

**GOVERNMENT OF INDIA  
INFORMATION AND BROADCASTING  
LOK SABHA**

UNSTARRED QUESTION NO:286  
ANSWERED ON:27.07.2010  
DEPICTION OF OBJECTIONABLE CONTENT  
M.Thambidurai Dr.

**Will the Minister of INFORMATION AND BROADCASTING be pleased to state:**

- (a) whether the Government proposes to formulate guidelines to ban/restrict the depiction of objectionable/obscene content appearing in the print and the electronic media;
- (b) if so, the details thereof;
- (c) if not, the reasons therefor, and
- (d) the steps taken/proposed to be taken by the Government in this regard?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF INFORMATION & BROADCASTING (SHRI C.M. JATUA)

(a) to (d) So far as print media is concerned, the Press Council of India (PCI), a statutory autonomous body has been set up under the Press Council Act, 1978 with the twin objectives of preserving the freedom of the press and of maintaining and improving the standards of newspapers and news agencies in India and to inculcate principles of self-regulation among the press. The Press Council of India have formed 'Norms of Journalistic Conduct' under Article 13(2)/(b) of the Press Council Act 1978 for adherence by the print media. The guidelines prepared by the Council on the subject as given under para 17 of the Norms which relates to 'Obscenity and Vulgarity to be eschewed' are Annexed. The guidelines are also available on the website of Press Council of India at "presscouncil.nic.in".

As regards electronic media, at present, cases of violation by TV channels regarding objectionable/obscene content is dealt under the Programme Code and Advertising Code prescribed under the Cable TV Networks (Regulation) Act, 1995 and rules framed there-under. Rule 6(1) (d) of the Programme Code provides that no programme should be carried in the cable service which 'contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths'. Whenever any violation of the Codes is found, action is taken as per rules. Ministry has taken action against TV channels as and when violations were noticed. In order to give specificity to the provisions of Programme Code, Government had constituted a committee in 2005, which submitted its report to the Government in 2008. The report of the Committee has been pending as no consensus could be evolved. Government has constituted a Task Force in November 2009 to arrive at a consensus regarding the mechanism for content regulation.

ANNEXURE

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) to (d) OF LOK SABHA UNSTARRED QUESTION NO.286 FOR ANSWER ON 27.7.2010

PARA 17 OF THE NORMS OF JOURNALISTIC CONDUCT UNDER ARTICLE 13(2)/(b) OF THE PRESS COUNCIL ACT 1978

17. Obscenity and vulgarity to be eschewed

(i) Newspapers/journalists shall not publish anything which is obscene, vulgar or offensive to public good taste.

(ii) Newspapers shall not display advertisements which are vulgar or which, through depiction of a woman in nude or lewd posture, provoke lecherous attention of males as if she herself was a commercial commodity for sale.

(iii) Whether a picture is obscene or not, is to be judged in relation to three tests; namely

(a) Is it vulgar and indecent?

(b) Is it a piece of mere pornography?

(c) Is its publication meant merely to make money by titillating the sex feelings of adolescents and among whom it is intended to circulate? In other words, does it constitute an unwholesome exploitation for commercial gain?

Other relevant considerations are whether the picture is relevant to the subject matter of the magazine. That is to say, whether its publication serves any preponderating social or public purpose, in relation to art, painting, medicine, research or reform of sex.

(iv) A photograph or a painting is a work of art and the artist enjoys artistic liberty in its portrayal. However, it is to be understood that a work of art is enjoyed, judged and appreciated by the connoisseurs. The pages of a newspaper may not be the most appropriate place for such painting.

(v) `The globalisation and liberalisation does not give licence to the media to misuse freedom of the press and to lower the values of the society. The media performs a distinct role and public purpose which require it to rise above commercial consideration guiding other industries and businesses. So far as that role is concerned, one of the duties of the media is to preserve and promote our cultural heritage and social values.

(vi) Columns such as `Very Personal` in a newspaper replying to personal queries of the readers must not become grossly offensive presentations, which either outrage public decency or corrupt public moral.

(vii) The attempt of the press should be to ensure coverage that is in keeping with the norms of the society at large and not merely a few. It is also our duty to prevent the degeneration of culture and standards and press with its reach and impact carries an immense potential in moulding the psyche and thought process of a society.

(viii) The Indian reader is much more mature and able to appreciate good journalism and in the long run, the attempts to copy the west by promoting the `so-called popular permissiveness` may defeat the very aim of the paper to boost circulation.

(ix) The newspaper may expose the instances of immoral activities in public places through its writings but with proper caution of restrained presentation of news or photographic evidence.