

# Media reforms: missing initiatives

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THE mass media scene in India was never so good as it is today in terms of growth, proliferation, multiplicity and importance in the affairs of the country. Even more so is the case of the electronic media. Perhaps no other media in any country today is witnessing so much qualitative and quantitative change as the Indian media. While most of this could be attributed to technology which for sure is the driving force, the Government's recent economic policies have triggered the process further.

While the country is going through a reversal in several national policies, almost abruptly but as part of the reforms in key sectors of the economy and markets, the developments on the media front are on their own and despite there being no specific new initiative from the Government. There is of course a certain reversal in the thrust implied in its repositioning of Doordarshan in a competitive mode vis-a-vis the satellite channels. The picture today is one of abrupt and haphazard media explosion. Also, facilitative infrastructure, including receiving-end discipline, has not evolved commensurately.

As a result, ambiguity in the scenario, contradictions in policies and confusion about the future course are all around. It was against this background that the Supreme Court judgment in February, 1995 rejuvenated hopes. In fact the judgment, together with the developments on the technology front, has shifted the debate from freedom and monopoly to autonomy, accountability, access and social impact. While issues to do with entry of foreign media and uplinking are more business inspired, violence and vulgarity concerns of television cut across larger sections, including the judiciary.

It is obvious that there are no direct laws today governing broadcasting in India despite committee after committee being set up over the last three decades, notable among them being the Chanda Committee of 1965 and Verghese Committee of 1977. Two Government initiatives in this context need to be referred to — the Prasar Bharati Act passed by Parliament in 1990 after years of debate and consideration, and the Cable TV Networks Regulations Act of 1994. Both, however, remain on book and have made no difference to the scene. While the Prasar Bharati Act is in a coma, the Cable TV Networks Regulation Act has lost its relevance with technological advancements and the 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 the citizens' right to information and analysis from diverse sources and viewpoints and equal access to all citizens to avail themselves 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 the newspaper, magazine or advertisement." Again, in this case too, the judgment has not led to any difference to the cinema in India.

Despite the realisation that parties in power which had control over Doordarshan and AIR have lost elections and that parties which had no control over it have come to

boards for AIR and Doordarshan. Both have implied that Prasar Bharati should be a public broadcasting operation with specific funding from the State 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 seeks 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, are also provided in the draft Bill. There is provision for programme advisory committees, both regional and sectoral, to aid and advise the broadcast stations and monitor quality and content at various levels. The licensing authority would strive to ensure

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power, there is no persistent effort and follow-up in recent years to actually give the electronic media the much-sought after autonomy and accountability. The urgency is to go ahead and do something even if it requires issuing an Ordinance constituting an independent commission or an authority for broadcast media.

Now that the much-awaited report of three-member Sengupta Committee is with the Government, there is hardly any need to discuss it further and reopen the issues as the Minister, Mr. C. M. Ibrahim, announced. The committee had already gone through that process, may be for the third time in the last 10 years.

The Sengupta report, by and large, 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 Padgoankar and Mr. George Verghese after three rounds of deliberations with three previous I&B Ministers and representatives of political parties. This privately-initiated draft bill suggested a Broadcasting Commission of India (BCI) which the Sengupta Committee names as the Radio & Television Authority of India (RTAI). Both the proposals recommend that Prasar Bharati have independent executive

that the market-driven channels too 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 40 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 here is should the mass media be treated the same way as any other consumer product or consumer industry? We seem to be avoiding this question and viewing it as and when it suits us rather than addressing it coherently and consistently. If we agree that it needs to be viewed as "public utilities," then our approach has to be different. Similarly, with TV becoming a national obsession today in India, we seem to sideline a more cost-effective mass media of radio despite its undisputed positive contribution and potential role.

During the last few years, cable TV operations have mushroomed in every nook and corner of the country unconcerned of any legalities and unaware of the larger implications, more as a sideline local enterprise.

They received a further boost with the launch of regional language satellite based programmes outside Doordarshan. With emerging technologies, both on the ground and in the skies, cable TV operations have become the route to capture the larger and fast growing media markets in India. No wonder then that large corporations, Indian and foreign, are after this business, even if it amounts to getting into street fights. The Government should come out with a specific approach about cable TV operations as they exist today and are likely to be with the unleashing of MMDS, the DTH and information super highway services soon. There is need to constitute a Cable & Satellite Board under the overall preview of an independent Broadcasting Commission of India or its equivalent.

Today there is a certain mix-up in our public debate on the distinctions between media policy, broadcasting policy and Prasar Bharati. While Prasar Bharati primarily deals with the Doordarshan and AIR, the broadcast policy is concerned with use of airwaves (no matter whether the channels are government-managed or privately-owned). Whereas, media policy pertains to various mass media and encompasses issues to do with monopoly, pre-censorship, access, privileges, entry of foreign media, etc.

While the visual electronic media have been accused of invading societies, vulgarising cultures, spreading stereotypes, destabilising political regimes in some part of the world or the other since World War II, the print media have not done that at least as blatantly and as consistently. The power of the visual electronic media being what it is, cutting across language barriers and political distinctions and boundaries, attempts to curb and curtail its influence have been there, successfully or otherwise, practically in most countries. And yet in India we seem to have ignored this fact and remained by and large moot to the entry of electronic media and their haphazard spread until a couple of years ago when the "business angle" become apparent.

Those who are crying wolf now have not even commented on that phenomenon which has so quietly taken roots in the country. Adding to the confusion, the Prime Minister, Mr. Deve Gowda, has 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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*The Hindu, Edit Page, 2-9-96*