

When TV errs

An independent regulatory body can help

by N. Bhaskara Rao

THE hue and cry raised about TV contents a decade ago was concerning violence and vulgarity. We now seem to have reconciled to that fact. For, the concern now is about immoral and obscene contents. With the multiplication of music channels and the launch of DTH platforms recently, more civil society groups are joining the chorus for some pro-active initiative to curb such uninhibited tendency of TV channels. With such contents getting added now in regional languages, as if in competition with "foreign music channels" being downlinked in the country, the Ministry of Information and Broadcasting itself has taken the initiative by holding consultations with stakeholders to find ways of curbing such trends.

As a nation we need to realise that television as a medium and its contents, more specifically, have far more implications for the viewing public with long-term impact at the individual and societal level. Peculiarities of TV are different from those of the print media in terms of use, contents and influence, particularly on vulnerable sections like women and children, who constitute three-fourths of all viewers in the country.

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more of that to the viewers. Creativity without concern is a misnomer. They are two sides of the same coin.

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The existing legal regulatory provision in the context of TV contents (programme and advertising codes) are outdated or irrelevant or inadequate to tackle the issues arising out of today's television scenario. Adding to this is the anomaly between cable TV channels and those of DTH. Even the Cinematographic Act of 1953 need to be modified urgently with demarcation from feature films. There are no studies on the long-term effect or impact in the country.

In the absence of an independent monitoring system for TV contents, television rating of viewership (TRP) is the only driver of contents. But this is often misleading, and is adding to the problem. Perpetuating and echoing all that the concerned citizens are worried about today. In fact, the best of creative talents in the country has been suppressed unwittingly because of the TRP criteria. Also, TRP is adver-

tents etc. Some of these provisions could be by way of licensing conditions and even linked to licence renewal. Viewers can be alerted in advance, with a pre-announcement by giving a description of programmes just before telecast, and channels could also have a fixed time for such advice to parents/teachers in the case of children. Many more such suggestions can be given.

The initiative of consultations by the Ministry of Information and Broadcasting is timely and deserves to be appreciated. But unless such a meeting is followed up with much needed specific and concrete measures towards restraining the contents of TV channels in par-

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the fact that none of the provisions of the cable TV Regulation Act is applicable to the broadcasters or producers, too much is expected from them. In any case, there is no mechanism to enforce any of the provisions however outdated they may be. Several initiatives in this regard are called for.

First and for most, the channels themselves should come up with their own codes and compliance mechanisms of such self imposed standards. But since not all channels available in the country or even registered in India, they can be expected to do anything like that also because their sole concern is to maximise viewers' somehow. As such, there must be a public policy for all channels including the down-linked ones. And, there must be legal provisions to make broadcasters and even production houses responsible. Since the self-regulation approach in the present competitive and free-for-all situation has not worked, it cannot be depended entirely. There should be legal provision and procedures for enforcement and complaint redressal procedures as an obligation. All that is not possible without an independent and competent authority separately for content regulation and for their compliance. This authority should address itself with all contents.

Music videos should be shown on TV

THE hue and cry raised about TV contents a decade ago was concerning violence and vulgarity. We now seem to have reconciled to that fact. For, the concern now is about immoral and obscene contents. With the multiplication of music channels and the launch of DTH platforms recently, more civil society groups are joining the chorus for some pro-active initiative to curb such uninhibited tendency of TV channels. With such contents getting added now in regional languages, as if in competition with "foreign music channels" being downlinked in the country, the Ministry of Information and Broadcasting itself has taken the initiative by holding consultations with stakeholders to find ways of curbing such trends.

As a nation we need to realise that television as a medium and its contents, more specifically, have far more implications for the viewing public with long-term impact at the individual and societal level. Peculiarities of TV are different from those of the print media in terms of use, contents and influence, particularly on vulnerable sections like women and children, who constitute three-fourths of all viewers in the country.

All channels should do something about basic "national issues" (like illiteracy and healthcare problems) as an obligation. A broad list of such concerns or issues can be formulated by the TV channels themselves from time to time, taking cue from the Constitution, national policies etc. But it should be left to individual channels to use their own ingenuity as to what. When or which issues they need to highlight. Some of the channels have, in fact, been doing so. Decency (of programmes) is concerned with the sensitivities of the people — both the viewing public and the larger society. If telemarketing on cell phones is "invasion into privacy and amounts to harassment" of subscribers, as the Supreme Court has observed, TV programmes could be several times

more of that to the viewers. Creativity without concern is a misnomer. They are two sides of the same coin.

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The existing legal regulatory provision in the context of TV contents (programme and advertising codes) are outdated or irrelevant or inadequate to tackle the issues arising out of today's television scenario. Adding to this is the anomaly between cable TV channels and those of DTH. Even the Cinematographic Act of 1953 need to be modified urgently with demarcation from feature films. There are no studies on the long-term effect or impact in the country.

In the absence of an independent monitoring system for TV contents, television rating of viewership (TRP) is the only driver of contents. But this is often misleading, and is adding to the problem. Perpetuating and echoing all that the concerned citizens are worried about today. In fact, the best of creative talents in the country has been suppressed unwittingly because of the TRP criteria. Also, TRP is advertising-driven, not editorial or viewer-concerned. Also at present there is no reliable mechanism in operation to enforce neither of the existing provisions, not even blatant violations of whatever regulations are there, as if the government is helpless in this regard.

It is high time we took some initiatives to restrain and moderate TV contents. Of course, the best bet is for channels themselves to observe restraint on their own. Not just in the context of certain individual programmes or time chunks. Some specific provisions could be way of codes/standards for various contents, timings, rating of contents based on con-

tents etc. Some of these provisions could be by way of licensing conditions and even linked to licence renewal. Viewers can be alerted in advance, with a pre-announcement by giving a description of programmes just before telecast, and channels could also have a fixed time for such advice to parents/teachers in the case of children. Many more such suggestions can be given.

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ticular it will remain as a futile exercise. No legislative provisions are good enough, if not backed up by larger public concerns and initiatives. If the public is made sensitive about long-term implications of television contents for children, for example, they would not remain passive as they are today. Parents have as much responsibility in moderating the television viewing habits of their children. So also teachers and the education system in promoting discriminative viewing. Civil society has a responsibility to come up with appropriate measures locally and be active and alert about certain contents of the television channels.

There is no one legal authority today to actually regulate TV contents. Despite

the fact that none of the provisions of the cable TV Regulation Act is applicable to the broadcasters or producers, too much is expected from them. In any case, there is no mechanism to enforce any of the provisions however outdated they may be. Several initiatives in this regard are called for.

First and for most, the channels themselves should come up with their own codes and compliance mechanisms of such self imposed standards. But since not all channels available in the country or even registered in India, they can be expected to do anything like that also because their sole concern is to maximise viewers' somehow. As such, there must be a public policy for all channels including the down-linked ones. And, there must be legal provisions to make broadcasters and even production houses responsible. Since the self-regulation approach in the present competitive and free-for-all situation has not worked, it cannot be depended entirely. There should be legal provision and procedures for enforcement and complaint redressal procedures as an obligation. All that is not possible without an independent and competent authority separately for content regulation and for their compliance. This authority should address itself with all contents.

Music videos should be shown on TV only after they obtain a certificate as a mandatory condition. Monitoring has to be by an independent body involving eminent citizens and by professionals with no business links with advertising, producers and channels. But their participation in the process is desirable. Waiting for a Convergence Bill and a Broadcast Bill earlier we have perhaps allowed the situation to deteriorate. In any case, since the broadcast scenario today calls for a separate authority for content regulation, the government should no longer wait and see. ■

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