

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

STARRED QUESTION NO:152

ANSWERED ON:04.12.2012

REGULATORY FRAMEWORK FOR PRIVATE TV CHANNELS

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

- (a) the existing regulatory framework for telecast of programmes and advertisements by the private television channels;
- (b) whether the private electronic channels have set up any self regulatory mechanism and if so, the details thereof; (
- (c) whether opinions have emerged that the said self regulatory mechanism has proved ineffective;
- (d) if so, the reaction of the Government thereto; and
- (e) the further measures contemplated by the Government, if any, to improve the regulatory mechanism in this regard?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) IN THE MINISTRY OF INFORMATION & BROADCASTING (SHRI MANISH TEWARI)

- (a) to (e) A statement is laid on the Table of the House.

STATEMENT AS REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 152 FOR ANSWER ON 04.12.2012

(a): There is no pre-censorship of programmes telecast by private TV channels. However they are required to abide by the Programme Code and Advertising Code laid down in the Cable Television Networks (Regulation) Act, 1995 and the Rules framed thereunder. The said Programme and Advertising Codes are applicable to all private satellite/cable television channels.

The Programme and Advertising Codes lay down a wide range of principles that are required to be followed by these TV channels. Whenever an instance of violation in the programmes or advertisements by private satellite/cable TV channels is noticed, appropriate action as per the said Act is taken. The Government has constituted an Inter Ministerial Committee (IMC) to look into specific complaints or suo motu take cognizance of the violation of Programme and Advertising Codes. Action is taken as per the said Act and Rules framed thereunder, if any violation is established. As a further initiative, monitoring Committees have been set up at State level [16 States and 5 Union Territories] and District level [274 Districts], to monitor violation of the programmes and advertisements telecast on the private satellite channels.

(b) to (d): The News Broadcasters Association, which represents Private television news and current affairs broadcasters, as part of its self-regulation mechanism, has formulated a Code of Ethics and Broadcasting Standards covering a wide range of principles to self-regulate news broadcasting. NBA has also formulated News Broadcasting Standards Regulations. They have set up a Two-Tier structure to deal with content related complaints. At Tier I, complaints are dealt with by the individual broadcasters at their level. At Tier II, NBA has set up News Broadcasting Standards Authority (NBSA).

The object of the News Broadcasting Standards Authority includes entertaining and deciding complaints against or in respect of News & Current Affairs channels in so far as these relate to the content of their broadcast. The Authority consists of a Chairperson who is a retired Judge of the Supreme Court, four eminent editors employed with broadcasters and four persons of special knowledge and/or practical experience in the field of law, education, medicine, science, literature, public administration, consumer affairs, environment, human psychology and/or culture.

Indian Broadcasting Foundation (IBF), which is a self-regulatory body of non-News and entertainment channels, has set up a mechanism for self-regulation. As part of this, IBF has laid down Content Code & Certification Rules 2011 covering an entire gamut of content-related principles and criterion for television broadcast. As part of this mechanism, a two-Tier complaints redressal system has been set up. At the Tier-I level, each Broadcaster shall set up a Standard and Practices (S&P) Department with a Content Auditor to deal with the complaints received for content aired on its channels. At the Tier II, a Broadcast Content Complaints Council (BCCC) has been set up. The BCCC has 13 Members consisting of a retired Judge of the Supreme Court or High Court as Chairperson and 12 other Members, viz. 4 eminent persons, 4 members from any National level Statutory Commissions and 4 Broadcast members. The self-regulation mechanism put in place by the broadcasters, however, does not replace the existing regulatory function of the Government, arising out of the extant statute, namely, Cable Television Networks (Regulation) Act, 1995 and Rules framed thereunder. The Government steps in as warranted by the existing Act, wherever self-regulation does not succeed in content regulation or the

matter is beyond their jurisdiction.

No definitive opinion as to the efficacy or otherwise of the self regulatory mechanism has emerged so far.

(e) The regulatory mechanism delineated in answer (a) to (d) is considered appropriate for the present.