

MEDIA REFORMS: MISSING INITIATIVES

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The mass media scene in India was never as good as it is today in terms of growth, proliferation, multiplicity and importance in the affairs of the country. The electronic media scene is even better. Perhaps no other media in any country is currently witnessing so many qualitative and quantitative changes as the Indian media. While most of this may be attributed to technology, which for sure is the driving force, the government's economic policies have also triggered the process further. While the country is going through a reversal in several national policies, almost abruptly, the developments on the media front are happening on their own; in spite of any significant initiative by the government. There is, of course, a certain reversal in the thrust implied in its half hearted effort pertaining to the repositioning of Doordarshan in a competitive mode vis-à-vis satellite channels. The picture today is one of abrupt and haphazard media explosion. Also, the facilitative infrastructure, including viewing-end discipline has not evolved commensurately.

As a result, ambiguity in the scenario, contradictions in policies, and confusion about the future course is evident all around. It was against this background that the Supreme Court judgment in February 1995 rejuvenated hope of many people. In fact, the judgment, together with the development in the technology front, has shifted the debate from freedom and monopoly to autonomy, accountability, access and social impact. While issues related to the entry of foreign media and uplinking are more business-inspired, violence and vulgarity concerns of television cut across larger sections, including the judiciary. More fundamental issues like monopoly, cross media ownership, plurality, FDI limits, and so on have not received the kind of attention they deserve.

It is obvious that currently, there are no direct laws governing broadcasting in India despite committee after committee being set up over the last three decades, notable among them being the Chanda Committee of 1964 and the Verghese Committee of 1977. Two government initiatives in this context need a mention here - the Prasar Bharati Act passed by Parliament in 1990 after years of debate and consideration and the Cable TV Networks Regulation Act of 1995. Both, however, remain on paper and have made no difference to the scene. In fact, the Prasar Bharati Act is in a state of coma. The Cable TV Networks Regulation Act has lost its relevance with technological advancements and increasingly competitive and fragmented cable television market. The Supreme Court's judgment held that "the airwaves or frequencies are a public property. They have to be controlled and regulated by a public authority in the interest of the public and to prevent the invasion of their rights." The judgment laid down the principle of citizen's right to information and analysis from diverse sources and view points, and equal access to all citizens to avail of the medium. Earlier, the Supreme Court had ruled in March 1989 that censorship by prior restraint was not only desirable but also necessary as "the movie cannot function in a free market place like newspaper, magazine or advertisement."ⁱ In this case too, the judgment of apex court has not made any difference to cinema industry in India.

Despite the realisation that political parties in power, which had control over Doordarshan and AIR, have lost elections and that parties which had no control over these media have come to power, there is no persistent effort and follow-up to give the electronic media the much-sought after autonomy. The urgency is to constitute an independent commission or an independent authority for broadcast media. The Sengupta report of the government on the future of broadcasting endorsed the structure proposed in the private initiative taken a year ago by 30 eminent media scholars,

including this author, Mr. Nikhil Chakravarty, Mr. Dilip Padgaonkar and Mr. George Verghese, after three rounds of deliberations with three previous I&B ministers and representatives of political parties. This privately initiated draft broadcast Bill suggested a Broadcasting Commission of India (BCI) which the Sengupta Committee named as the Radio and Television Authority of India (RTAI). Both the proposals recommend that Prasar Bharati should have independent executive boards for AIR and Doordarshan. Both implied that Prasad Bharati should be a public broadcasting operation with specific funding from the government as in the case of other social sector obligations of the State over and above what it could generate on its own, but without succumbing to the so-called market compulsions. The draft Bill intended to bring all forms of broadcasting and transmission – radio, television, satellite, cable and others under the ambit of the broadcast licensing authority. A strong Broadcast Complaints Council and a Standards Council with ethical concerns were also provided in the draft Bill. There was provision for programme advisory committees, both regional and sectoral, to aid and advise the broadcast stations and monitor quality of content at various levels. The licensing authority would strive to ensure that the market-driven channels are persuaded to accept certain obligations regarding the type and timing of programmes as well as responsiveness to community or audience.

Regarding the entry of the foreign print media, the September 1955 decision of the Union Cabinet against allowing it cannot continue to dictate the scene 60 years later despite the fact that several national policies of equal importance and with larger and long-term implications have been reversed. Central to the issue is the question: Should mass media be treated in the same way as any other consumer product? We seem to be avoiding this question and viewing it as and when it suits us rather than addressing it coherently, in a consistent manner. If we agree that it needs to be viewed as “public

utility”, then our approach has to be different. Similarly, with TV becoming a national obsession, we seem to have sidelined radio, a more cost-effective mass media, despite its undisputed positive potential and contribution. Cable TV operations have mushroomed in every nook and corner of the country, unconcerned with any legality and unaware of the larger implications.

While the visual electronic media has been at times accused of invading privacy, vulgarising culture, spreading stereotypes, destabilising political regimes in some parts of the world since World War II, the print media have not done that, at least, as blatantly. Because of the power of electronic media to cut across language barriers and political boundaries, there have been attempts to curtail its influence, whether successfully or otherwise across countries. In India, however, we seem to have remained by and large a mute spectator to the entry of electronic media and its haphazard spread until a couple of years ago, when the “business angle” became apparent. Those who are crying wolf now did not comment on that phenomenon, which has quietly taken roots in the country. Adding to the confusion, the then Prime Minister, Mr. H D Deve Gowda, hinted at the possibility of allowing uplinking, while ruling out any change in the policy with regard to the print media.

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