THE PRESS COUNCIL OF INDIA

In order to preserve media freedom and uphold press ethics, the Press Council of India (PCI) has moral and quasi-judicial authority. It has the authority to call witnesses, request evidence, and conduct investigations into complaints against journalists and newspapers because it is a statutory body established by the Press Council Act of 1978. Its main power is to publicly censure or chastise negligent publications for infractions such as sensationalism, paid news, or privacy violations. Along with examining threats to press freedom (such as assaults on journalists or attempts at censorship), the PCI is also able to offer governments recommendations, though these are not legally binding. Crucially, it can only enforce ethical standards through print media not TV or digital platforms and it is powerless to impose fines, cancel licenses, or enforce penalties. Instead, it must rely on public scrutiny and reputational repercussions. Its decisions have considerable persuasive weight in public debate and court cases pertaining to media accountability, despite the fact that they lack punitive teeth¹².

XI. FUNCTIONING OF THE PRESS COUNCIL

As an impartial watchdog, the Press Council of India (PCI) works to strike a balance between media accountability and freedom. Under the Press Council Act of 1978, it uses a quasi-judicial procedure to handle complaints against print media, holding investigations in which it has the authority to request documents, question witnesses, and render decisions. By enforcing its "Norms of Journalistic Conduct," which forbid actions like sensationalism, paid news, and trial by media, the PCI maintains ethical standards. Although public censure, naming, and shaming of violators is its main tool, it also mediates conflicts, counsel's

⁹ Navigating Press Ethics and Freedom, *supra* note 7.

¹⁰ PRESSCOUNCILRULES1979.Pdf, <https://www.presscouncil.nic.in/Pdf/PRESSCOUNCILRULES1979.pdf> (last visited Jun. 25, 2025).

¹¹ Navigating Press Ethics and Freedom, *supra* note 7.

¹² *Id.*

governments on issues pertaining to the press, and steps in when there are attacks on journalists or excessive censorship. However, it lacks the authority to enforce fines or legal penalties; instead, its authority is advisory rather than punitive. The Council promotes responsible journalism through meetings, reports, and workshops, but its authority is still restricted to print media digital and broadcast platforms are not included¹³.

XII. CODE OF CONDUCT

The following heading serves as a summary of the general guidelines that the PCI has developed regarding journalism standards:

1. COMMUNAL WRITING

Journalistic ethics will be violated if any news about community events is based on rumours. Additionally, inaccurate reporting will be regarded as unethical. The media cannot defame any community, especially by linking it to anti-national activities. This would undoubtedly qualify as unethical journalism. Even though historical facts may not be acceptable to a particular community, it is still morally acceptable to publish them in order to caution the current generation against making the same mistakes again. Making remarks about religious communities is acceptable as long as it is done in an accurate and neutral manner.

2. IMPROPER JOURNALISM

Any publication of anything discussed or revealed in confidence requires the source's prior consent. The editor should make it clear in a suitable footnote that the statement or discussion in question was published even though it had been made "off the record" if he determines that the publication is in the public interest. It is improper journalism to publish ads that contain anything that is against the law, good taste, journalistic ethics, or propriety. Care should be taken to ensure that quotations are accurate. The editor will not have any defence if a newspaper is accused of violating journalistic ethics because it is his actions that are under investigation.

3. OBSCENITY AND BAD TASTE

Whether the content is obscene, gross, and vulgar, or if the language is filthy, repulsive, dirty, or lewd, is the fundamental test of obscenity. The PCI guidelines are provided to counter such publications, which are deemed inappropriate.

4. PRE-VERIFICATION OF NEWS

Verification is required prior to publication for reports that specifically contain libelous or slanderous meanings that could cause tension within the community. When an inaccurate or misrepresented publication is brought to the editor's attention, he is expected to make the required changes.

5. DEFAMATION

Defamation is defined in Section 499 of the IPC. According to the second exception to Section 499 of the Indian Penal Code, it is not defamatory to honestly express any opinion regarding the behaviour of a public servant while performing his official duties or regarding his character, to the extent that it is evident in that behaviour and no more. As a result, the PCI clarifies that expressing opinions on matters of public concern is acceptable, but that statements that are factual must be checked for veracity before being published, or else they may be considered defamatory. We can conclude that unethical journalism practices, particularly yellow journalism, are widespread. The issue won't be fully solved even with stringent laws, PCI, etc., unless the way that people in this profession think is altered. They must acknowledge their authority and the responsibilities that go along with it. For the benefit of the country, the media, which is regarded as the fourth wing of the government, must be impartial and moral.

XIII. CONCLUSION

The credibility of the media and democracy are seriously threatened by the rise of unethical and unprofessional journalism practices like paid news, sensationalism, fake news, and partisan reporting. Journalism undermines its position as the Fourth Estate and erodes public trust when it puts clickbait, political bias, or financial gain ahead of the truth. Although regulatory organizations such as the Press Council of India

¹³ *Id.*

(PCI) offer guidelines, ethical transgressions are common due to their weak enforcement capabilities and the unregulated nature of digital media. Journalism runs the risk of turning into a tool for manipulation rather than the truth if immediate reforms are not made.

XIV. SUGESSTIONS

1. Give the PCI the legal power to punish dishonest media outlets with fines, license suspensions, or more forceful action. Extend its purview beyond print to include broadcast and digital media.
2. To lessen the impact of unethical journalism, educate the public on how to spot bias, fake news, and paid propaganda. Encourage cooperation with independent watchdogs and fact-checking projects.
3. Strict internal editorial guidelines prohibiting sensationalism and sponsored news should be implemented by news organizations. Journalists must complete ethics training in order to uphold professional standards.
4. Protect reporters from harassment or termination for exposing corruption or opposing unethical behaviour. To guarantee accountability, cases involving media malpractice should be expedited through courts.
5. Readers and viewers should support ethical journalism and shun sensationalist media. Social media companies need to be more aggressive in identifying and discrediting false information.

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