

allowed itself to be manipulated from within, calling into question its representative character without which it can command no respect or legitimacy either from the press or the people at large. The very same provisions of the Press Council Act which were meant to give the Council such a character, like preference for common nominations, have been misused to deny the most representative and respectable professional bodies like the National Union of Journalists (India), and at one time the Editors Guild of India, their representation in the Council. The Council can have no legitimacy and credibility without such bodies, particularly when these are known to have made immense contribution to its deliberations and decisions, and in lending prestige to it.

The ingress of certain not-so-deserving elements and unrepresentative organisations into the Council has further eroded its credibility. At least two such members had to be got rid of in the last Council. Non-cooperation and disregard of the Council by some big newspaper houses is another phenomenon of serious concern for the prestige and effectiveness of this institution. These questions need to be addressed urgently if the Council is to uphold and retain its moral authority and sanctions. The Council's representative character must be ensured when it is reconstituted.

In order to compel compliance of its directions, decisions and adjudications, the Council should be vested with powers of contempt of court. But, no punitive powers need to be conferred on it as that will erase the very rationale of the creation of a self-regulatory body of the press. Punitive powers for such a Council would be, to say the least, self-serving and self-destroying ultimately.

The Council must also put in place a really effective and rigorous mechanism for closely examining and monitoring of the performance

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of the press, particularly in view of the growing Murdochian practices in the country's media. Besides revamping the in-house machinery, if any, the Council should itself commission, and encourage others to conduct, independent and professional studies and surveys from time to time.

One way of self-regulation is that the professional bodies of journalists should themselves organise such studies in an impartial and unbiased manner. So should it be done by schools of journalism and communication, in different parts of country?

But, media self-regulation cannot be meaningful and complete in the present scenario when a number of electronic media channels are beaming news and comments 24 hours a day, unless radio and television news set-ups and journalists working in or in relation to them are also brought into its ambit. There is, indeed, a greater and more urgent need today for a really effective self-regulation of the electronic media.

A Broadcasting Council was

envisaged in the Prasar Bharati Act for public broadcaster Prasar Bharati, to hear complaints against its radio and TV programmes. But, it has not taken birth till this date. Then, a Broadcasting Bill had sought to spread a wider net by extending such mechanism to all broadcasters. But, that also lapsed never to be revived. Today, in the absence of any such body, it is the government which possesses all the powers to regulate the contents of broadcasting.

In my view, a Media Council independent of any direct or indirect control or influence of the government or of any other external dispensation would be the most appropriate mechanism for media self-regulation. The Media Council is necessary also to provide protection to the journalists working in the electronic media as is available to the print journalists through the Press Council.

But, any idea that there could be one public authority to deal with both the carriers of the airwaves and their journalistic contents, as is being hawked around in some corridors of power, would tantamount to regulation and not self-regulation. This would grossly violate the spirit of a free press and is, therefore, not acceptable in a democracy.

In the formation of a Media Council, it should be seen that the flaws found in the Press Council Act and the regulations framed under it do not recur in the functioning of the this body which may take the form an expanded Press Council with necessary changes and modifications.

In conclusion, it will do media good to remember that its sincere commitment to remain accountable to the people is the best guarantee of its freedom, which the people, in turn, will themselves vigorously defend. Lack of it is a sure pathway to destruction. And, the best way to ensure accountability is self-regulation. Let us strengthen it to strengthen freedom.