



# ROLE OF MEDIA PRESS, MEDIA CONTOL AND FREEDOM IN LIGHT OF PRESS ETHICS

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### **ABSTRACT**

Without media or free press vote based system can't be fruitful. In basic words. In sense for the dynamic and careful interest of free press is basic in fair society. It is voice of the individuals. It assumes a significant job in the moulding of a solid vote-based system. Media is viewed as heart. As a significant wellspring of data, it mindful the individuals in all nations of the world. The commonly vote-based system and individuals aware various happenings grounds, for example, sports, governmental issues, financial, and social, and so forth. Media resembles mirror likewise which representations the essential reality and some of the time it might be cruelIn this reserch paper freedom of media its wrongful curtailment and its over reach has been discussed it heighlights the importance of Freedom of media and why it should be protected it is undeer control and their should be reasonable restriction the balance between the two is what is required and is essential for healthy there has been times when media has gone beyond its territory and even more disturbing is the incidentens when its freedom has been curtailed

**Keywords**: Free press, vote based system ,Freedom of media, Majority rule governmen

### INTRODUCTION

"Without freedom of the press, there are no real democratic societies. Without freedom of the press, there is no freedom" -----(António Guterres, Secretary General of the UN)

Today our life is brimming with broad communications. Our day starts with a paper conveyed to us with our morning cup of tea. A few of us switch on to radio or television while preparing for the afternoon and attempt to retain the most recent advancements since the paper headed to sleep (sent for printing) the previous evening. Both on radio and television





notices are sandwiched between news things and melodies by and large. These commercials attempt to impact our brains about what we ought to eat, drink, wear or purchase when all is said in done.<sup>1</sup>

They even alert us against sicknesses like Guides, remind us about polio drops, advise us about inevitable movies and persuade our speculation in an unpretentious way. Before venturing out from home for the day a few of us check and answer our messages like we used to see our mail boxes. Some of us even sign on to our preferred destinations for news and data. In the wake of preparing the second we hit the street we are barraged by hoardings, flags, stickers, and boards persuading and cajoling<sup>2</sup>.

Media is generally the agency for interpersonal communication. There are two kinds of communications. Personal Communication Mechanism is one kind of Media, while the other is the Print and Electronic Media. Communication is the procedure through which, we use to exchange information by various methods and 'Media' is the medium or instrument of storing or communicating information. Media is derived from the word 'Medium.'

### RESERCH PROBLEM

Importance of Freedom the job of media in Indian majority rule government and why it should be protected ,instances when it went against its authority and why there should be reasonable restriction on it.

### **OBJECTIVES OF THE STUDY**

- 1. To build conceptual framework of the study.
- 2. To study the various role of media
- 3. To study the aspects of freedom of press briefly.
- 4. To examine the Challenges and Controversies around media activity.
- 5. To understand the future prospects of freedom of media.

#### RESEARCH METHODOLOGY

Research in this work has been done having relied mainly on "Doctrinal Method" of research. The methodology adopted for the present research is doctrinal, analytical and

<sup>&</sup>lt;sup>1</sup>Friedmman; *Legal theory* 

<sup>&</sup>lt;sup>2</sup>SR Saxena, Role of Media in Indian Democracy, Publisher: D.P.S. Publishing House (2010), Language:



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descriptive. The researcher mostly relies on the primary & secondary sources like articles, books, opinion of research scholars and experts in the respective field. Internet provided major contributions of most relevant and latest information on the web which has helped the researcher to explore the subjects through various dimensions.

**ROLE OF MEDIA** 

According to Jaipal Reddy – 'a useful journalist was that of a "barefoot education worker"; a fearless interface between the rulers and the ruled. He felt policy making cannot be robust without critical inputs from the ground.

Media, popularly termed as 'Press' denotes the Print Media which encompasses Newspaper, Magazines, and Electronic Media refers to Radio, Television, currently Internet or E-Media or social media. Media / Press is the fourth Pillar of the democracy. It plays a crucial role in shaping healthy democracy. It alerts us to various social, political and economic activities happening around the world. It is like a mirror that shows us the bare truth and harsh reality of life. Democracy without media is like a vehicle without wheels. It is the sine-qua-none of democracy.<sup>3</sup>

Due to expansion of Media, social information, dissemination of information has increased manifolds. We get the news of any part of the World event with in few seconds or with just a click of a mouse. It has increased social awareness of people and enhanced the knowledge, language, and vocabulary. T.V. Programmes on health, agriculture, employment especially those broadcasted by Doordarshan have spread awareness among people and motivated for upliftment of society. The Reality Shows depict the creativity of our countrymen and go to enhance the outreach of the artists to the public. Following independenceThe media kept up its crucial role in the nation's government. The day our Constitution went into effect on January 26, 1950, was the most important day in the history of Media Regulations. Art. 19(1)(a)1 of the recently drafted Indian Constitution came to recognize and ensure freedom of speech and expression. It guaranteed the freedom to openly voice one's own beliefs and thoughts through writing, speaking, printing images, or any other medium. Although it is not recognized as a distinct freedom under the Fundamental Rights, press freedom is allegedly included under the term "freedom of speech and expression." This freedom has even been referred to as the "ark of the covenant of democracy" by the then-judicial branch.

<sup>3</sup>Cardozo; The Judicial Process



Enlightenment occurs when there is knowledge. There are answers when there is discussion. There will be exploitation, corruption, repression, and irritation when there is no rule of law, accountability, or power allocation. The media does more than just cover events. In addition, it keeps an eye on government and prevents corruption and poor management. The media had a major role in igniting the battle against corruption. He developed into a more responsible and mature person over time.

Big media conglomerates are a serious threat. Citizen -friendly democracy is a goal that the media should strive for in a country like India. The present media insurgency has led to people in making an informed decisions and beginning of a new era in a democracy.

One thing is for sure that the media has grown rapidly, and definitely, it has a powerful potential, so much so that, it is capable of making or breaking the government, by influencing the minds of the people.

The force and criticalness of media in vote-based society is incredibly famousand press have an enticing power yet its genuine capacity is certifiably not a mystery to the world. The presence of free, autonomous and incredible media is the foundation of a majority rules system, particularly of an exceptionally blended society like India. The vital job of the media is its capacity to prepare the considering. In fact, majority rule government remains on the mainstays of legal executive, official and council. In any case, with the ascent of the press and its capacity to arrive at each alcove and corner of the state it can likewise be considered.

Since the online networking has spread its wings worldwide with the development of e-age. The period is governed by the Web and has an incomparable position to flip around things. There is not really any field forgotten about from the compass of media. Majority rule government is no bar to the media and its sensible plays. To have a solid vote based set up, the administration and individuals need to go connected at the hip. This certainly requires an extension, which is the media<sup>4</sup>.

The absolute first obligation of media is to diminish the hole between the administration and its residents. In a majority rules system, the legislature is controlled by agents of open, who are chosen by general society. Such agents take choices which may end up being correct or wrong, and as they accept open office and acquire power some may utilize this situation for their own advantage or advantage of others by practicing undue impact.

<sup>4</sup>*Infra*; p. 35





The impact of media on national security dynamic is critical. There is no uncertainty of its impact and dependent on the data gave inside this record, there can be no uncertainty of its capacity and impact on national security dynamic. It has developed as a practical component of intensity. Present day innovation has upset the broad communications particularly the electronic media.

The job of media in Indian majority rules system has experienced monstrous changes, from the times of press control during Crisis in 1975 to being powerful in the 2014 Lok Sabha races.

#### DECLINE OF FREEDOM OF MEDIA

Indian democracy has survived and is functioning relatively well and the media undoubtedly has a big part to play in thatBut it can not be ignored that its freedom and working is declining. News that was viewed as medium to teach the individuals on issues that were of most extreme significant for the public, turned into a wellspring of one-sided perspectives.

Indian media has voyage far, from the times of paper and radio to introduce day period of TV and the advancement of Indian economy during the 1990s saw an inundation of interest in the media houses, as enormous corporate houses, business big shots, political elites, and industrialists considered this to be a chance to improve their image picture. The news diverts were currently engaged with the showbiz business, as TRPs turned into a reason for competition among news houses. These things have caused mistrust in the whole working of media functioning

The job of media is to make the public mindful of their popularity-based rights and battle the three organizations of vote-based system. It goes about as the voice of a large number of residents, when government foundations become degenerate and dictator or when they choose not to see towards the issues concerning the general public. In the present India, media has become a piece for different political associations and business gatherings, they go about as amanuensis for such powerful controversies and features of Indian media The validity of Indian media is quick disintegrating, as the nation's media has been censured consistently by the world crowd for its drama. The manner in which Indian media controls the news and depicts the data in a bent way has seen the nation drop three spots in the ongoing Scene Press Opportunity File.

Criticising the downfall of media ethics veteran journalist **Kuldeep nayar** has said:





At a time when the print and the electronic press is increasingly seen to be its master's voice, "newspapers and television channels have themselves become so pro-establishment that the government doesn't have to do anything to make them fall in line".

There are other criticisms also regarding the classification of content of media, the Indian media have its own serious criticism, elitists; urban oriented; politically biased; under the grip of big industrial and business houses; using hate politics and sensationalizing the news for economic interest; using communal and caste politics especially by the vernacular media.

According to Noam Chomsky There are two kinds of media:

Remember that One is to indoctrinate the elites, to make sure they have the right ideas and know how to serve power. In fact, typically the elites are the most indoctrinated segment of a society, because they are the ones who are exposed to the most propaganda and actually take part in the decision-making process. For them you have the New York Times, and the Washington Post, and the Wall Street Journal, and so on. But there's also a mass media, whose main function is just to get rid of the rest of the population -- to marginalize and utilise them, so they don't interfere with decision-making. And the press that's designed for that purpose isn't the New York Times and the Washington Post, it's sitcoms on television, egames, and the National Enquirer, and sex and violence, porn, and babies with three heads, and football cricket, all that kind of stuff.<sup>5</sup>

The provisions relating to various kinds of Media, Identification of factors due to which regulation is required and impacts of media on society is to be viewed vis-a-vis State of Art. This is required to make the regulation more effective and fruitful as per the prevailing state of art. As the development of technology takes place, the regulatory measures also require to be reviewed and modified.

It can also be seen that few powerful and influential people are trying to take over the freedom of media and There are stances like Cross media ownership and the stances of media trial and self censorship are the instances when it can be seen that media is not performing the work its entrusted in one manner or another, highlighting this **Noam Chomsky** has said

<sup>5</sup>Manufacturing Consent: The Political Economy of the Mass Media (Book by Edward S. Herman and Noam Chomsky

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The media are a corporate monopoly. They have the same point of view. The two parties are two factions of the business party. Most of the population doesn't even bother voting because it looks meaningless. They're marginalized and properly distracted. At least that's the goal.

The media must take perception of national security and the government assistance of the individuals. Responsibility for media ought to be spread to stay away from the imposing business model of couple, influential people, partnerships or governments. Transmission of fierce materials ought to be controlled to decrease negative impact on the general public.

## INSTANCES WHEN MEDIA CREDIBILITY AND FUNCTIONS WERE QUESTIONED

Democracy thrives upon the people's participation in the governmental activities. People can participate in the governmental activities only if they are aware of government's actions and policies, and the government is aware about the people's aspirations and needs. It is the media that acts as a link that communicates the thoughts of the public and the government to each other, and that is why the media is said to be the backbone of a democratic set-up or the fourth estate of democracy. As the media enjoys an indispensable fundamental place in the democracy it is flooded with the liberties and powers. The media must use these liberties and the powers in an objective, neutral and impartial manner to promote and strengthen the principles of democracy. However, it is seen in today's times that the media utilizes its strength and power to fulfil its own objectives such as the TRP ratings or it acts or some commercial or financial considerations. This aspect of media completely water downs its image and shakes the foundations of the democracy.

It can be said that the journey of the media has travelled from the north pole to the south pole because, few years ago the focus was on how to curtail or minimize the restrictions on the media, but today the focus is upon how to control or make the media more accountable. Today, the media is so powerful and almost omnipotent that one fears that the rule of law and the role of the media could be replaced by the rule of the media and the role of the law.

On ONE hand, the Indian media has assumed a fearless job in the inclusion of(1999), and 26/11 Bombay Dread Assaults that shook the entire country as the city was shaken by different dread assaults. Surely, because of developing impact of ideological groups, there has been decline in the nature of news contacting the crowd, as media hosted filled in as a stage for gatherings to advance their administration's work.



Nowadays it is seen the media is performing the self-censorship of its content which is done in accordance of influence of other persons or associations, which is totally against the ethics of media and other situation can be seen where media is trying to build narration against or in support of someone which also distorts the credibility of media the function of media should be to present the data and information to the public at large and let the public come up at a conclusion not to manipulate the opinion making processThis self-censorship is starkly different from the time of the Emergency in 1975, when Indira Gandhi used official censorship to silence criticism.

Certainly, here are some specific incidents in India where the media failed to do its job:

### 1. Coverage of the 2002 Gujarat riots

The media's portrayal of the 2002 Gujarat riots, which culminated in widespread violence against Muslims, has been condemned for being biased and insensitive. Several media sources were accused of downplaying the severity of the violence, distributing misleading information, and even defending or condoning the acts of the state government led by Chief Minister Narendra Modi (later Prime Minister). The media's inability to adequately report on the violence and hold those involved accountable led to an environment of impunity while also marginalizing the victims' voices.

### 2. The scandal of cash-for-votes occurred in 2008.

In 2008, a controversy erupted in India's parliament after MPs were reportedly caught on video receiving bribes in return for their votes on a confidence motion. However, the media's portrayal of the incident has been criticized for being sensationalized and focused on political drama rather than the underlying issue of corruption. The failure to adequately investigate the incident and hold those responsible accountable fueled a culture of political corruption and eroded public faith in the democratic process.

### 3. Kathua Rape Case Coverage (2018)

The media's reporting of the rape and murder of an eight-year-old girl in Kathua, Jammu and Kashmir, in 2018 aroused significant controversy due to its prejudice and inflammatory nature. Some media sources sought to minimize the incident or throw doubt on the identities of the culprits, who were discovered to be affiliated with Hindu extremist organizations. The media's refusal to appropriately report on the case and reflect the community component of



the murder fueled damaging prejudices and hampered attempts to bring justice to the victim and her family.

### 4. Palghar Lynching Incident (2020)

In April 2020, a mob lynched three people, including two sadhus (Hindu ascetics) in Palghar district, Maharashtra. The event got a lot of media coverage, however some sites were accused of sensationalizing it and disseminating misinformation about the attackers' identities and motivations. The media's reluctance to report appropriately on the lynching heightened communal tensions and hampered efforts to address the region's underlying concerns of lawlessness and mob violence.

### 5. Instance relating to paid news

Business scams that exchanged newspaper ad space for company shares emerged in the mid-2000s; writer Mrinal Pande recorded several of these collapses. Hindi newspapers ran articles about candidates in the 2008 assembly elections who didn't really add much to the story, even projecting their record-breaking wins. The Times of India's publisher, Bennett Coleman and Company Ltd., launched a premium content service in 2003 that allows journalists to cover events for a price.

### 6. Instance relating to blackmail

Senior editors of the TV show Zee News were detained in 2012 after it was claimed they had demanded Rs 100 crore from Jindal Power and Steel Ltd. They promised to lessen their network's campaign against the coal fraud firm in exchange for this payoff. When Congress MP and JSPL chairman Naveen Jindal performed a reverse sting on the network's management, the blackmail was revealed.

These incidents underscore the need for responsible and ethical journalism in India, as well as the implications of the media failing to fulfill its job to inform, educate, and hold authority accountable.

#### GOVERNMENTS JOB IN FORTIFYING MEDIA

The requirement for an autonomous and without control press is extremely fundamental in a dynamic majority rules system like India.

The Indian government's position on the job media has been fervently discussed, since the time our constitution producers began confining the Indian Constitution. During the





encircling of the constitution, there was a disarray with respect to the status of media in India, regardless of whether there was a need to outline an article under the of Right to The right tospeak freely of Discourse and Articulation or to have a different arrangement for opportunity of the press just like the case in US Constitution<sup>6</sup>.

Administrator of the Drafting Advisory group felt there was no compelling reason to have separate arrangement for the free press, rather he contended that "print is simply another way of expressing an individual or a resident", in this sense, the possibility of printing has turned into a piece of the right to the right to speak freely about discourse and articulation under. In the ongoing Scene Press Opportunity Record distributed by Correspondents Without Fringe, India was positioned 136 out the 180 nations for the degree of opportunity accessible to the writer in the nation. The drop in India's positioning has been related with the rising 'Hindu Patriots' attempting to excuse "hostile to national" appearance contemplations from the national media, reflects as a negative job of media in the majority rules system.

In a various nation like India, it is hard to have nutty gritty enactment on the job of media in the majority rules system, as was called attention to by Dr Bhimrao Ambedkar<sup>7</sup>. News Supporters Affiliation (NBA) is an administration body that has set out the rules to be trailed by media houses, to disperse the data over the crowd. The rules centre around guaranteeing tenable news contacts the general population with unprejudiced nature and objectivity.

### JOB OF MEDIA IN CONTEMPORARY INDIA VOTE-BASED SYSTEM

'The role of journalism is to monitor power and the centres of power'-KULDIP NAYAR

Media is the "fourth domain" of vote-based system and it assumes an essential job in guaranteeing equity and advantages of the administration strategies arrive at the inside segments of the general public. They go about as a chain between the administration and the residents of the nation, individuals have confidence in media as it affects the crowd. The changing elements of Indian governmental issues has expanded individuals' desire from media as in this period of progress, it is truly simple to have faith in a specific conviction.

The more seasoned age of the nation is still focused on convention and culture, while the present-day youth is progressively inspired by the quick moving universe of innovation and internet-based life.

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<sup>&</sup>lt;sup>6</sup>*Infra*; p. 47

<sup>&</sup>lt;sup>7</sup>Role of Media in Indian Democracy, By Vaibhav Chakraborty, 6th March, 2018



In this way, it gets significant for media to guarantee that the data that they are communicating ought not to be a one-sided or altered in a manner to help the channels Tripuris, as their business depends on help from such associations<sup>8</sup>.

#### CONCLUSION AND WAY FORWARD

Intensity of discourse is a euphoria to man. It is a delight to tune in to individuals and to communicate the sentiments of one and another on beneficial things. Here, speech is craftsmanship. Opportunity of Articulation has consistently been accentuated as an exceptional right for the law based, monetary working of a general public. This is being remembered for Art.19 (1) (an) of our Indian Constitution for example the opportunity of the press. Media has an essential job in influence of every single human will examine about the issues identifying with the obligations of the media in great administration, in this way media has gotten all the more remarkable and conspicuous<sup>9</sup>. In India, media have assumed critical job by giving data to the residents about social and monetary disasters. Obviously, resident can't by and by accumulate and gather data to shape his/her assessments despite the fact that having sensible limitations as given in Art.19 (2) of the constitution. It can't be diminished, similar to the opportunity to carry on business. Indeed, the press and media in India are totally free by commending the decision party and getting the delicate advertisements. The legislature or winding the hypercritical new things which impacts big name or gathering and get an enormous result from the side that profits by the contorted form. Further ponders about the sacred perspectives about the opportunity of press and media, about the oversight relating to squeeze that has been exceptionally excited among the individuals. The Media fills in as a mode of activity as its impact that it's called as 'fourth domain'.

Media go about as an impetus for majority rule government and improvement, assisting with making open investment significant. If media is straightforward and submitted in its activity, popular government will undoubtedly work all the more proficiently and the escape clauses present in any equitable framework can positively be stopped to the fullest fulfilment of the individuals. Despite what might be expected, if media is one-sided, degenerate and favours just a specific gathering or not many people, it can end up being risky for the smooth working of majority rules system. Nobody can become great and one can just endeavour to turn out to be so. Similar remains constant for our media too.

8*Infra*; p. 48

<sup>&</sup>lt;sup>9</sup>Constitutional Law, By Mamta Rao, Eastern Book Company, First Edition, 2013



The job of the media isn't just to spread data yet in addition to enable the general public to shape conclusions and settle on trustworthy choices. As such, the media assumes a significant job in administration of the country. Being a majority rule nation, where the choice of the majority is incomparable, broad communications is in instrumental in guaranteeing that the individuals settle on educated choices. Further, it is through the media that the majority can voice their assessments. Valuation for the job of the media in great administration is basic to cultural turn of events. Should be cantered around genuine issues, which are for the most part social and monetary in nature, rather than attempting to redirect the thoughtfulness regarding the known issues. Accomplishing great administration requires the comprehension and cooperation of each citizen. The media, their noteworthy jobs, channels and substance, are viewed as the most impressive weapon to make this accomplishment reality.

No one in this world is perfect and neither is the media. I am not degrading the media, rather I would say that there is still a lot of room for improvement by which the media can raise the aspirations of the people it is intended for. I cannot imagine democracy without active and neutral media. In a democracy, the media is like a watchdog that keeps the government active. From a mere informant, it has become an integral part of our daily lives. Over time, he became a more mature and responsible entity. The current media revolution has helped people make informed decisions and this has ushered in a new era in democracy.

The importance and role of the media in a democratic system is debatable. India has the largest democracy in the world and it is widely acknowledged that the media has a strong presence in the country. In the current scenario, the Indian media has come under a lot of criticism for not honoring its commitment to social responsibility. Unsafe business practices in the media have affected the fabric of Indian democracy. In the race of sustainability and commercial interest, multinational media organizations have spread their wings in the Indian market with their own global interests at the cost of truth and accuracy, which was initially considered as an agent of social change through development programs aimed at uplifting the weaker section of society and showcasing only the truth. However, extreme coverage or propaganda of sensitive news has occasionally led to communal riots. The constant repetition of news, especially sensational news, breeds apathy and insensitivity. Although the media has at times successfully played the role of watchdog of government activities and also facilitated participatory communication, much remains to be done. The media should pay maximum attention to broadcasting or publishing such sensational news. It is a mirror of society and a



powerful tool in the implementation of laws<sup>10</sup>. Although the Indian Constitution does not have an exclusive act defining the freedom of the press, it is evidently included in the freedom of speech and expression under Article 19(1)(a). and).

Do media organisations, whether in print, audiovisual, radio or internet form, need to be more accountable to the general public? It should be ensured that professional integrity and ethical standards are not sacrificed for sensational practices. The freedom of the press in the country is a blessing to the people. However, this blessing can go very wrong when tampered with. No one in this world is perfect. There is still a lot of room for improvement so that the media can meet the expectations of the public it is intended for. We cannot imagine democracy without active and neutral media. The media uses the tools of discussion, opinion polls, debates and writing to encourage authorities to accept appropriate action. The media offers an indicative and investigative platform for discussing the various causes and solutions to the problem of improper implementation of the law.

Here the humble submission that the media should confine itself within the jargons of ethical, neutral and objective standards apart from the legal limitations, so that the right to privacy of the individual is secured; and the conflicting rights can be balanced. The researcher would also like to state that the modern natural law theory can be made applicable in the cases of right to privacy and right of reporting of the press. According to the modern natural law, the natural rights will prevail within the framework of the positive law, and the positive law will prevail with minimum moral content. Here the media's right of reporting and imparting information should prevail within the legal limits; however, the media should adhere to the minimum content of the morality in the form of ethical and unbiased reporting.

In the Indian Legal system every institution, be it the state or the private institutions, including the branches of the state are accountable to some higher authorities. Now the media being so powerful, should it not be accountable? It is humbly submitted, that the accountability of the press is quite vague and weak, as the media is accountable to the public at large. Even the parliament is accountable to the people, but this accountability is effective or strong as the members of the lower house are elected by the people and hence the elected members are to a certain extent, deterred from doing anything, which goes against the public. However, in the case of media, even though it is accountable to the people, it is not elected by

<sup>&</sup>lt;sup>10</sup>Gupta, B.R. (Editor). (2006) JK Laws (Volume 11, 14, 16, 18, 20, 22 ) published by Jay Kay Law Reporter (P) Limited, J&K



the people. The media can only be criticized by the public, and sometimes the TRP ratings of the media may fall. This is the only check on the media exercised by the people and hence the media has become a self-declared boss- a free, independent, and above all (to some extent.) The media should act, responsibly, neutrally, objectively and abide to the ethical standards of journalism on its own, and should not wait for the law, forcing it to be ethical or neutral in dispensing its duties. Every time the law cannot interfere and set standards for neutral and unbiased reporting, because if the law does so, then the independence of media will be at peril. At the same time the media should not take undue advantage of this fact and confine itself to self-imposed ethical limitations.

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