

BROADCASTING
CONTENT
COMPLAINTS
COUNCIL

FIRST YEAR REPORT

July 2012



BROADCASTING CONTENT COMPLAINTS COUNCIL

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Broadcasting Content Complaints Council (BCCC), the independent self-regulatory body for non-news channels set up in June 2011 by the Indian Broadcasting Foundation (IBF) in consultation with the Ministry of Information & Broadcasting, has completed its first year of operations.

Chaired by Justice (Retd.) A.P. Shah, the BCCC, which comprises 12 other Members drawn from different walks of life — four eminent persons, four representatives of national-level statutory commissions and four nominees of broadcast industry — has netted many successes in its basket within a short time.

The BCCC's biggest achievement has been the wholehearted acceptance of its self-regulatory mandate and complaint redressal mechanism by IBF members, who constitute an overwhelming majority of non-news channels in India, drawn as they are from genres like entertainment, special interest, cinema, music and children programmes. At present, IBF's 53 members account for more than 235 such channels — national as well as regional.

There hasn't been a single case of a channel refusing to comply with the BCCC's directives. Moreover, all through day and night, the channels continue to run an on-screen scroll, making the viewers aware of the BCCC's complaint-redressal mechanism — be it online, through email, through a devoted post box or simply by writing to the watchdog self-regulator. This has helped in speeding up redressal, as is evident from the large number of complaints received by BCCC. Every complaint is thoroughly examined and, if found in order with necessary details, placed before the Council along with video clip of the programme under review. The Electronic Media Monitoring Centre (EMMC) of the Ministry of I&B has been of immense help in providing video clips of programmes against whom complaints are filed.

Equally significant has been the constructive recognition of BCCC's self-regulatory mandate by the Ministry of I&B, which forwards and refers complaints received by it to the Council. A positive synergy exists between the BCCC and the Ministry of I&B with the Council diligently keeping the Ministry informed of the action taken by it on complaints received and processed.

While complaints against channels that are not members of IBF are referred to the Ministry, matters relating to telecast of news and advertisements are forwarded to the self-regulatory body concerned — News Broadcasters Association (NBA) or Advertising Standard Council of India (ASCI), as the case may be.

The BCCC has been set up after wide consultations between IBF and Ministry of I&B to implement the 'Self-Regulatory Guidelines and Complaints Redressal Mechanism' for non-news channels. The Guidelines identify Seven Themes whose violation can form the basis of filing a complaint. These are: ***Crime & Violence; Sex, Obscenity & Nudity; Horror & Occult; Drugs, Smoking, Tobacco, Solvents & Alcohol; Religion & Community; Harm & Offence;*** and ***General Restrictions.***

The BCCC is committed to upholding the Constitution of India and various laws and statutes enacted from time to time. This is kept in constant view while examining any matter placed before the Council.

The Broadcasting Service Provider (BSP) has to adhere to Certification Rules under the Cable Television Networks (Regulation) Act, 1995, which are in addition to and not in derogation of Drugs and Cosmetics Act, 1940; Emblems and Names (Prevention of Improper Use) Act, 1950; Drugs (Control) Act, 1950; Drugs and Magic Remedies (Prevention of Improper Use) Act, 1954; Prevention of Food & Adulteration Act, 1954; Prize Competitions Act, 1995; Indecent Representation of Women (Prohibition) Act, 1986; Trade and Merchandise Marks Act, 1999; Copyright Act, 1957; Prevention of Cruelty to Animals Act, 1960; Cigarette and other Tobacco Products Act, 2003; Cinematograph Act, 1952; Consumer Protection Act, 1986, and other existing or new statutes and Rules/Regulations/Guidelines framed there under from time, relating to exhibition of films or broadcasting of programmes.

COMPLAINTS

In the past year, there has been a steady rise in the number of complaints filed with the BCCC in view of various measures implemented by the IBF member channels and the enhanced awareness of the Indian television viewers. This is also evident from the fact that the Council receives complaints not only from viewers in cities and towns but from almost every nook and corner of the country.

The Council is focused on timely disposal of the complaints it receives from the viewers, civil society groups, NGOs, resident welfare associations, national commissions and the Ministry of I&B. Till July 2, 2012, the BCCC had received **6,397** complaints and suggestions, including **717** specific complaints, and it has disposed of almost all of these to the satisfaction of the complainants. [\(Table-1\)](#)

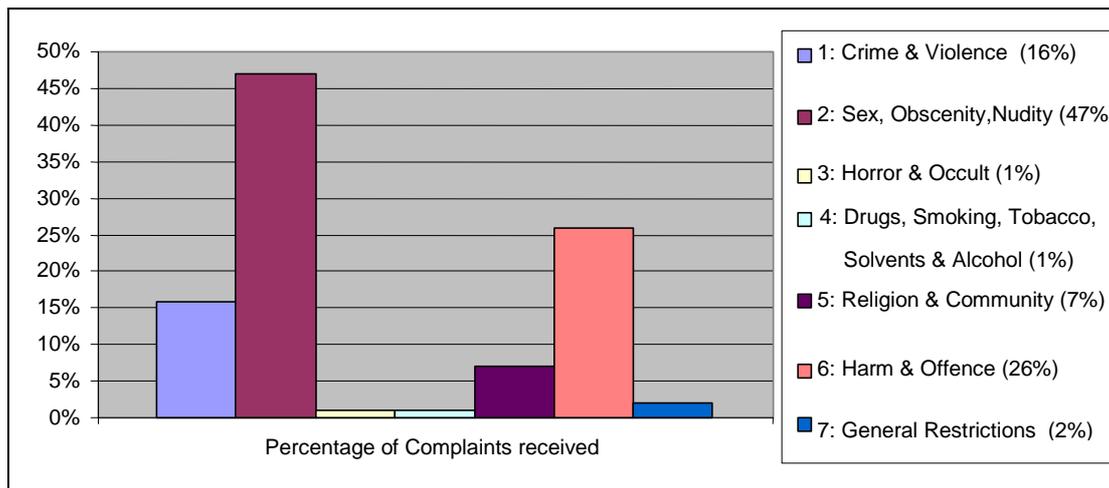
The BCCC Secretariat keeps the complainants informed of the status of their grievances. Most complaints, so far, have pertained to portrayal of vulgarity and violence on the small screen while the discerning Indian television viewers have frequently touched upon other Themes too. Recent complaints about treatment of animals/wildlife in television shows are an apt example of this. [\(Table-2\)](#)

Table-1: Summary of Complaints Received by BCCC (20/06/11 - 02/07/12)

| S.NO | DESCRIPTION | NO. OF COMPLAINTS | ACTION |
|------|--|--------------------------------|---|
| 1 | Complaints not relating to Content/Suggestions | 3699 | Complainants are informed that since such complaints do not specifically relate to content, BCCC is unable to consider them and are hence disposed of |
| 2 | Complaints against Advertisements | 433 | Complainants are informed that complaints related to advertisements should be taken up with Advertising Standard Council of India (ASCI) at www.ascionline.org |
| 3 | Complaints against Movies | 156 | Complainants are informed that BCCC will not address complaints related to films, movie/music videos, film trailers or any other production that can be telecast only after obtaining a certificate from Central Board of Film Certification (CBFC) |
| 4 | Complaints against News Content | 357 | Complainants are informed that complaints relating to content of news channels should be taken up with News Broadcasters Association (NBA) through its website www.nbanewdelhi.com |
| 5 | Miscellaneous Complaints | 581 | Complaints not specifically related to content and general in nature |
| 6 | Complaints against Non-IBF channels | 99 | All relevant complaints received against Non-IBF channels are forwarded to Ministry of I&B |
| 7 | Complaints against Quizzes/Prizes | 355 | Complaints regarding quiz/prize shows are not specifically related to content of programme. BCCC referred such complaints to IBF's Board of Directors. The IBF Board issued an advisory, asking the channels to run a scroll during the programme, disclosing full information on call rates/SMS charges which apply for participating in the programme |
| 8 | Specific Complaints | 717 (101 from Min. of I& B) | Decisions regarding specific complaints can be viewed under the section, 'Decisions taken by BCCC'. |
| | TOTAL COMPLAINTS | 6397 | |

During hearings, the BCCC gives ample opportunity to Standard & Practices (S&P) Heads/Content Heads of channels to place their point of view so as to arrive at an appropriate decision. In some cases, complainants have also appeared at hearings. The process is a dynamic one — complaints are taken up on a case-to-case basis to uphold the principle of specificity and guard against subjectivity.

Table-2: Theme-wise Analysis of Complaints (20 June 2011-2 July 2012)



Theme 1: Crime & Violence

Till July 2, 2012, nearly 16% of the specific complaints pertained to this Theme. Some complaints were against shows based on actual crime cases. The complainants argued that excessive violence shown in such programmes could have a negative impact on youth and children. Complainants also felt excessive on-screen violence could help criminals imitate such acts.

The broadcasters argued that scenes of violence were used only to demonstrate the situation as a part of the re-creation of a case. The BCCC opined that while the theme *per se* may not be objectionable, graphic depiction of gruesome violence/crime should be avoided. The Council directed the channels to appropriately modify the content of the episodes objected to and not telecast such scenes during general viewing hours. In some cases, the channels were asked not to repeat a particular episode at all.

The BCCC also received complaints pertaining to violence against women in crime-related shows and some regular serials. The Council took serious note of the matter and directed the channels to refrain from showing excessive/prolonged and graphic scenes of violence during general viewing hours. It asked the channels to be extra-cautious while depicting violence against women.

Theme 2: Sex, Obscenity & Nudity

Out of 717 specific complaints, some 47% related to this Theme. A large number of complaints in this regard were also received from the Ministry of I&B and most of them were against the content of English television programmes. Many of these complaints were found to be violative of IBF's Self Regulatory Guidelines.

The BCCC directed some channels that since these programmes were not suitable for telecast during general viewing hours, they should suitably modify the content and air such programmes during restricted viewing hours. Even during restricted hours, the channels were asked to beep, mute or delete unsuitable content. In some cases, channels completely took their programmes off air.

Some channels informed BCCC that they had applied to Ministry of I&B for permission to uplink such programmes from India so that they get the necessary editorial and scheduling controls. The BCCC also received complaints about reality shows that involved participation of youth. The main concern was use of vulgar language by participants and the alleged obscene acts performed by them during the shows. The BCCC issued appropriate directions on a case-to-case basis.

Other Themes

A small percentage (1%) of specific complaints related to 'Horror & Occult' — spreading blind belief and superstition through some programmes. Complaints about telecast of scenes where consumption of alcohol, tobacco and drugs were shown also accounted for around 1% of the total.

Approximately 7% of the complaints pertained to content that hurt religious and cultural sentiments of viewers. Most such grievances related to comedy or history-related shows. However, more than 26% complaints pertained to the Theme 'Harm & Offence'. Many of these complaints were about showing cruelty towards animals, participation of children in reality shows and social evils like child marriage. As for the Theme 'General Restrictions', the Council received a few complaints about depiction of wrong map of India and insult to the National Flag and wrong portrayal of court proceedings.

MEETINGS & SESSIONS

So far, the BCCC has held 15 Meetings with each session yielding extremely encouraging results in the Council's quest to uphold and strengthen high standards of self-regulation based on the three principles of autonomy, transparency and accountability. Given the large number of complaints to be considered, the BCCC's 16th Meeting is being held on two consecutive days — August 7-8, 2012.

The Council's meetings have been extremely well attended with Members also utilizing the occasion to hold constructive discussions on matters related not only to programme content but allied issues concerning the broadcasting sector.

The BCCC has also held two interactive sessions with Channel Heads/S&P Heads/Content Heads to develop better understanding about IBF's Self-Regulatory Guidelines, and to make television content suitable for unrestricted viewing. These sessions have proved to be helpful, providing an effective platform for discussing mutual concerns with regard to content and self-regulatory guidelines.

Given the wide geographical expanse of the member channels, the BCCC has decided to hold similar interactive sensitisation sessions with S&P Heads in other parts of the country, the schedule for which would be soon decided.

ADVISORIES

The BCCC's first year of functional experience as a watchdog has made it evident that it is possible to meet the larger objective of improved television programming. Issuance of Advisories is one such measure. This helps in sensitizing the channels about the manner in which particular content issue should be addressed.

In January 2012, the Council came out with its First Advisory to check the depiction of mistreatment of women in some serials. Channels were directed to refrain from telecasting programmes in which women were portrayed as commodities or subjected to excessive on-screen violence.

July 19, 2012 turned out to be the next landmark for BCCC when it approved the issuance of as many as three Advisories. These Advisories related to:

1. Depiction of Animals/Wildlife in TV Programmes;
2. Telecast of Award Functions; and
3. Participation of Children in Reality Shows and Related Programmes

All three Advisories have been well received by the Channels. The BCCC is confident that its impact would be felt on programmes related to these subjects. The issuance of Advisories also received extensive media coverage.

INFORMATION

Transparency is the mainstay of the BCCC's functioning. The Council has put out all necessary information in the public domain through the IBF's website www.ibfindia.com. The portal, through its subhead 'Complaints and Redressals',

facilitates instant online filing of complaints. If necessary, viewers can also download the complaint form from the website.

The portal is the repository of all Decisions and Advisories of the BCCC. Details of specific complaints and summary of total number of complaints have been displayed in the public domain through the website. The information is updated after every BCCC meeting. The website functions in addition to personal communication received through mailers, letters and even telephonically.

The BCCC has also evolved a system of providing information about complaints and the Council's functioning to members of the public and the Ministry of I&B whenever sought. The BCCC also keeps a record of all information and communication not displayed on the website for reasons of logistical constraint and the same is shared whenever necessary.

BCCC SECRETARIAT

To streamline the day-to-day functioning of the BCCC, the IBF has now put in place a full-fledged permanent Secretariat of the Council. It is headed by a Secretary General and comprises the necessary support staff.

The Secretariat, which became fully functional from May 1, 2012, has been tasked with addressing all matters related to BCCC — convening the Council's meetings, preparation of Agenda and Minutes, complaint processing and redressal, information dissemination and coordination among BCCC Members, IBF functionaries, channels and Ministry of I&B. The Secretariat has the following members on its staff:

- | | |
|------------------------|--------------------|
| 1. Secretary General: | Mr. Ashish Sinha |
| 2. Assistant Director: | Mr. Vishal Koushik |
| 3. Manager: | Ms. Ruchika Syal |
| 4. Complaints Analyst: | Ms. Manvi Dewan |

ROAD AHEAD

Subjectivity being the hallmark of television content, BCCC's members put their wide experience to effective use facing new challenges at every meeting, constantly devising ways to understand the thought processes of viewers in the 21st Century.

The foremost challenge is to help viewers become more responsive, more mature and better aware of the programming and content codes. Passing on the feedback received by the Council to S&P/Content/Programme Heads of channels would act as a facilitator in this regard. In the long run, such a process would help in

reducing the number of frivolous complaints received by the Council. Organizing seminars, symposia, workshops and media interactions is also seen as an effective tool for improving the BCCC's advocacy mechanism.

COMPOSITION

Chairperson

Justice (Retd.) A.P. Shah

Members – Eminent Persons

1. Mr. Bhaskar Ghose, Theatre Personality & Former IAS Officer
2. Ms. Shabana Azmi, Actor & Social Journalist
3. Mr. Vir Sanghvi, Senior Journalist & Editor
4. Prof. Anand Kumar, Sociologist, Jawaharlal Nehru University

Members – National Statutory Commissions

1. Dr. P.L. Punia, Chairperson, National Commission for Scheduled Castes
2. Ms. Dipa Dixit, Member, National Commission for Protection of Child Rights
3. Ms. Minakshi Ghose, Joint Secretary, National Commission for Women
4. Mr. Wajahat Habibullah, Chairperson, National Commission for Minorities
5. Mr. S.K. Kharventhan, Member, National Commission for Backward Classes

Broadcast Members

1. Mr. Ashok Nambissan, Multi Screen Media Pvt. Ltd.
2. Mr. Nittin Keni, Zee Network
3. Mr. Sujeet Jain, Viacom 18
4. Mr. Deepak Jacob, STAR India

Secretary General

Mr. Ashish Sinha