

(A) CORPORATE COMMUNICATION: SCOPE AND RELEVANCE

INTRODUCTION:

In today's global corporation, corporate communication function serves as the conscience of the corporation and is responsible for the organization's reputation. Previously called, "public relations" or "public affairs", corporate communication has taken on new importance in the 21st century as a result of corporate scandals or crisis at companies like Enron and Toyota. The department usually oversees communication strategy, media relations, crisis communication, internal communication, reputation management, corporate responsibility, investor relations, government affairs and sometimes marketing communication. The person running the department is the chief communication officer of the firm, and reports directly to the chief executive officer in many of the top global organisations due to the critical importance of the function today.

DEFINITION OF CORPORATE COMMUNICATION:

- (1) Jackson defined Corporate Communication as, "the total communication activity generated by a company to achieve its planned objectives."
- (2) According to Joep Cornellisen, "Corporate Communication is a management function that offers a framework for the effective coordination of all internal and external communication with the overall purpose of establishing and maintaining favourable reputations with stakeholders groups upon which the organisation is dependent."
- (3) According to Joseph Fernandez, "Corporate Communication is a long-term strategy initiative taken by a corporate organisation to communicate the core brand and scored messages to a spectrum of audiences in a globalised market environment. At its core corporate communications is very simple, the way a corporate communicates."

MEANING OF CORPORATE COMMUNICATION:

Corporate communication is a management function or department, like marketing, finance or operations, dedicated to the dissemination of information to key constituencies, the execution of corporate strategy and the development of messages for a variety of purposes for inside and outside the organization. It is a set of activities involved in managing and orchestrating all internal and external communications aimed at creating favourable point of view among stakeholders on which the company depends. It is the messages issued by a corporate organization, body, or institute to its audiences, such as employees, media, channel partners and the general public. Organizations aim to communicate the same message to all its stakeholders, to transmit coherence, credibility and ethic.

Corporate Communications help organizations explain their mission, combine its many visions and values into a cohesive message to stakeholders. The concept of corporate communication could be seen as an integrative communication structure linking stakeholders to the organization.

All companies including non-commercial bodies are interested in corporate communication for building their images and reputations, besides maintaining relationships with the stakeholders.

SCOPE OF CORPORATE COMMUNICATION:

The responsibilities of corporate communication are:

- To promote the profile of the "company behind the brand" (corporate branding).
- To minimize discrepancies between the company's desired identity and brand features.
- To delegate tasks in communication.
- To formulate and execute effective procedures to make decisions on communication matters.
- To mobilize internal and external support for corporate objectives.
- To coordinate with international business firms.

Internal Functions of Corporate Communications:

A common aspect of internal corporate communications is employee relations — ensuring accurate and consistent communication with employees. This communication can be both formal and informal. The employee handbook, memoranda and employee reviews are examples of formal communications; personal or ad hoc conversations would be informal communications. Regular and well-executed employee communications is particularly critical during tumultuous times for an organization to ease anxieties, boost morale and inhibit inaccurate information that may trickle outside the organization.

External Functions of Corporate Communications:

Corporate communications serve several audiences and purposes external to the organization. Companies need to communicate effectively to the media, so they engage public or media relations professionals. If organizations need to liaise with government agencies or if they lobby, they need government relations experts. Public companies need to employ investor relations specialists. Some companies may have specific individuals to handle relations in the community, such as charitable or volunteer works.

CORPORATE COMMUNICATION IN INDIA:

Globalization of economy is the basic trend of 21st century. In this age of globalization, most of the academic discussions concentrating on communication management. This is important in the application of marketing techniques and overall development in the industry. The purpose of communication management is the accessibility of information flow from top management to bottom and vice-versa. It will be effective only when all parties (both internal groups as well as stakeholders) in the organization should be communicate and transfer the necessary information meaningfully and resourcefully.

Future Prospect in the field:

Communication is the cornerstone function of every organization to build up its status in the corporate world as well as its stakeholders. Communications is one of the most important

link between an organization and the public. Communication generating from an organization and goes out to its various audiences. Whether within or beyond? is termed as corporate communication. Communication is the key factor in the creation, implementation, monitoring and reporting on all corporate activities. Through communication, stakeholders understand company's purpose, goals and values. Communication also aimed to influence employee's attitude toward the workplace loyalty and pride in the company in which they are working.

Major companies are considered communication as an effective tool to intensifying its scope and rationalizing its service. They have renewed their communication strategy to expand their business empire. Leading organizations have their own communication team with efficient communicators who are responsible for communication function with various national and international organizations.

There is enormous scope for corporate communication in India. Industries are expanding and need to recognize the importance of having to communicate with the public that matters to the most. With the kind of development we are witnessing in India and abroad, corporate communication is here to stay. Prospects in the field are plentiful for more than one reason. Firstly, competition has grown. The need to maintain the brand has grown considerably, with regard to Indian as well as global consumers, as more foreign companies are coming to India than never before. Secondly, the need to communicate has exploded. Even the target audiences have expanded radically. We have come to use more and developed tools of communication to reach out to them. Finally, the external scenario has become extremely dynamic. More variables affect the image of the company now than before. Also, the number of tools of communication has increased significantly. Television and internet have changed the communication scenario. What would reach the public in 24 hours in case of newspapers or 12-14 days in case of magazines earlier, now reaches them in a matter of seconds. The tasks formerly being taken care of with a couple of press releases are now being handled by entire departments.

The size of the corporate communication department is dependent upon the size of the company. Large organisations have a full-fledged department that works on their communication objectives. While small companies may have just one individual managing the entire show. In such a scenario, fresh talent is always welcome. A fresher can earn anything between three to five lakhs per annum. And from there, the sky is the limit.

Corporate communication has driven towards taking care of employee's welfare, creating conducive working conditions and are designing jobs to the increased satisfaction of workers. Green issues and energy conservation are given utmost importance. Thus corporate communication has come a long way in India. Its impact in the context of India is seen in all arenas made be political, social, economic, legal, ethical and business.

NEED AND RELEVANCE OF CORPORATE COMMUNICATION IN CONTEMPORARY SCENARIO: (Nov. 18)

- **To create brand identities:** The main role of the corporate communication is to make the brand identities. Corporate brands are liable for the success of worldwide American brands like Coca cola, McDonald's, IBM, Pepsi, Microsoft, HP, Apple, Google and many others. This type of communication assist the companies to organize the corporate presence, important stakeholder, identity and reputation in the minds of the customer and others audiences.
- **To have a Better Rapport:** Rapport building is the key motive of any corporate communication strategy; this can be internal and external, as well. When there is a constant rapport with employees and customers, the business image of the company will also get higher. It is for this reason many big companies like coco cola and IBM follow effective corporate communication strategies.
- **To face competitive and information driven business surrounding:** Nowadays, there is highly competitive and information driven business surrounding which is main strategic of the Corporate Communication. Positive image can

be reinforced by the thoughtful, consistent, sensible, and well-uttered message through communication that is run professionally and well managed by the enterprise and business.

- **To Highlight the Performance:** Nothing other than frequent communication like newsletters and posters can effectively highlight the performances of the company. This will again have a positive impact on the business image of the company.
- **To Advertise New Products & Services:** Regular means of communication will help in easy reach of new products and services to the consumers. So, corporate communication becomes highly essential for advertising new products and services of the company. Be it new product launch, news update or any other message; it promotes the business image of the company when it is communicated via proper channel. Many organizations carry out social activities in the interest of public and also to emphasize its brand presence.
- **To Limit the negative argument:** The larger PR and advertising campaign maintains the efforts of this type of communication. Limiting the negative argument of crisis scenarios, corporate missteps, public mistakes or rash public utterances is possible by the chief executives with strategic and timely communication of corporate exercises.
- **Major role in creating and maintaining the business image:** Corporate communication plays a major role in creating and maintaining the business image of any corporate entity. It is an effective strategy to communicate the brand value and reputation to its customers, stakeholders and the target audience. There are many processes of corporate communication with which you can create the desired business impact. Many reasons mark the importance of corporate communication in today's business world.
- **Reputation Management:** One thing that affects the success of the business is the reputation and the prime aim of the Reputation Management is to control the presentation towards the public. The team drafts news releases, and columns for top management, and arranges interviews for

main company personnel in print publications and pertinent programs on network and cable news channels. The top management, chief business executives, and PR-oriented business manager's play a powerful role in shaping the communication of corporate agenda of an organization. They comprehend the value of communicating chief organizational objectives, environmental obligations, community outreach programs to different stakeholders and external audiences.

(B) KEY CONCEPT IN CORPORATE COMMUNICATION

(1) CORPORATE IDENTITY:

MEANING:

Corporate identity is the visual profile of a company or in other words the way in which a company submits itself to the general public. The public is actually not necessarily composed only by customers, but also by a large number of different groups of people, such as colleagues, investors, as well as employees.

Corporate Identity is a representation of how a corporation views itself and how it wishes to portray itself to the public which includes customers, employees, investors and collaborators. Usually a combination of branding activities and color schemes, words, designs and trademarks are used to build the corporate identity. It is generally done by the corporate communications department of an organization.

The corporation's business philosophy, core values, vision and mission must be manifested in building its corporate identity. Generally corporate identity of a firm is unaffected by financial performance and business cycles. Corporate Identity is generally classified as strong or weak and remains more or less permanent throughout the life of the business.

For example Google is a company that has been known for its corporate identity of being a modern company which is symbolised by its name which is unique in sound and in image, with a symbol which is always changing in shape and colour. Many companies, such as McDonald's and Electronic Arts, have their own identity that runs through all of their products and merchandise. The trademark "M" logo

and the yellow and red appears consistently throughout the McDonald's packaging and advertisements. Many companies pay large amounts of money for the research, design and execution involved in creating an identity that is extremely distinguishable and appealing to the company's target audience.

Coca-cola, today the number 1 brand in the world according to Inter brand, has a strong corporate identity. Its communication is around refreshing the world and spreading happiness. It has chosen red as its corporate color which it uses for all branding activities. Its corporate identity is built around values of leadership, collaboration, passion, integrity, diversity and quality.

A strong **Corporate Identity** is essential for every business organization as it helps in the interaction of the customers & the company. It includes the several supporting devices, such as the company letterhead, business cards, website etc.

Corporate identity is often viewed as being composed of three parts:

- Corporate design (logos, uniforms, corporate colours etc.)
- Corporate communication (advertising, public relations, information, etc.)
- Corporate behaviour (internal values, norms, etc.)

Definition of Corporate Identity:

- (1) According to Hannebohm/Blocker, "Corporate identity is the strategy which helps to increase the economic performance and the efficiency of the company. It coordinates achievements, values and information, and leads to integration in the sense of cooperation."
- (2) According to Olins, "Corporate Identity is the tangible manifestation of the personality of the company. It is the identity which reflects the projects and the real personality of the company."
- (3) According to Blauw "Corporate Identity is the total of visual and nonvisual means applied by a company to present itself to all its relevant target groups on the basis of the corporate identity plan."

The Benefits of Corporate Identity:

- A company that invests in **corporate identity** indicates that it is here to stay. It sends a message that the company is serious about being successful. It gives the customer a sense of trust.
- **Corporate identity** gives a sense of the culture or personality of the business.
- In creating a consistent identity, a company is ensuring that they will be recognized and remembered.
- A uniform **corporate identity** becomes instantly recognizable amongst its target audience.
- A strong **corporate identity** can improve customer awareness and can increase a company's competitive edge.

Features of Corporate Identity:

- (1) **Recognition and Visibility:** Corporate identity gives recognition and visibility to an organization so that people remember its name as well as the business it carries out at the time of their need.
- (2) **Determination of Identity:** The strength of the company identity is determined on the basis of what it informs about the product. It should try to provide product origin, designer, manufacturer, country, and culture besides information about quality, function, use and maintenance of the product.
- (3) **Face for External Stakeholders:** Corporate identity becomes the face for external stakeholders and contributes to its reputation as it carries out positioning of the organisation and the products it deals with.
- (4) **Belongingness:** Corporate identity brings about a month employs a sense of belonging to the organisation as they are able to relate to the organisation as a whole as well as to their specific roles within it.
- (5) **Tangible Qualities:** Corporate identity represents the tangible qualities, which are the manifestation of graphic shapes in the form of logos, uniform, colour, lettering style etc. which are visible on various application areas of the company.

- (6) **Composed of Three Parts:** Corporate identity is often viewed as being composed of three parts:
- Corporate design (logos, uniforms, corporate colours etc.)
 - Corporate communication (advertising, public relations, information, etc.)
 - Corporate behaviour (internal values, norms, etc.)
- (7) **Harmonious Relationship:** Corporate identity refers not only to logo and brochures, but to a harmonious relationship between all corporate activities.

Corporate Visual Identity:

Corporate visual identity plays a significant role in the way an organization presents itself to both internal and external stakeholders. In general terms, a corporate visual identity expresses the values and ambitions of an organization, its business, and its characteristics. Four functions of corporate visual identity can be distinguished. Three of these are aimed at external stakeholders.

- (1) First, a corporate visual identity provides an organisation with visibility and "recognisability". For virtually all profit and non-profit organisations, it is of vital importance that people know that the organization exists and remember its name and core business at the right time.
- (2) Second, a corporate visual identity symbolizes an organization for external stakeholders, and, hence, contributes to its image and reputation. Corporate visual identity plays a supportive role in corporate reputations.
- (3) Third, a corporate visual identity expresses the structure of an organization to its external stakeholders, visualising its coherence as well as the relationships between divisions or units. Olins (1989) is well known for his "corporate identity structure", which consists of three concepts: monolithic brands for companies which have a single brand, identity in which different brands are developed for parts of the organization or for different product lines, and an endorsed identity with different brands which are (visually) connected to each other. Although these concepts introduced by Olins

are often presented as the corporate identity structure, they merely provide an indication of the visual presentation of (parts of) the organization. It is therefore better to describe it as a "corporate visual identity structure".

- (4) A fourth, internal function of corporate visual identity relates to employees' identification with the organization as a whole and/or the specific departments they work for (depending on the corporate visual strategy in this respect). Identification appears to be crucial for employees, and corporate visual identity probably plays a symbolic role in creating such identification.

CORPORATE IMAGE:

According to Philip Kotler, *"Image is the set of beliefs, ideas and impression, a person holds regarding an object. This is also applicable to business."* Corporate Image is the set of beliefs ideas and impression, a person i.e. customer, shareholder and employee holds regarding and object i.e. the company.

Corporate image is the mental picture that springs up at the mention of the firms name. It is a composite psychological impression that continually changes with the firms circumstances, media coverage, performance, pronouncements, etc. similar to a firm's reputation or goodwill, it is the public perception of the firm rather than a reflection of its actual state or position. Unlike corporate identity it is fluid and can change overnight from positive to negative to neutral.

There are different Images which people may have formed about a particular Company. These may be 'a good company', "a Consumer friendly company" etc. The attitude and actions of the people will be as per the Company's Image in their minds. Such Images may be favourable or unfavourable. Favourable Image gives positive response whereas unfavourable Image gives negative response.

Factor affecting Corporate Image or Elements of Corporate Image Building:

The Important elements in the Corporate Image building or the factors affecting Corporate Image are as follows:

- (1) Quality and Pricing of the products.
- (2) Attractiveness and safety of the product.
- (3) Dealer relationship and the attitude of dealers towards the company.
- (4) Discounts, credit facilities and after sales services offered.
- (5) Sales policies and sales promotion techniques used.
- (6) Advertising and Ad Campaigns of the company and the logo used.
- (7) Press relations of the company including Press Publicity.
- (8) Discharging of Social responsibilities.
- (9) Consumer service, Consumer protection and Welfare.
- (10) Product line, Product Modification and Introduction of new products through R & D activities.
- (11) Contribution of the company in regards to development of sports, rural development and ecology balance.
- (12) Social audit programme of the company.
- (13) Attitude towards female and handicapped employees.
- (14) Financial position of the company management practice and Socio-economic objective of the company.

NEED FOR POSITIVE IMAGE BUILDING:

Positive Image building is needed for the following purpose:

- (1) To promote sales and thereby earn more profit.
- (2) To introduce business growth through expansion and diversification.
- (3) To develop brand loyalty among consumers.
- (4) To effectively face adverse business environment.
- (5) To Secure Co-operation from different social groups for business growth and prosperity.
- (6) To Secure Support from Investors for raising capital for business growth.
- (7) To Secure Public support and sympathy when the company is facing serious difficulties regarding production and Marketing activities or when company is facing serious financial crisis.

BENEFITS OF POSITIVE / GOOD / FAVOURABLE IMAGE:

- (1) Recognition as Consumer-friendly enterprise.
- (2) Social Support and Co-operation.
- (3) Social recognition.
- (4) Prestigious Position.
- (5) Increase in Sales and Profit.
- (6) Image building has publicity and promotional value.

IMPORTANT MEASURES FOR POSITIVE IMAGE BUILDING:

- (1) For Positive Image Building, due attention should be given to consumer protection, satisfaction and welfare is MUST.
- (2) Fair treatment should be given to all social groups and be made an integral part of the philosophy of the company.
- (3) Introduce pollution control measures.
- (4) Support Sports, Education and Cultural activities.
- (5) Attention should be given to female and handicapped manpower.
- (6) Maintain high level of efficiency and productivity.
- (7) Financial support should be given at the time of natural calamities.
- (8) Maintain Ethical Climate in the organisation and openness in the policies and operations of the company.

CORPORATE REPUTATION:

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Meaning:

The term corporate communication refers to the collective assessment of a corporation's past actions and the ability of the company to deliver improving business results to multiple stakeholders over time. For example many businesses assess corporate reputations using financial soundness, quality of management, products and services and market competitiveness as the criteria for ranking.

In short the term corporate reputation refers to the observer's collective judgement of a corporation based on assessment of

financial, social and environmental impacts attributed to the corporation over time.

Example: Many agencies or companies publicly assess the reputation of corporations. One of these is Fortune Magazine which produces a global annual rating called the world's most admired companies. The criteria used to rank these companies include innovation, quality of management, people management, financial soundness, social responsibility, product/services quality and global competitiveness. In 2010, Apple was ranked number one followed by Google. The Reputation Institute also carries out a project called the Global Reputation Pulse- this researches the reputation of the world's largest companies and identifies the ones with the best corporate reputations. Reputation rating agencies often use different criteria and methods. As a result, though financial performance proves the most predictive factor of reputation score, the ratings vary considerably across the assessors.

Definition:

- (1) According to leading International Expert Charles Fombrun, former research professor of management at the Stern School of Business, New York University, and founder of the Reputation Institute defines "*Corporate reputation* is the overall estimation in which an organization is held by its internal and external stakeholders based on its past actions and probability of its future behaviour".
- (2) PR Professor Tom Watson emphasizes *predictability of actions*, and brings *communication* into his definition - "Corporate reputation is the sum of predictable behaviors, relationships and two-way communication undertaken by an organization, as judged by its stakeholders over time."

ADVANTAGES OF GOOD CORPORATE REPUTATION:

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- A good reputation is a marketing strategy. Your customers will become brand-ambassadors and will market your products to their contacts on your behalf.

- The reputation of an organisation can enable a company to differentiate its product in highly competitive markets.
- It supports an organisation in times of crisis or controversy. Despite the recalls Toyota has had in the past few years, it still has loyal customers. The number of new Toyota vehicles on our roads is a sure sign of that.
- Consumers may have a preference for that company even if there are similar businesses offering the same products or services for different prices.
- A good reputation allows an organization to charge premium prices. When looking at vehicles in the same league, Toyota enjoys premium prices in comparison to its competitors.
- A solid reputation facilitates international expansion. Need I say more? Toyota is found the world over.
- A good reputation helps you to win new business, retain existing customers, attract new employees, and gain favourable media coverage and acts as a barrier against competitors. While considered to be an intangible asset, maintaining a positive reputation is fundamental to the profitability, relevance, and existence of your business.

(C) ETHICS AND LAW IN CORPORATE COMMUNICATION

In the recent years we hear cases concerning conflicts of interests, scandals, kickback payments and securities scam have damaged the reputation of business. Such reports raise questions regarding code of ethics of many managers and of organisation in general.

In order to survive in the long-run it is expected that business is carried on with ethical principles i.e. business organisation should follow those practices which would fulfil their social responsibility and build goodwill for the organisation in the minds of the customers.

We live in the age of rapidly expanding specialisation in various spheres of our activity. We have reached a dead end upon which we have to build up the psychological and ethical foundations. This naturally would call for a "Code of ethics and

principles" and motivation at all levels. Each profession like medicine, law and accountancy and even politics is governed by its respective code of ethics and principles. There are many similarities in the profession of public relations and other profession. A code governs professional conduct behaviour of public relations practitioners in relation to people.

On the other hand, the code of ethics sets out the moral consideration, which must be observed by all in the profession of public relations so that integrity of free communication between the people and the nation could be preserved.

The code for public relations is a body of rules governing like code for teachers, chartered accountants, journalist etc.

A collection of moral and legal laws or rules is termed as 'A CODE' whereas ethics is the study of morals.

MEANING OF ETHICS:

The term ethics refers to a code of conduct that guides an individual while dealing with others. It relates to the social rules and cardinal values that motivate people to be honest in dealing with others.

The term "Ethics" is derived from the Greek words "ethos" which refers to character. According to Webster Dictionary "ethical" means conforming to professional standard of conduct.

According to Hartley ethics is a system of moral values. It relates to value judgements, actions and conducts of individuals in their relationship with others.

Umberto Eco defines ethics as "What we ought to do; what we ought not to do, and what we must not do on any cost."

Ethics is applicable to our social, economic, political and religious activities.

IMPORTANCE OF ETHICS:

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- (1) **Ethics corresponds to basic human needs:** It is a human trait that the man desires to be ethical not only in his private life but also in his business affairs. Moreover most of the people want to be a part of the organisation which they can be publicity proud of and be respected.

- (2) **Values create creditability with public:** If a company is perceived to be ethically and socially responsive, it will be honoured and respected even by those who do not have intimate knowledge of its actual working.

Since the people believe that the company offers value for money there will be instinctive prejudice in favour of its products.

- (3) **Value gives creditability to management:** Organisational goals, when perceived by the employees as genuine, create common goals, values and language. The management has credibility with its employees because it has credit with the public.
- (4) **Values help better decision making:** Ethical attitude helps management make better decisions i.e., decisions that are in the interest of the public, their employees and the company's long term good, though the decision-making is slower.
- (5) **Ethics and profits:** Both ethics and profits go together. A company which is inspired by ethical conduct is a profitable one. Value driven companies are sure to be successful in the long run.
- (6) **Law cannot always protect society:** Technology develops faster than the government can regulate. People in an Industry often know the dangers in a particular technology better than the regulatory agencies. Further the government cannot always regulate all activities which are harmful to the society. Where law fails, ethics can succeed. An ethical oriented management takes measures to prevent pollution and protect workers health.

CORPORATE COMMUNICATION AND PROFESSIONAL CODE OF ETHICS:

Professional Code: Public Relations Code of Ethics:

International code of ethics for public relations as adopted by the public relations society of India at the 1st All India Public Relations Conference, New Delhi, April 21, 1968:

Considering that all the member – countries of the United Nations Organization have agreed to abide by its Charter which

reaffirms "its faith in fundamental human rights, in the dignity and worth of the human person" and that having regard to the very nature of their profession, Public Relations practitioners in these countries should undertake to ascertain and observe the principles set out.

Considering that, in the course of their professional duties and depending on how these duties are performed, Public Relations practitioners can substantially help to meet these intellectual, moral and social needs.

And lastly, considering that the use of techniques enabling them to come simultaneously into contact with millions of people gives Public Relations practitioners a power that has to be restrained by the observance of a strict moral code. On all these grounds the Public Relations Society accepts, as its moral character the principles of the following Code of Ethics, and that if, in the light of evidence submitted to the Society, a member of this Society should be found to have infringed this Code in the course of his professional duties, he will be deemed to be guilty of serious misconduct calling for an appropriate penalty.

Accordingly, each Member of this Society:

Shall Endeavour:

- (1) To contribute to the achievement of the moral and cultural conditions enabling human beings to reach their full stature and enjoy the indefeasible rights to which they are entitled to under the "Universal Declaration of Human Rights".
- (2) To conduct himself always and in all circumstances in such a manner as to deserve and secure the confidence of those with whom he come into contact.
- (3) To bear in mind that because of the relationship between his profession and the public, his conduct even in private will have an impact on the way which the profession as a whole is appraised.
- (4) To establish communication patterns and channels which, by fostering the free flow of essential information, will make each member of the group feel that he is being kept informed, and also give him an awareness of his own personal

involvement and responsibility of his solidarity with other members.

Shall Undertake:

- (1) To observe, in the course of his professional duties, the moral principles and rules of the "Universal Declaration of Human Rights."
- (2) To pay due regard to, and uphold, human dignity, and to recognize the rights of each individual to judge for himself.
- (3) To act in all circumstances in such a manner as to take account of the respective interest of the parties involved. i.e. the interest of the organisation which he serves and the interest of the concerned public.
- (4) To establish the moral, psychological and intellectual conditions for dialogue in its true sense and also to recognise the rights of the parties involved to start their case and express their views.

Shall Refrain From:

- (1) Circulating information which is not based on established and ascertainable facts.
- (2) Taking part in any venture or undertaking which is unethical or dishonest or capable of impairing human dignity and integrity.
- (3) Subordinating the truth to other requirements.
- (4) Using any 'Manipulative' methods or techniques designed to create sub-conscious motivations which the Individuals cannot control of his own free-will and therefore cannot be held accountable for the action taken on them.

CODE OF PROFESSIONAL STANDARDS FOR THE PRACTICE OF PUBLIC RELATIONS:

These articles have been adopted by the Public Relations Society of America to promote and maintain high standards of public service and ethical conduct among its members.

- (1) A member shall conduct his or her professional life in accord with the public interest.

- (2) A member shall exemplify high standards of honesty and integrity while carrying out dual obligations to a client or employer and to the democratic process.
- (3) A member shall deal fairly with the public, with past or present clients or employers, and with fellow practitioners, giving due respect to the ideal of free inquiry and to the opinions of others.
- (4) A member shall adhere to the highest standards of accuracy and truth, avoiding extravagant claims or unfair comparisons and giving credit for ideas and words borrowed from others.
- (5) A member shall not knowingly disseminate false or misleading information and shall act promptly to correct erroneous communications for which he or she is responsible.
- (6) A member shall not engage in any practice which has the purpose of corrupting the integrity of channels of communications or the processes of government.
- (7) A member shall be prepared to identify publicly the name of the client or employer on whose behalf any public communication is made.
- (8) A member shall not use any individual or organization professing to serve or represent an announced cause, or professing to be independent or unbiased, but actually serving another or undisclosed interest.
- (9) A member shall not guarantee the achievement of specified results beyond the member's direct control.
- (10) A member shall not represent conflicting or competing interests without the express consent of those concerned, given after a full disclosure of the facts.
- (11) A member shall not place himself or herself in a position where the member's personal interest is or may be in conflict with an obligation to an employer or client, or others, without full disclosure of such interests to all involved.
- (12) A member shall not accept fees, commissions, gifts or any other consideration from anyone except clients or employees for whom services are performed without their express consent, given after full disclosure of the facts.

- (13) A member shall scrupulously safeguard the confidences and privacy rights of present, former, and prospective clients or employers.
- (14) A member shall not intentionally damage the professional reputation or practice of another practitioner.
- (15) If a member has evidence that another member has been guilty of unethical, illegal, or unfair practices, including those in violation of this Code, the member is obligated to present the information promptly to the proper authorities of the Society for action in accordance with the procedure set forth in Article XII of the Bylaws.
- (16) A member called as a witness in a proceeding for enforcement of this Code is obligated to appear, unless excused for sufficient reason by the judicial panel.
- (17) A member shall, as soon as possible, sever relations with any organization or individual if such relationship requires conduct contrary to the articles of this Code.

MASS MEDIA LAWS:

In the time of the British Raj, many laws related to the press were enacted. In the post-independence time, the various governments have enacted many more media related laws. Media being a very powerful influence on the society is regulated and controlled by the various legislations enacted from time to time.

Constitutional Provisions:

The Indian Constitution does not provide freedom for media separately. But there is an indirect provision for media freedom. It gets derived from Article 19(1) (a). This Article guarantees freedom of speech and expression. The freedom of mass media is derived indirectly from this Article. Article 19 of our Constitution deals with the right to freedom and it enumerates certain rights regarding individual freedom of speech and expression etc. These provisions are important and vital, which lie at the very root of liberty.

Article 19 of the Indian Constitution Lays down:

"All citizens shall have the right to freedom of speech and expression, to assemble peaceably, and without arms, to form

associations or unions, to move freely throughout the territory of India, to reside in any part of the territory of India, to acquire hold and dispose of property and to practice any profession or to carry on any occupation, trade or business.

However the right to freedom of speech and expression shall not affect the operation of any existing law or prevent the state from making any law insofar as such law imposes reasonable restrictions on the exercise of that right in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public decency or morality or In relation to contempt of court, defamation or incitement to offence."

DEFAMATION:

(Nov. 18)

"Defamation" is a catch-all term for any statement that hurts someone's reputation. Defamation is not a crime, but it is a "tort" (a civil wrong, rather than a criminal wrong). A person who has been defamed can sue the person who did the defaming. Defamation law tries to balance competing interests: On the one hand, people should not ruin others' lives by telling lies about them; but on the other hand, people should be able to speak freely without fear of litigation over every insult, disagreement, or mistake. Political and social disagreement is important in a free society, and we obviously don't all share the same opinions or beliefs. For instance, political opponents often reach opposite conclusions from the same facts, and editorial cartoonists often exaggerate facts to make their point.

What the victim must prove to establish that defamation occurred. The law of defamation varies from state to state, but there are some generally accepted rules. If you believe you are have been "defamed," to prove it you usually have to show there's been a statement that is all of the following:

- published
- false
- injurious
- unprivileged

Let's look at each of these elements in detail.

- (1) First, the "statement" can be spoken, written, pictured, or even gestured. Because written statements last longer than spoken statements, most courts, juries, and insurance companies consider libel more harmful than slander.
- (2) "Published" means that a third party heard or saw the statement – that is, someone other than the person who made the statement or the person the statement was about. "Published" doesn't necessarily mean that the statement was printed in a book – it just needs to have been made public through television, radio, speeches, gossip, or even loud conversation. Of course, it could also have been written in magazines, books, newspapers, leaflets, or on picket signs.
- (3) A defamatory statement must be false – otherwise it's not considered damaging. Even terribly mean or disparaging things are not defamatory if the shoe fits. Most opinions don't count as defamation because they can't be proved to be objectively false. For instance, when a reviewer says, "That was the worst book I've read all year," she's not defaming the author, because the statement can't be proven to be false.
- (4) The statement must be "injurious." Since the whole point of defamation law is to take care of injuries to reputation, those suing for defamation must show how their reputations were hurt by the false statement – for example, the person lost work; was shunned by neighbours, friends, or family members; or was harassed by the press. Someone who already had a terrible reputation most likely won't collect much in a defamation suit.
- (5) Finally, to qualify as a defamatory statement, the offending statement must be "unprivileged." Under some circumstances, you cannot sue someone for defamation even if they make a statement that can be proved false. For example, witnesses who testify falsely in court or at a deposition can't be sued. (Although witnesses who testify to something they *know* is false could theoretically be prosecuted for perjury.) Lawmakers have decided that in these and other situations, which are considered "privileged," free speech is

so important that the speakers should not be constrained by worries that they will be sued for defamation. Lawmakers themselves also enjoy this privilege: They aren't liable for statements made in the legislative chamber or in official materials, even if they say or write things that would otherwise be defamatory.

Types of Defamation:

(Nov. 18)

(1) Libel:

Libel is a type of defamation in which the communication is published and disseminated to a third party. Written defamation is called "libel. Originally, libel was simply "the written word," but this has been extended to include pictures, signs, representations such as an effigy and other means in which a third party would be able to receive the information. To prove the cause of action of libel, several elements must be met. There must be publication of the item to at least one person other than the plaintiff, identification of a particular person, a defamatory or false statement about that person, the party who published the statement must be at fault and have known the statement to be false and the plaintiff in some instances must be able to demonstrate actual injury.

(2) Slander:

In general, slander differs from libel in that the communication is usually of an oral nature. In addition, a slander cause of action requires the plaintiff to show special damages resulting from the communication. However, there are a few exceptions to the damages rule. The imputation of crime or of a loathsome disease, communications affecting a person's business or profession, or the implication that a woman is "unchaste" do not require proof of actual harm. In these instances, proof of the actual defamation will suffice to show the existence of damages.

INVASION OF PRIVACY:

The right to privacy historically has been defined as the right to be left alone, so the invasion of privacy is an intrusion upon an individual's reasonable expectation to be left alone. The reasonable expectation of privacy has been greatly altered with

rapid advances in technologies such as digital cameras and the internet, but the legal principles remain relatively constant. This tort takes four general forms, which are discussed in greater detail below:

- (1) Unreasonable intrusion upon the seclusion of another;
- (2) Appropriation of someone's name or likeness;
- (3) Unreasonable publicity given to someone's private life and
- (4) Publicity that unreasonably puts someone in a false light before the public. Plaintiffs suing for invasion of privacy must be able to show that the action resulted in some kind of harm to their interests.

Like other torts, invasion of privacy is generally controlled by state laws. In 1905, Georgia became the first state to establish the tort of invasion of privacy. Now, the vast majority of U.S. jurisdictions allow civil actions for this claim.

TYPES OF INVASION OF PRIVACY:

(1) Intrusion of Solitude:

Intruding upon another's solitude or private affairs, physically or otherwise, is subject to liability if this intrusion would be considered highly offensive to a reasonable person. This type of invasion of privacy includes much of what commonly comes to mind when hearing the phrase: so-called "peeping Toms", someone illegally intercepting private phone calls, and snooping through someone's private records, for example. While taking photographs of someone in public would not count, using a long range camera to take photographs of someone inside his or her home would qualify. One or two unsolicited telephone calls may not constitute a privacy invasion, but incessant harassment by calling over and over again after being asked to stop would.

Unlike other forms of invasion of privacy, intrusion on solitude does not require any publication of private facts or images – the act of intrusion alone violates the law.

Example: In 2010, ESPN sports reporter Erin Andrews sued convicted stalker Michael Barrett and the hotel where she was staying for invasion of privacy after Barrett secretly videotaped her in the nude

through the peephole in her door and posted the videos on the internet. Andrews had every reason to expect privacy within her locked hotel room, while Barrett used special technology to see into her room.

(2) Appropriate of Name or Likeness:

Plaintiffs may make a claim for damages if an individual (or company) uses their name or likeness for benefit without the other party's permission. Usually this involves a business using a celebrity's name or likeness in an advertisement. In fact, some states limit this type of invasion of privacy tort to commercial uses. This is not always the case, though. For example, a private detective who impersonates someone else in order to obtain otherwise confidential information has invaded that person's privacy.

The recognition of this tort is similar to a property right; in other words, a person's name and likeness are treated as that person's property. For celebrities, this is often referred to as "right of publicity."

Example: In 2005, an advertising agency approached musician Tom Waits with regard to an ad campaign for a new automobile. Waits, who has a distinctive and easily recognizable voice, declined. So the advertisers hired someone who sounds like him to do the soundtrack, prompting Waits to sue the automaker for appropriating his likeness.

(3) Public Disclosure of Private Facts:

This type of invasion of privacy claim must be weighed against the First Amendment's protection of free speech. Unlike defamation (libel or slander), truth of the disclosed information is no defence. Legal action may be taken if an individual publicly reveals truthful information that is not of public concern and which a reasonable person would find offensive if made public.

For example, a woman about to deliver a baby via caesarean section agrees to allow the operation to be filmed for educational purposes only; but instead it is shown to the public in a commercial theatre. This is an invasion of her privacy. However, publishing an article about a politician known for his family values rhetoric but who has been having an affair with a staffer is of public concern and therefore not an invasion of his privacy.

New York and some other states do not recognise this type of claim.

Example: In 1931, the maiden name of a former prostitute who was acquitted of murder was revealed in a film about the case. Since the trial, she had moved to another city, gotten married and adopted a new lifestyle. Her new friends were unaware of her past, so the disclosure of this true but embarrassing information was deemed an invasion of her privacy.

(4) False Light Claim:

A false light claim is similar to a defamation claim in that it allows an individual to sue for the public disclosure of information that is misleading (or puts that person in a "false light"), but not technically false. The key difference is that defamation claims only apply to the public broadcasting of false information; and as with defamation, sometimes First Amendment protections prevail. Generally, a false light claim must contain the following elements: (1) a publication by the defendant about the plaintiff; (2) it was done with reckless disregard; (3) it places the plaintiff in a false light and (4) it would be highly offensive or embarrassing to a reasonable person.

Example: In 1992, a 96-year-old woman sued an Arkansas newspaper for printing her picture next to the headline, "Special Delivery: World's oldest newspaper carrier, 101, quits because she's pregnant!" The woman, who was not pregnant, was awarded damages of \$1.5 million.

COPYRIGHT ACT:

The Copyright Act, 1957 (as amended by the Copyright Amendment Act 2012) governs the subject of copyright law in India. The Act is applicable from 21 January 1958. The history of copyright law in India can be traced back to its colonial era under the British Empire. The Copyright Act, 1957 was the first post-independence copyright legislation in India and the law has been amended six times since 1957. The most recent amendment was in the year 2012, through the Copyright (Amendment) Act, 2012. India is a member of most of the important international conventions governing the area of copyright law, including the Berne Convention of 1886 (as modified at Paris in 1971), the Universal Copyright Convention of 1951, the Rome Convention of

1961 and the Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS). But India is not a member of the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT).

DEFINITION OF COPYRIGHT:

Copyright is a bundle of rights given by the law to the creators of literary, dramatic, musical and artistic works and the producers of cinematograph films and sound recordings. The rights provided under Copyright law include the rights of reproduction of the work, communication of the work to the public, adaptation of the work and translation of the work. The scope and duration of protection provided under copyright law varies with the nature of the protected work.

In a 2016 copyright lawsuit, the Delhi High Court states that copyright is "not an inevitable, divine, or natural right that confers on authors the absolute ownership of their creations. It is designed rather to stimulate activity and progress in the arts for the intellectual enrichment of the public. Copyright is intended to increase and not to impede the harvest of knowledge. It is intended to motivate the creative activity of authors and inventors in order to benefit the public."

Types of works protected:

<ul style="list-style-type: none"> • Literary • dramatic, • musical and • artistic works 	Lifetime of the author + sixty years from the beginning of the calendar year next following the year in which the author dies.
<ul style="list-style-type: none"> • Anonymous and pseudonymous works • Posthumous work • Cinematograph films • Sound records • Government work • Public undertakings • International Agencies • photographs 	

OWNERSHIP OF COPYRIGHT UNDER THE COPYRIGHT ACT 1957:

The author of a work is generally considered as the first owner of the copyright under the Copyright Act 1957. However, for works made in the course of an author's employment under a "contract of service" or apprenticeship, the employer is considered as the first owner of copyright, in the absence of any agreement to the contrary.

Section 19 of the Copyright Act, 1957 lays down the modes of assignment of copyright in India. Assignment can only be in writing and must specify the work, the period of assignment and the territory for which assignment is made. If the period of assignment is not specified in the agreement, it shall be deemed to be 5 years and if the territorial extent of assignment is not specified, it shall be presumed to be limited to the territories of India.

In a recent judgement (*Pine Labs Private Limited vs Gemalto Terminals India Limited*), a division bench of the Delhi High Court confirmed this position and held that in cases where in the duration of assignment is not specified, the duration shall be deemed to be five years and the copyright shall revert to the author after five years.

EXCEPTIONS TO COPYRIGHT INFRINGEMENT IN INDIA:

The Copyright Act 1957 exempts certain acts from the ambit of copyright infringement. While many people tend to use the term fair use to denote copyright exceptions in India, it is a factually wrong usage. While the US and certain other countries follow the broad fair use exception, India follows a different approach towards copyright exceptions. India follows a hybrid approach that allows

- fair dealing with any copyrighted work for certain specifically mentioned purposes and
- certain specific activities enumerated in the statute.

While the fair use approach followed in the US can be applied for any kind of uses, the fair dealing approach followed in India is clearly limited towards the purposes of:

- (1) private or personal use, including research, and education,
- (2) criticism or review,
- (3) reporting of current events and current affairs, including the reporting of a lecture delivered in public.

While the term fair dealing has not been defined anywhere in the Copyright Act 1957, the concept of 'fair dealing' has been discussed in different judgments, including the decision of the Supreme Court of India in *Academy of General Education v/s B. Malini Mallya* (2009) and the decision of the High Court of Kerala in *Civic Chandran v/s Ammini Amma*.

In September 2016, the Delhi High Court ruled that a copy shop at Delhi University which sold photocopies of chapters from academic textbooks was not infringing on their publisher's copyright, arguing that the use of copyright to "stimulate activity and progress in the arts for the intellectual enrichment of the public" outweighed its use by the publishers to maintain commercial control of their property.

REMEDIES AVAILABLE AGAINST COPYRIGHT INFRINGEMENT IN INDIA:

The Copyright Act 1957 provides three kinds of remedies - administrative remedies, civil remedies and criminal remedies. The administrative remedies provided under the statute include detention of the infringing goods by the customs authorities.

The civil remedies are provided under Chapter XII of the Copyright Act, 1957 and the remedies provided include injunctions, damages and account of profits.

The criminal remedies are provided under Chapter XIII of the statute and the remedies provided against copyright infringement include imprisonment (up to 3 years) along with a fine (up to 2,00,000 Rupees).

DIGITAL PIRACY:

Digital or Online piracy is the term to elucidate the illegal act of duplication of licensed or copyright material from internet. Piracy is a serious problem. It's been there since times immemorial, and with the dot com boom, and the subsequent mushrooming of torrent sites it's estimated to do more damage than ever before.

The sheer number of these sites can take one by surprise, and they are impossible to kill as thousands other sprout when one's banned. To gauge the extent of piracy one needs statistics, and genuine piracy stats are notoriously hard to lay your hands on. There are several out there, but which one do you trust?

There have been official reports from 2011 that state intellectual property infringements kill 7,50,000 jobs every year and cost U.S. companies a whopping \$200 billion in revenue! Subsequently, more figures have been released; each pegging estimated losses between \$50-200 billion. The good news is that the numbers are all wrong as none of these claims can be 'substantiated'.

So while exact quantification may be unavailable, what one could do is try to estimate figures based on widely available web analytics data. That would in turn help shape individual outlook and legal policies. The US has the Stop Online Piracy Act (SOPA) and Protect IP Act (PIPA) while India has the Indian Copyright Act of 1957 which states a software pirate can be jailed for a maximum of three years and fined to a maximum of ₹ 2,00,000.

At a time when record companies, movie studios, and software makers across the globe have declared piracy as their sworn enemy, Business Insider India sets out to have a closer look at this online behemoth that makes content creators shake in their shoes.

How much money is lost? In 2014 BitTorrent reported that the 'Game of Thrones' series was the most pirated TV show of the year. It was downloaded over 8.1 million times! 'The Walking Dead' came in second with a whopping 4.8 million downloads. 'The Big Bang Theory' comes in third with around 3.9 million downloads. Now consider the fact that Game of Thrones costs 6 million per episode and Big Bang Theory costs around 2 million. A DVD Box-set of Game of Thrones Season 4 (2014) costs around \$40 (₹ 2,556). That clearly means HBO lost out on an estimated \$324 million from one season itself.

How do these sites make any money?

A common question in the minds of naive internet users is that if torrent sites are offering free content, how are they making any money at all? There's a one word answer to it - 'traffic'.

These illegal sites receive serious cash from some of the best companies in the world. In the age of the internet, over \$40 billion dollars are splurged every year on online advertising. It is this cash that funds millions of copyright-infringing websites that feed piping hot pirated stuff to the burgeoning online audience.

To give an idea of the traffic these sites enjoy, here's another token. In January 2013 itself, over 327 million unique users searched for pirated content, and this helped generate over 14 billion page views for pirate websites (and the numbers are only growing exponentially!). That's double the population of the world! Torrent websites that use P2P (peer-to-peer) distribution system accounted for more than half of the share at over 7.4 billion page views and video-streaming sites boast of generating another 4.2 billion page views.

Why aren't the companies doing anything?

The way it works most advertisers have ad networks in Google and Microsoft. Operators of these rogue websites manipulate their systems so that ads for Google's Chrome cast and Microsoft's Bing appear on their sites. Microsoft once said in a statement that it monitors where its ads land up and that it seeks to 'to take actions on non-compliant sites.' Google has also invested enough time and resources on its Ad Sense service to ensure that its partners' ads don't appear on pirate websites. It says that the company seeks to blacklist offending URLs and modify its search engine to penalize pirate websites. According to a Double Verify report, these websites launder ad traffic and cheat credible advertisers out of over \$6.8 million each month! However, most experts believe this is impossible to stop.

What can be done?:

There are two aspects to piracy - expensive, hard to access content and the way it's been hardwired into human nature with the evolution of the internet. Mainstream adoption of non-piracy option would include a sensible look at the current tariff and hardware requirements. As the world increasingly turns towards the portable Smartphone screen, this is really a make or break situation for product innovators across the world. Services that offer significant value at a fraction of the cost are the need of the

hour. This includes HD movie and music streaming, interactive entertainment content and affordable software prices. The future of the industry is hanging in a delicate balance, because no matter what we say, the future of entertainment is definitely online. What matters now is whether it via legitimate means or otherwise.

ONLINE PIRACY IN INDIA:

In the recent past we saw rampant violation of the copyright policy of the movie 'Uda Punjab' when it was distributed via internet before its actual release. The cyber cell of Mumbai Police on receiving the complaint from the deputy general manager (legal) of the Phantom Films Pvt. Ltd. blocked the pirated version of the movie and arrested a man for illegally uploading the movie on his site. The movie was apparently uploaded on seven sites before its release. This brings us to the major issue which has been on a rise that is 'Online piracy'.

Almost all of us are guilty of downloading a latest movie or any latest episode of say Game of Thrones from torrent or other similar websites. Are these downloads authorised? Is there any law which we are infringing? In the following blog post we shall dwell into all these questions and understand the law relating to such unauthorised downloads.

What constitutes online piracy?

Online piracy is the term to elucidate the illegal act of duplication of licensed or copyright material from internet. There are three main piracy context- music, movie and software. Piracy means unauthorised reproduction, importing or reproduction of the whole or any part of work protected by copyright. Through advancement of technology and broadband connection almost in all households the method of piracy has changed from physical reproduction and distribution to online distribution.

How rampant is online piracy in India?

There was a study conducted by Evisonal and Motion Pictures Association (MPA) which concluded that the online piracy for movie content is very significant in India. According to the study Indians form the largest group to download Indian copyright

content from torrent sites. Delhi, Mumbai and Bangalore accounted for maximum level of illegal downloading.

In another report by Ernst and Young 2008, Indian film industry lost USD 959 mn. (₹ 4,411 Crores) and 5,71,896 jobs in that year due to piracy. The report estimates the piracy rate in India at 60%. This report is available on

<http://archive.financialexpress.com/news/piracy-a-serious-threat-to-indian-film-industry/592752>.

The figures indicate that online piracy in India is very substantial and the Indian film industry loses a great deal of revenue due to online piracy.

Legal measures against online Piracy:

In India all form of literary and artistic work is protected under the Copyright Act, 1957. The Indian film industry has strong lobby at both state and union level. The increase in online piracy has led the government to take strong actions. The recent amendment in the Copyright act is an example of the various initiatives taken by the government.

- **Amendment of 2012:**

In 2012 the Central Government added two digital rights management provision (DRM). The main objective of this amendment was to curb digital piracy and to facilitate the membership of India in WIPO Copyright Treaty (WCT) and the WIPO Performers and Phonograms Treaty (WCTT). These amendments were incorporated in the Copyright Act as section 65A and 65B.

Section 65A:

This section protects the technological protection measures (TPM) used by copyright holders to protect their work from being pirated. The section says that in case a person circumvents the copyright of the protected work with the intention of infringing the right of the owner then that person would be punishable with imprisonment up to 2 years and shall also be liable for fine.

Section 65B:

This section makes removal of rights management information without authorisation a criminal offence. The copyright act

formerly used to try for civil liability only. After the inception of this section, infringing the work without authorisation calls for criminal liability. Any person who sells, distributes, imports, broadcast or communicate to the public, copies of any work or performance without authority, knowing that the rights management information has been removed or altered without authority is punishable under this section. Punishment of maximum two years is prescribed by the Act this could be with or without fine.

- **John Doe Orders:**

The Indian Judiciary has recently adopted a new concept of 'John Doe' Orders. These orders have far reaching effects in curbing online piracy. The term John Doe order refers to orders where the identities of defendants are unknown at the time of filing of the petition and the orders identify the defendants only by way of some description. The producers in the Indian film industry make extensive use of this form of judicial intervention against online piracy by filing such applications before the release of new movies.

The movie makers can make use of such orders to block the whole website that is suspected to provide unauthorised online access. These orders should be granted only after careful scrutiny of all the circumstances, Indian Judiciary has in the recent past passed these orders at an alarming rate. These can be an effective tool against online piracy but the judiciary has to maintain a balance between the right of the copyright holder and the interest of public at large.

Various Case Studies:

Piracy in India is not a pretty new concept. It has been in India for quite a long time and has clinched in our system with deep roots. Initially piracy in film industry started with unauthorised DVDs and CDs. The cable operators started showing movies on TV without permission and now the latest trend is downloading and distributing. The film industry has however always tried their best to eradicate and protect their rights. Some of the cases are:

- (1) The latest is the arrest of a 25 year old boy who allegedly uploaded the movie 'Uda Punjab' in his website for masses

to download two days before the release. The cyber cell of Mumbai Police arrested him.

- (2) In a similar case the Tamil movie 'Enakku Innoru Per Irukku' which was uploaded on internet before its release. Musician-turned-actor G. V. Prakash Kumar filed a complaint to the Chennai police for early arrest of the accused.
- (3) In 2015 after the petition from the makers of Piku, Delhi High Court passed a piracy restraining orders against websites and cable operators from streaming, broadcasting or publishing online the film Piku without permission.
- (4) In 2012, Kerala police arrested almost 1,000 people for infringing the copyright of the movie 'Bachelor Party'. These people were arrested for illegally uploading and downloading the film. The action was taken by the cyber cell of the Kerala police after a complaint was filed by the Thrissur based firm Movie Channel which bought the video CD, DVD rights.
- (5) In 2011, for the Bodyguard Movie case, *John Doe* orders were passed by the Delhi High Court.

Is torrent illegal?

The answer to this question is a big NO. Torrenting has in the recent past proved to be an effective tool for peer to peer file sharing. The government only prohibits downloading or uploading any unauthorised material or any file which is infringing the copyright of the work. Otherwise, torrenting is always encouraged by many cyber experts.

Conclusion:

Piracy is a big problem in India. The film industry suffers from a substantial amount of online piracy. The inclusion of DRM provision and the rampant John Doe orders have been effective to an extent. These provisions provide a digital platform to curb online piracy. But these provisions suffer territorial limitation. Many servers are based abroad and the failure of industry to provide legitimate media content abroad acts as another major motivation for downloading contents through illegitimate means. The industry should adopt new method and make use of

technological advancement to provide access to all consumers of the Indian movies through inexpensive, safe and legitimate routes.

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RIGHT TO INFORMATION (RTI):

MEANING:

The Right to Information Act, 2005 is a law enacted by the Parliament of India giving citizens of India access to records of the central government and the State governments. The act applies to all States and union Territories of India, except the State of Jammu and Kashmir – which is: the state level law. Under the provisions of the act, any citizen (including the citizen with J&K) may request information from a public authority (a body of government or instrumentality of state) which is required to reply expeditiously or within 30 days.

The act also requires every public authority to computerise their records for a wide dissemination and to proactively publish certain categories of information so that the citizens need minimum recourse to request for information formally.

This law was passed by the Parliament on 15 June, 2005 and came fully into force on 13 October, 2005.

SCOPE:

The act covers the whole of India except Jammu and Kashmir. It is applicable to all constitutional authorities, including the executive legislature and judiciary; any institution or body established or constituted by an act of Parliament or a state legislature. It is also defined in the act that bodies or authorities established or constituted by order or notification of appropriate government including bodies, "owned, controlled or substantially financed "by government, or non-government organization," substantially financed, directly or indirectly by funds provided by the government are also covered in the act".

Private bodies are not within the act directly. However, information that can be accessed under any other law in force by a public authority can also be requested for.

INFORMATION:

The act specifies that citizens have a right to:

- (a) Request any information (as defined).
- (b) Take copies of documents.
- (c) Inspect documents, works and records.
- (d) Takes different samples of materials and work.
- (e) Obtain information in form of printouts, diskettes, floppies, tapes, video cassettes or any other electronic form or through printouts.

PROCESS:

Under the act, all of her discovered must appoint their Public Information Officer (PIO). Any person may submit a request to the PIO for information in writing. It is the PIO's obligation to provide information to citizens of India for request information under the act. If the request pertains to any other public authority

(in whole or part) it is the PIO's responsibility to transfer/forward the concerned portion of the request to a PIO of the other within five days. In addition, every public authority is required to designate **Assistant Public Information Officers (APIOs)** to receive RTI requests and appeals for forwarding to the PIOs of their public authority. The citizen making the request is not obliged to disclose any information except as name and the contact particulars.

The act specifies time limits for replying to the request:

- (a) If the request has been made to the PIO, the reply is to be given within 30 days of the receipt.
- (b) If the request has been made to an APIO, the reply is to be given within 35 days of the receipt.
- (c) If the PIO transfer the request to another public authority (better concerned with the information requested), the time allowed to reply is 30 days but computed from the day after it is received by the PIO of the transfer the authority.

Information concerning corruption and human rights violation by scheduled security agencies (those listed in the second schedule to the act) is to be provided within 45 days but with the prior approval of the Central's Information Commission.

- (d) However, if life or liberty of any person is involved, the PIO is expected to reply within 48 hours.

Since the information is to be paid for, the reply of the PIO is necessarily limited to either denying the request (in whole or part) and/or providing a competition of, "further fees". The time between the reply of the PIO and the time taken to deposit the further fees for information is excluded from the time allowed.

If information is not provided within this period, it is treated as deemed refusal. This refusal with or without reasons may be grounds for appeal or complain. Further, information not provided in the time prescribed is to be provided free of charge.

For Central Department as of 2006, there is a fee of ₹ 10 for filling the request, ₹ 2 per page of information and ₹ 5 for each hour of inspection after the first hour. If the applicant is a below

poverty cardholder, then no fee shall apply. Such BPL cardholders have to provide a copy of their BPL card along with an application to the public authority, state government and High Court fix their own rules.

INFORMATION DEFINED:

In terms of this section 2(f) of the act, information has been defined as any material in any form including records, documents, memos, emails, opinions, advice is, press releases, circulars, orders, log books, contracts, reports, papers, samples, models, data material held in any electronic form and information relating to any private body which can be accessed by a public authority under any other law for the time being in force.

What is not open to disclosure?

The following is exempt from disclosure:

- (1) Information, disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategy, scientific or economic, interest of the state, relation with foreign state or need to incitement of an offence;
- (2) Information which has been expressly forbidden to be published by any court of law or criminal or the disclosure of which may constitute contempt of court;
- (3) Information, the disclosure of which would cause a breach of privilege of Parliament or the state legislature;
- (4) Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that large public interest warrants the disclosure of such information;
- (5) Information available to a person in his fiduciary relationship, unless the competent authority is satisfied that the larger public interest warrants the disclosure of such information;
- (6) Information received in confidence from foreign government;
- (7) Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of

- information or assistance given in confidence for law enforcement or security purposes;
- (8) Information which would impede the process of investigation or apprehension or prosecution of the offenders;
 - (9) Cabinet papers including records of deliberations of the Council of ministers, secretaries and other officers;
 - (10) Information which relates to personal information to disclosure of which has no relationship to any public activity or interest, which would cause unwarranted invasion of the privacy of the individual.

Objective Questions with Answers

(A) State whether the following statements are True or False:

- (1) Corporate Communications help organizations explain their mission, combine its many visions and values into a cohesive message to stakeholders.
- (2) A common aspect of internal corporate communications is business relations ensuring accurate and consistent communication with customers.
- (3) Corporate communications serve several audiences and purposes external to the organization.
- (4) Communication is the cornerstone function of every organization to build up its status in the corporate world as well as its stakeholders.
- (5) The main role of the corporate communication is to make the brand Loyalty.
- (6) Corporate communication is a management function.
- (7) Online piracy is the term to elucidate the illegal act of duplication of licensed or copyrighted material from Internet.
- (8) The Central Government has the powers to constitute a body known as Districts Information Commission.
- (9) The Copyright Act 1957 provides three kinds of remedies-- administrative remedies, civil remedies and business remedies.
- (10) Ethics helps us in improving decision-making.

[Ans.: (1 – True); (2 – False); (3 – True); (4 – True); (5 – False); (6 – True); (7 – True); (8 – False); (9 – False); (10 – True)]

(B) Fill in the blanks with appropriate options:

- (1) Corporate public relations seek to project the image and identity of the _____.
(a) Organisation (b) Customers (c) Public (d) None of these.
- (2) Corporate _____ identity plays a significant role in the way an organization presents itself to both internal and external stakeholders.
(a) Visual (b) brand (c) Image (d) None of these.
- (3) In order to survive in the long-run it is expected that business is carried on with _____ principles.
(a) Ethical (b) profit motive (c) Profit maximization (d) None of these.
- (4) Digital or Online piracy is the term to elucidate the illegal act of duplication of licensed or copyright material from _____.
(a) internet (b) social media (c) e-commerce (d) None of these.
- (5) The main role of the corporate communication is to make the brand _____.
(a) Identity (b) loyalty (c) Image (d) None of these.
- (6) _____ Principles are to be followed by the business in order to survive in the long run. (Nov. 18)
(a) Profit Motive (b) Ethical (c) CSR (d) None of these
- (7) _____ is the main role of corporate communication with respect to brand. (Nov. 18)
(a) Recognition (b) Loyalty (c) Value (d) Positioning
- (8) Spoken defamation is called _____. (Nov. 18)
(a) Insult (b) Libel (c) Slander (d) Grapevine

[Ans.: (1 – Organisation); (2 – Visual); (3 – Ethical); (4 – Internet); (5 – Identity); (6 – Ethical); (7 – Recognition); (8 – Slander)]

(C) Match the pairs:

Group A	Group B
(1) Right to Information Act	(a) Favourable Image
(2) Corporate communication	(b) Corporate identity
(3) Google	(c) Management function
(4) Invasion of privacy	(d) Intrusion of solitude
(5) On line piracy	(e) access to records
(6) Corporate Identity (Nov. 18)	(f) Udda Punjab

[Ans.: (1 – e); (2 – c); (3 – b); (4 – d); (5 – f); (6 – a)]

(D) Match the pairs:

Group A	Group B
(1) Inner image	(a) Overall estimation of the company
(2) External Image	(b) behaviour, symbolism, communication
(3) Corporate Reputation	(c) employee behaviour
(4) Corporate Identity	(d) customer service management
(5) CSR	(e) Corporate reputation
	(f) Corporate identity
	(g) Management function
	(h) Intrusion of solitude
	(i) access to records

[Ans.: (1 – c); (2 – d); (3 – a); (4 – b); (5 – e)]

Questions for self-Practice

- (1) What do you mean by corporate communication? Explain its scope. (Nov. 18)
- (2) Justify the need and relevance of corporate communication. (Nov. 18)
- (3) Enumerate on the need and relevance of corporate communication in India.
- (4) What they mean by corporate identity? Explain its features.
- (5) Define corporate image. Explain the factors influencing corporate image.
- (6) Explain in detail the various factors affecting corporate image.
- (7) What do mean by corporate reputation? Explain the advantages of good corporate reputation. (Nov. 18)
- (8) Define ethics in corporate communications.
- (9) Enumerate Defamation and its types. (Nov. 18)
- (10) "Ethics is an important part of corporate communication." Discuss. (Nov. 18)

(11) Write short notes on:

- (a) Defamation.
- (b) Invasion of privacy.
- (c) Copyright act. (**Nov. 18**)
- (d) Digital piracy.
- (e) RTI.
- (f) Mass Media Laws.
- (g) Online Piracy in India.
- (h) Importance of ethics.
- (i) Corporate reputation.