

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

STARRED QUESTION NO:339
ANSWERED ON:13.02.2014
PROGRAMMES AND ADVERTISING CODES
Adhalrao Patil Shri Shivaji;Yadav Shri Dharmendra

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

- (a) whether the Government has issued show cause notices and warning to various television channels for violation of programmes and advertising codes;
- (b) if so, the number of notices issued during the last three years and the current year along with the action taken by the Government thereon;
- (c) whether the Government has requested the States to constitute the monitoring committees at the district levels to monitor the private satellite channels and local cable channels to detect and look into the violation of the programmes and advertising codes; and
- (d) if so, the details of the States which have constituted such committees and the other steps taken by the Government to regulate the broadcast content of the television channels?

Answer

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

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) OF LOK SABHA STARRED QUESTION NO. 339 FOR ANSWER ON 13.02.2014

(a) & (b) All programmes and advertisements telecast on TV channels, transmitted/retransmitted through the Cable TV network, are required to adhere to the Programme and Advertising Codes prescribed under the Cable TV Networks (Regulation) Act, 1995 and rules framed thereunder. The Ministry has issued 65 show cause notices to various private satellite TV channels during the last three years and the current year for violation of the Programme and Advertisement Codes. The details of action taken including warnings issued are given in Annexure.

(c) & (d) The Ministry had asked the Chief Secretaries of all State Governments and UT Administrations vide its order dated 06.09.2005 to constitute a "Monitoring Committee for the Programmes and Advertisements telecast by cable TV channels" at the State, District/ Local level to enforce the Cable Act & Rules. Further, vide its order dated 19.02.2008, the Ministry communicated the scope of the committees, procedure for operation, functions of the committees in order to provide necessary functional guidance to the working of such Monitoring Committees. So far 23 State Level and 278 District Level Monitoring Committees have been set-up. Both the orders of the Ministry and a list of States/Union Territories (UTs) where Monitoring Committees have been set up are available at the Ministry's website i.e. www.mib.nic.in.

This Ministry has also constituted an Inter Ministerial Committee (IMC) to look into the violations of the Programme and Advertisement Codes. IMC has representatives from the Ministry of Home Affairs, Defence, External Affairs, Law, Women and Child Development, Health and Family Welfare, Consumer Affairs and Advertising Standards Council of India (ASCI). IMC meets periodically and recommends action against violations. Government has also set up an Electronic Media Monitoring Centre (EMMC) to monitor the content telecast on Private satellite television channels. Action is taken as per rules whenever any violation of Code is brought to the notice of the Government.

Besides above, Government has also encouraged self-regulation in electronic media by the Industry. News Broadcasters Association (NBA), which represents Private television news and current affairs broadcasters, as part of its self-regulation mechanism, formulated a Code of Ethics and Broadcasting Standards covering a wide range of

principles to self-regulate news broadcasting. NBA also formulated News Broadcasting Standards Regulations. They set up a Two-Tier structure to deal with content related complaints- at Tier I, by the individual broadcasters and at Tier II, by News Broadcasting Standards Authority (NBSA). The Authority consists of a Chairperson who is a retired Judge of the Supreme Court and eight other members. Members of the Authority shall comprise 4(four) eminent editors employed with a broadcaster, 4 (four) persons having 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.

Advertising Standards Council of India (ASCI), established in 1985, has set up Consumer Complaints Council (CCC) to consider complaints in regard to advertisements. The CCC currently has 21 members; 9 are from within the industry and 12 are from the civil society like well known doctors, lawyers, journalists, academicians, consumer activists etc.

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.