

REVAMPED MEDIA POLICY NEEDED

Twice this month, the government has been forced to retreat, showing its weakness and the media's strength. The government (read the Ministry of Information and Broadcasting) had to yield on two of its initiatives—broadcast licence renewal, which I had discussed in my previous column, and a key provision from the Publication and Press Registration Bill, 2010 (PPRB Act, 2010). These two instances are reminders of a critical absence—that of a comprehensive national media policy.

While we have national policies on a wide range of issues and sectors, mass media is among the few important sectors that lack one. This is in spite of pronouncements over the decades by courts and Parliament. One could argue that the ad hoc state of affairs—with each case being decided individually—suits the political structure and the media industry. This is even reflected, for instance, in the free-for-all among television channels.

The immediate, intense pressure from the media on the recent cabinet decision regarding the cancellation of a broadcast licence after five violations of the programme code forced the Ministry to backtrack. In the absence of an implementation mechanism, the Minister had no option but to concede that any decision on violations will be made in alliance with self-regulatory bodies such as the Indian Broadcasting Federation and the News Broadcasters Association.

But how practical is even this concession? On average, more than 5,000 violations are recorded in a month by the Electronic Media Monitoring Centre. Less than 10 cases, the ones considered “serious”,



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are taken up with broadcasters, and, more recently, brought to the notice of the regulatory agencies. Neither the Ministry nor the self-regulatory bodies are equipped to handle this number of cases. In addition, the programme code itself is outdated and ambiguous, leading to many of the cases being contested in the courts.

The idea of having a violations clause is important and has to be appreciated given the number of mushrooming channels and the blatant disregard of programme norms by a large number of them, including news channels. However, the government's ad hoc decision making in the absence of a national policy or vision mean such initiatives potentially become currency that can be used in mutually beneficial trade-offs. In spite of being a cabinet decision, this resolve will quietly fade away in the same way as the clause that made it compulsory for publishers to furnish the break-up of sources of revenue and advertising income in the pending Publication and Press Registration Bill, due in the winter session of Parliament.

The deleted provision is a critical one, especially given the “paid news” phenomenon that came to light in the 2009 elections. Advertising or promotion masquerading as news is commonly referred to as paid news. This clause would have acted as an important

deterrent to a trend that has the potential to erode the free and fair nature of elections in India.

The deleted clause would have also made it mandatory for publishers to disclose revenue from sources such as private treaties, which involves the barter of equity in unlisted companies in exchange for advertising space or minutes.

One argument against this clause was that most media companies already submit these details along with their balance sheets to the Registrar of Companies and so didn't need to duplicate this effort by submitting the information to the office of the Registrar of Newspapers for India as well.

On the other hand, the provision would have been in line with the pressing demand for transparency in India and would have put in place disclosure norms that are much required for media accountability. The removal of the clause, that too without any public debate, is dubious and arbitrary. Suspicions of a quid pro quo culture gain ground in the absence of the government putting in place a national policy and setting up an independent commission to oversee issues in the sector.

The government has yielded ground, ignoring larger concerns, due to this approach. How long can we afford to let the media enjoy privilege and patronage without addressing such national concerns?