



COURSE MANUAL

Name of the Elective Course: PRESS AND PRIVACY: EVALUATING THE INDIAN CONTOURS

Course Code: L-EL-1171

Name of the responsible Faculty Instructor:
Hon'ble Mr. Justice U.U. Lalit

Prof. Parkhi Saxena (Assistant Instructor)

**SPRING 2026
(AY2025-26)**

This document is prepared by the course instructor and contains basic information relevant to the execution of the course. It is the official record for all intents and purposes as far the elective course, “Press and Privacy: Evaluating the Indian Contours”, is concerned.

This course manual can be used as a general guide to the subject. However, the instructor can modify, extend or supplement the course (without tampering its basic framework and objectives) for the effective and efficient delivery of the course. The instructor will provide students with reasons for such changes.

Part I

Course Title: Press and Privacy: Evaluating the Indian Contours

Course Code: L-EL-1171

Course Duration: One Semester (14 Weeks)

No. of Credit Units: 4 Credits (FOUR CREDITS)

Level: Both (UG and PG)

Medium of Instruction: English

Pre-requisites (if applicable): Students enrolled in JGLS only

Equivalent Courses: N/A

Part II

1. Acknowledgement of Course Ideators: This elective course has been designed keeping in mind the historical contribution rendered by the illustrious lawyers who have, in their roles as members of the Bar and the Bench, contributed greatly to the ever-growing jurisprudence of the rights of the press in juxtaposition to the individual's right to privacy.

2. Course Description: This elective examines the dynamic and often contentious relationship between press freedom and the right to privacy within the Indian constitutional and legal framework. The course traces the evolution of both rights through landmark Supreme Court judgments, statutory developments, and contemporary challenges posed by digital media. Students will analyze how Indian courts have balanced these competing interests across diverse contexts, from celebrity privacy and investigative journalism to surveillance and data protection. Through critical engagement with constitutional provisions, the Official Secrets Act, defamation laws, the Right to Information Act, and the emerging Personal Data Protection framework, this course equips students to navigate the complex terrain where media rights intersect with individual dignity and informational autonomy. The elective incorporates comparative perspectives and addresses contemporary issues, including social media, investigative journalism and the impact of technology on both press freedom and privacy rights.

3. Course Aims: This course aims to develop students' analytical capabilities to critically evaluate the theoretical framework, constitutional challenges, and practical applications of press freedom and privacy rights in India. It seeks to enable students to understand the historical trajectory of both rights, assess judicial approaches to balancing these competing interests, and formulate reasoned arguments for resolving conflicts between press liberty and individual privacy in diverse landmark judgements. The course further aims to cultivate an appreciation for the democratic significance of a free press while recognizing the fundamental importance of privacy as an aspect of human dignity, thereby preparing students to engage meaningfully with these issues as legal practitioners, policymakers, or academic scholars.

4. Teaching Methodology: The lectures will rely on the combination of case studies, reports, and statutes to provide an encompassing understanding of the competing rights.

5. Intended Learning Outcomes

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/ Activities
To assess the learner's ability to explain the cases from	30%	A 15-minute presentation (individual/group of 2) on the allotted case in the IRAC	Case Presentation and submission

Course Intended Learning Outcomes	Weightage in %	Teaching and Learning Activities	Assessment Tasks/Activities
a practitioner's point of view and summarize the main holdings in a non-literary format		format utilizing a PowerPoint presentation as a learning tool	of a PowerPoint
To assess the learner's ability to express the reflections on the evolving legal jurisprudence and understanding of the application of key concepts	30%	2,000-word analytical paper on a specified topic examining the conflict between press freedom and privacy, with proper citations and engagement with primary sources (cases and statutes) and secondary literature	Reflection paper submission
To assess the continuous engagement throughout the course	10%	In-class discussion and opportunities to provide self-reflection on legal issues	Class Participation

6. Grading of Student Achievement

To pass this course, students shall obtain a minimum of 40% in the cumulative aspects of coursework, i.e., internal assessments (including moot court, mid-term exam, presentations, research paper) and the end term examination. Internal assessments shall carry a total of 70 marks. **End of semester exam shall carry 30 marks out of which students have to obtain a minimum of 30% marks to fulfil the requirement of passing the course.**

The details of the grades as well as the criteria for awarding such grades are provided below:

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
80 and above	O	8	Outstanding – Exceptional knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and extraordinary critical and analytical ability

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
75 – 79	A+	7.5	Excellent - Sound knowledge of the subject matter, thorough understanding of issues; ability to synthesize ideas, rules and principles and critical and analytical ability
70 – 74	A	7	Very Good - Sound knowledge of the subject matter, excellent organizational capacity, ability to synthesize ideas, rules and principles, critically analyze existing materials and originality in thinking and presentation
65 – 69	A-	6	Good - Good understanding of the subject matter, ability to identify issues and provide balanced solutions to problems and good critical and analytical skills
60 – 64	B+	5	Fair – Average understanding of the subject matter, limited ability to identify issues and provide solutions to problems and reasonable critical and analytical skills
55 – 59	B	4	Acceptable - Adequate knowledge of the subject matter to go to the next level of study and reasonable critical and analytical skills.
50 – 54	B-	3	Marginal - Limited knowledge of the subject matter and irrelevant use of materials and, poor critical and analytical skills
45 – 49	P1	2	Pass 1 – Pass with basic understanding of the subject matter
40 – 44	P2	1	Pass 2 – Pass with rudimentary understanding of the subject matter
Below 40	F	0	Fail - Poor comprehension of the subject matter; poor critical and analytical skills and marginal use of the relevant materials. Will require repeating the course
Incomplete	I	0	Incomplete - “Extenuating circumstances” preventing the student

PERCENTAGE OF MARKS	GRADE	GRADE VALUE	GRADE DESCRIPTION
			from taking the end-semester, or re-sit, examination as the case may be; the Vice Dean (Examinations) at their discretion assign the "I" grade. If an "I" grade is assigned, the student would appear for the end-semester, or re-sit examination, as the case may be, as and when the subsequent opportunity is provided by the University.

7. Criteria for Student Assessments

Assessment of the participants will be based on the following criteria.

Assessment	Weightage	Remarks
Case Presentation	30 Marks	A case presentation on the allotted case supported with a PowerPoint presentation that shall also be evaluated. Presentation component will also include marks for viva type questions.
Reflective Paper submission	30 Marks	A reflective paper submission will serve two purposes. First, it will provide the opportunity to exercise reflexivity on the current issues of law and secondly, it will act as a practice test for the preparation of end-term examinations.
Class Participation	10 Marks	This component will promote conversations in the classroom and encourage healthy debate and discussions.
End Semester Examination (Compulsory)	30 Marks	There will be a compulsory end-semester examination/component for all participants of the course who have successfully met the requisite attendance as per the governing JGU policies.

Part III

Course/Class Policies

Cell Phones, Laptops and Similar Gadgets: Students will be expected to download the cases from the case list and work on the case pdf on their laptop/tablets. Usage of phones and other devices for non-academic purposes during the lectures is highly discouraged and will be called out, if required.

Academic Integrity and Plagiarism

Learning and knowledge production of any kind is a collaborative process. Collaboration demands an ethical responsibility to acknowledge who we have learnt from, what we have learned, and how reading and learning from others have helped us shape our own ideas. Even our own ideas demand an acknowledgement of the sources and processes through which those ideas have emerged. Thus, all ideas must be supported by citations. All ideas borrowed from articles, books, journals, magazines, case laws, statutes, photographs, films, paintings, etc., in print or online, must be credited with the original source. If the source or inspiration of your idea is a friend, a casual chat, something that you overheard, or heard being discussed at a conference or in class, even they must be duly credited. If you paraphrase or directly quote from a web source in the examination, presentation or essays, the source must be acknowledged. The university has a framework to deal with cases of plagiarism. All form of plagiarism will be taken seriously by the University and prescribed sanctions will be imposed on those who commit plagiarism.

Disability Support and Accommodation Requirements

JGU endeavours to make all its courses inclusive and accessible to students with different abilities. In accordance with the Rights of Persons with Disabilities Act (2016), the JGU Disability Support Committee (DSC) has identified conditions that could hinder a student's overall well-being. These include physical and mobility related difficulties, visual and hearing impairment, mental health conditions and intellectual/learning difficulties e.g., dyslexia, dyscalculia. Students with any known disability needing academic and other support are required to register with the Disability Support Committee (DSC) by following the procedure specified at <https://jgu.edu.in/disability-support-committee/>

Students who need support may register before the deadline for registration ends, as communicated by the DSC via email each semester. Those students who wish to continue receiving support from the previous semester, must re-register every semester prior to the deadline for re-registration as communicated by the DSC via email. Last minute registrations and support are discouraged and might not be possible as sufficient time is required to make the arrangements for support.

The DSC maintains strict confidentiality about the identity of the student and the nature of their disability and the same is requested from faculty members and staff as well. The DSC takes a strong stance against in-class and out-of-class references made about a student's disability without their consent and disrespectful comments referring to a

student's disability. With due respect for confidentiality, faculty and students are encouraged to have honest conversations about the needs of students with disabilities and to discuss how a course may be better tailored to cater to a student with disability.

All general queries are to be addressed to disabilitysupportcommittee@jgu.edu.in

Safe Space Pledge

This course may discuss a range of issues and events that might result in distress for some students. Discussions in the course might also provoke strong emotional responses. To make sure that all students collectively benefit from the course, and do not feel disturbed due to either the content of the course or the conduct of the discussions. Therefore, it is incumbent upon all within the classroom to pledge to maintain respect towards our peers. This does not mean that you need to feel restrained about what you feel and what you want to say. Conversely, this is about creating a safe space where everyone can speak and learn without inhibitions and fear. This responsibility lies not only with students, but also with the instructor.

P.S. The course instructor, as part of introducing the course manual, will discuss the scope of the Safe Space Pledge with the class.

Part IV

Keywords Syllabus: Press, Privacy, Freedom, Expression, Free Speech, Defamation, Reasonable Restriction, Sedition

Part V Relevant Readings / Essential Readings

The case list will include the following cases:

1. Romesh Thapar v. State of Madras (1950 AIR 124)
2. Brij Bhushan and Anr. v. State of Delhi (1950 AIR 129)
3. Express Newspaper Pvt. Ltd. and Anr. v. Union of India and Ors. (AIR 1958 SC 578)
4. Pandit M.S.M. Sharma v. Shri Sri Krishna Sinha and Ors. (AIR 1959 SC 395)
5. Saibal Kumar v. B.K. Sen (AIR 1961 SC 633)
6. Kharak Singh v. State of U.P. (AIR 1963 SC 1295)
7. Naresh Sridhar Mirajkar and Ors. v. State of Maharashtra and Ors. ((1966) 3 SCR 744)

8. New York Times v. United States (403 US 713: 29 L Ed 2d 822 (1971))
9. Gobind v. State of M.P. ((1975) 2 SCC 148)
10. Indian Express Newspapers (Bombay) Pvt. Ltd. and Ors. v. Union of India and Ors. (1986 AIR 515)
11. R. Rajagopal v. State of T.N. and Ors. (1994) 6 SCC 632)
12. Tata Press Ltd. v. Mahanagar Telephone Ltd. ((1995) 5 SCC 139)
13. People's Union for Civil Liberties v. Union of India and Anr. (1997) 1 SCC 301))
14. Saroj Iyer v. Maharashtra Medical Council of Indian Medicine (AIR 2002 Bom 97)
15. People's Union for Civil Liberties and Anr. v. Union of India and Anr. ((2003) 4 SCC 399)
16. Rajendra Sail v. Madhya Pradesh High Court Bar Association and Ors. ((2005) 6 SCC 109)
17. Sanjoy Narayan, Editor-In-Chief, Hindustan Times and Ors. v. High Court of Allahabad ((2011) 13 SCC 155)
18. Sahara India Real Estate Corporation Ltd. and Ors. v. SEBI and Anr. ((2012) 10 SCC 603)
19. Thalappalam Service Corporative Bank Ltd. and Ors. v. State of Kerala and Ors. ((2013) 16 SCC 82)
20. Shreya Singhal v. Union of India ((2015) 5 SCC 1)
21. K.S. Puttaswamy and Anr. v. Union of India and Ors. ((2017) 10 SCC 1)
22. Anuradha Bhasin v. Union of India and Ors. ((2020) 3 SCC 637)
23. Chief Information Commissioner v. High Court of Gujarat and Anr. ((2020) 4 SCC 702)
24. Vinod Dua v. Union of India (AIR 2021 SC 3239)
25. Chief Election Commissioner of India v. M.R. Vijayabhaskar and Ors. ((2021) 9 SCC 770)
26. Manohar Lal Sharma (Pegasus Spyware) v. Union of India and Ors. ((2023) 11 SCC 401)
27. Kaushal Kishor v. State of Uttar Pradesh and Ors. ((2023) 4 SCC 1)
28. People's Union for Civil Liberties and Anr. v. State of Maharashtra and Ors. ((2023) 9 SCC 186)

29. Association for Democratic Reforms and Anr. (Electoral Bond Scheme) v. Union of India and Ors. ((2024) 5 SCC 1)

Other sources:

1. 156th Law Commission Report
2. 200th Law Commission Report
3. 42nd Law Commission Report
4. Cable Television Networks (Regulation) Act, 1995
5. Contempt of Court Act, 1971
6. Information Technology Rules, 2011
7. Official Secrets Act, 1923
8. Press Council of India, Norms of Journalistic Conduct, 2010
9. The Press Council Act, 1978