

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

UNSTARRED QUESTION NO:2408

ANSWERED ON:30.11.2016

Channels Violating Rules

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

- (a) the details of ban imposed against media using the provisions of Cable Television Network (Regulation) Amendment Act and the rules made thereunder;
- (b) the details regarding the media channels were penalised that under the above Act and Rules;
- (c) the details regarding the existing Ministerial Committee authorised for implementation of the said Act and Rules and proposal, if any, to reconstitute the said committee with judicial members or independent experts; and
- (d) whether the existing mechanism i.e., Press Council of India and National Broadcasting Standards Authority are empowered to take note of such violations and if so, the action taken by the Government in this regard and the steps taken to ensure freedom of press in the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF INFORMATION & BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) to (c): Content telecast on private satellite TV channels is regulated in terms of Cable Television Networks (Regulation) Act, 1995 and the Rules framed thereunder. There is no provision of pre-censorship of the content telecast on such TV channels. However, all programmes and advertisements telecast on such TV channels are required to adhere to the Programme and Advertising Codes prescribed under the said Act and the rules framed thereunder.

The Ministry has constituted an Inter Ministerial Committee (IMC) [copy at Annexure-A] under the chairmanship of the Addl. Secretary (I&B) and comprising officers drawn from Ministries of Home Affairs, Defence, External Affairs, Law, Women and Child Development, Health & Family Welfare, Consumer Affairs, Information & Broadcasting and a representative from the industry in Advertising Standards Council of India (ASCI), to take cognizance sou-motu or look into specific complaints regarding violation of the Programme Code and Advertising Code. The IMC functions in a recommendatory capacity.

The final decision regarding penalties and its quantum is taken by the Ministry on the basis of the recommendations of IMC.

Action is taken against TV channels whenever any violation of the aforesaid Programme and Advertising Codes is noticed or brought to the notice of the Ministry. Ministry usually decides and takes action keeping in view the recommendations of IMC. Such action may extend from issue of warnings or advisories to comply with the Programme/Advertising Codes or directing channels to run a scroll of apology on their channel and can extend upto taking the channels off air temporarily for varying period, depending on the gravity of the violation. Since the year 2005 to 2016, as many as 31 TV channels have been ordered to stop transmission for periods ranging from 1 to 60 days. Details are placed at Annexure-B.

The authority for exercising powers under Cable Act by Central Government or concerned Government/ authorized officers are provided under various sections of the Cable Act and mainly under Section 19 & 20.

At present, there is no proposal to re-constitute the IMC which already includes representatives from the industry as indicated above.

(d) The Press Council of India (PCI), a statutory autonomous body has been set up under the Press Council Act, 1978 to maintain and improve the standards of newspapers and news agencies in India and also to inculcate principles of self-regulation among the press. The PCI, in furtherance of its objectives under Section 13(2) of the Act has formulated 'Norms of Journalistic Conduct' for adherence by the print media. The mandate of Press Council of India, at present, does not extend over the electronic media (TV channels) which is regulated under the Cable Television Networks (Regulation) Act, 1995.

As regards the National Broadcasting Standards Authority, no such entity exists as per information available with the Ministry.
