
BROADCASTING CONTENT COMPLAINTS COUNCIL

Second Status Report (3 July 2012 to 22 August 2015)

16 October 2015



BROADCASTING CONTENT COMPLAINTS COUNCIL

Indian Broadcasting Foundation, B-304, Ansal Plaza, Khelgaon Marg, New Delhi 110 049
Email: bccc@bccc.co.in **Website:** ibfindia.com **Tel:** 91 11 4379 4400 **Fax:** 91 11 4379 4455

BROADCASTING CONTENT COMPLAINTS COUNCIL

EXECUTIVE SUMMARY

ESTABLISHMENT

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

MANDATE/MECHANISM

To examine and decide complaints relating to content aired on non-news member channels of IBF. The number of such channels is around 350. BCCC's functional principles are: autonomy, transparency and accountability. It has held 50 meetings.

BCCC has also held four interactive sessions with channel heads, S&P heads, content heads and creative teams of member channels in Mumbai, Chennai and Kolkata to develop better understanding about IBF's Self-Regulatory Guidelines and to make television content suitable for unrestricted viewing.

During its hearings, BCCC gives ample opportunity to Standard & Practices 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.

COMPLAINT THEMES

1. Crime & Violence
2. Sex, Obscenity & Nudity
3. Horror & Occult
4. Drugs, Smoking, Tobacco, Solvents & Alcohol
5. Religion & Community
6. Harm & Offence
7. General Restrictions

COMPLAINTS

Complaints can be filed online, through email and through Post Box No. 3812, New Delhi 110049. All member channels run a scroll making viewers aware of complaint filing mechanism. The information is also available on website www.ibfindia.com.

BCCC'S FIRST STATUS REPORT (August 2012)

BCCC's First Status Report was released in August 2012. Till August 2012, BCCC had held 15 meeting. The total number of complaints received between 20 June 2011

and 2 July 2012 were 6397. Out of the total number of complaints various complaints belonged to the following categories:

1. Specific Complaints: **717** (Ministry of I&B sent 101 of these complaints)
2. Miscellaneous Complaints: **581** (complaints not pertaining to specific channels/shows)
3. Complaints not relating to Content/ Suggestions: **3699**
4. Complaints against Advertisements: **433**
5. Complaints against Movies: **156**
6. Complaints against News Content: **357**
7. Complaints against Non IBF Members: **99** (referred to Ministry of I&B)
8. Complaints against Quizzes/ Prizes: **355**

An analysis of **717 specific complaints** was done which enabled to understand the issues concerning the viewers. According to the study, **16%** complaints pertained to Crime & Violence, **47%** Sex, Obscenity & Nudity, **1%** Horror & Occult, **1%** Drugs, Smoking, Tobacco, Solvents & Alcohol, **7%** Religion and community, **26%** Harm & Offence and **2%** General Restrictions.

ACHIEVEMENTS/LANDMARKS

*Since inception and till 22 August 2015, BCCC has addressed a total of **27,676** Complaints, including **5,262** Specific Complaints.*

Directives, Orders and Advisories issued by BCCC have received full compliance from member channels of IBF. There has been no instance of violation in this regard.

There is a constructive recognition of BCCC's self-regulatory mandate by the Ministry of I&B, which refers complaints received/generated by it to the Council. A positive synergy exists between BCCC and Ministry of I&B with the Council keeping the Ministry informed of the action taken by it.

The BCCC is committed to upholding the Constitution and various statutes. Channels have to adhere to Certification Rules under the Cable Television Networks (Regulation) Act, 1995 and various other laws, including the 'Programme Code' formulated by the Ministry.

The Council has, from time to time, received matters, complaints and references from the Hon'ble High Courts. It provides inputs to the Ministry of I&B for responding to questions put up by Hon'ble Members of Parliament.

IBF has put in place a full-fledged Secretariat for BCCC. It has been tasked with convening BCCC's meetings, preparing agenda and minutes, complaint

processing and redressal, information dissemination and coordination among BCCC Members, IBF functionaries, channels and Ministry of I&B.

Acting on complaints received from various section of society, BCCC issued Directives, Orders, Advisories, and levied financial penalties on Channels that were found to be violating IBF's Self-Regulatory Guidelines. The number of Advisories issued by BCCC since its inception has risen to 12.

INTRODUCTION OF FINANCIAL PENALTY

In 2014, the IBF's Board of Directors approved the process of levying financial penalties on member channels in case of serious violations of the Guidelines. This was done on the recommendation of the Council and its then Chairperson Justice (Retd.) A.P Shah so as to ensure minimum violations and strengthen the process of Self-Regulation. The Council has already levied penalty on few erring channels.

PRESENT COMPOSITION OF BCCC

Chairperson

Justice (Retd.) Mukul Mudgal, former Chief Justice, Punjab & Haryana High Court

Members: Eminent Persons

1. Mr. Bhaskar Ghose, Theatre Personality & Former IAS officer
2. Ms. Shabana Azmi, Actor & Social Activist
3. Mr. Vir Sanghvi, Senior Journalist & Editor
4. Mr. Wajahat Habibullah, former CIC, former Chairperson NCM & former IAS officer

Members: National Statutory Commissions

1. Dr. P.L. Punia, Chairperson, National Commission for Scheduled Castes (NCSC)
2. Ms. Stuti Kacker, Chairperson, National Commission for Protection of Child Rights (NCPCR)
3. Mr. S.K. Kharventhan, Member, National Commission for Backward Classes (NCBC)
4. Mr. Naseem Ahmad, Chairperson, National Commission for Minorities (NCM)
5. National Commission for Women (Vacant)

Broadcast Members

1. Mr. A. Mohan, Zee Network
2. Mr. Amit Grover, Discovery
3. Ms. Shobhna Bajaj, Turner
4. Mr. Sujit Jain, Viacom 18

Special Invitees

1. Ms. Tara Murali
2. Ms. Arundhati Nag

Secretary General

Mr. Ashish Sinha

BROADCASTING CONTENT COMPLAINTS COUNCIL

SECOND STATUS REPORT

(For Complaints received between 3 July 2012 and 22 August 2015)

16 OCTOBER 2015

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 more than four years of operations.

The Council is currently chaired by Justice (Retd.) Mukul Mudgal. The Council 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. In order to effectively deal with complaints pertaining to regional channels, the board has invited two Special Invitees to the Council.

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, sports and children programmes. At present, IBF's 62 members account for nearly 350 such channels—national as well as regional.

There hasn't been a single case of a channel refusing to comply with the directives issued by the BCCC. 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 No. 3812, New Delhi 110049, or simply by writing to the watchdog self-regulator. This has helped in speeding up redress, 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 was 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 to time, relating to broadcast of programmes or exhibition of films.

COMPLAINTS

In the last four years, there has been a steady rise in the number of complaints filed with BCCC, as the body is recognized by viewers as the appropriate forum for complaint redressal. It has also been noted that channels are now more sensitized in displaying offensive content as the number of violations have gone down.

The Council is focused on timely disposal of complaints it receives from the viewers, civil society groups, NGOs, resident welfare associations, national commissions and the Ministry of I&B. From 3 July 2012 to 22 October 2015, BCCC had received 21279 complaints, including specific complaints, and it has disposed of almost all of these to the satisfaction of the complainants. [\(Table-1\)](#)

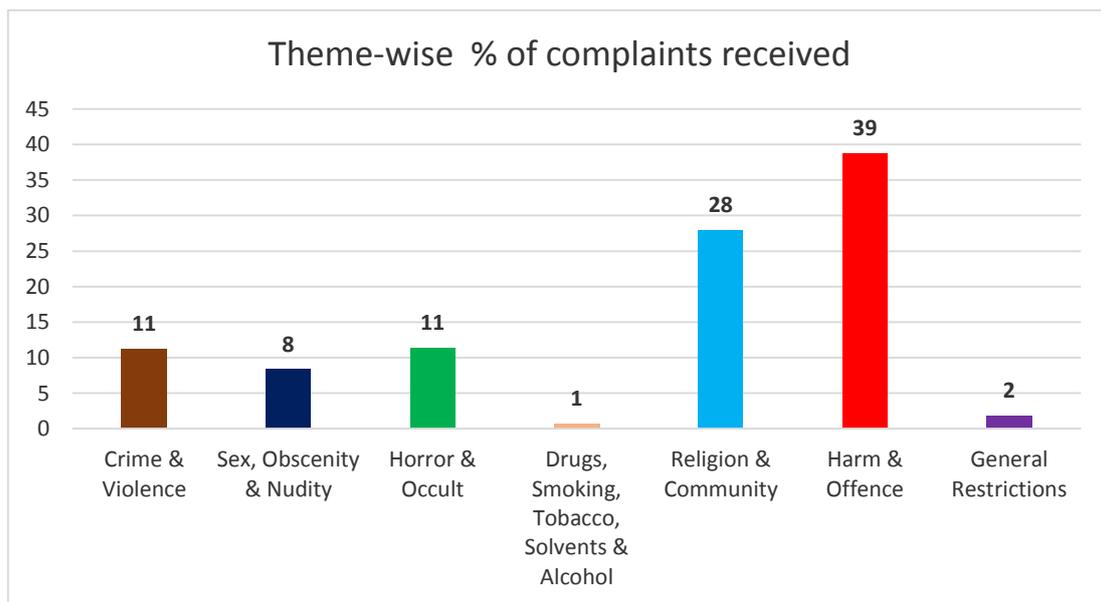
The BCCC Secretariat keeps the complainants informed of the status of their grievances. For the said period, most complaints were against **Theme-6: Harm & Offence** and **Theme-5: Religion and Community**. This is a departure from the First Status Report presented in January 2012, when the maximum number of complaints (47%) pertained to **Theme-2: Sex, Obscenity & Nudity**. [\(Table-2\)](#)

Table-1: Summary of Complaints Received by BCCC (03/07/12 - 22/08/15)

| S.NO | DESCRIPTION | NO. OF COMPLAINTS | ACTION |
|------|--|-------------------|--|
| 1 | Complaints not relating to Content/Suggestions | 8392 | 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 | 886 | 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 | 455 | 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 | 1695 | 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 |
| 6 | Complaints against Quizzes/Prizes | 440 | Complaints regarding Quiz programmes are not specifically related to the content of the programme, therefore BCCC referred such complaints to the Board of Directors of IBF. The IBF Board discussed this issue and has issued an advisory to IBF member channels asking them to run a scroll during the programme disclosing the complete information pertaining to call rates or SMS charges which will be applicable for participating in the programme. |
| 7 | Complaints against Non-IBF channels | 653 | All the relevant complaints received against NON IBF channels are forwarded to the Ministry of Information & Broadcasting. |
| 8 | Miscellaneous Complaints | 4213 | Complaints not specifically related to content and general in nature |
| 9 | Specific Complaints | 4545 | Decisions regarding specific complaints can be viewed under the section, 'Decisions taken by BCCC'. |
| | TOTAL COMPLAINTS | 21,279 | 6 |

During hearings, the BCCC gives ample opportunity to channels to place their point of view so as to arrive at an appropriate decision. In some cases, complainants have also attended hearings. Depending on the nature of violation, channels have been asked to modify, edit or shift a programme to a late night slot. In some cases, channels have been asked to run apology scrolls or take the programme off air. The process is dynamic—complaints are taken up on a case-to-case basis to uphold the principle of specificity and avoid subjectivity.

Table-2: Theme-wise Analysis of Complaints (03/07/2012 – 22/08/2015)



Theme 1: Crime & Violence

Between 3 July 2014 and 22 August 2015, the total number of specific complaints received was 4545. Nearly 11% of the specific complaints pertained to this Theme. The complaints received were not only against crime-based shows but also against violence shown in daily soaps as well as reality shows.

❖ **Crime Shows**

Various channels have been telecasting shows based on actual crime cases. After reviewing all such complaints, BCCC reiterated that gruesome acts of violence should be avoided, particularly during general viewing hours.

❖ **Daily/Fiction Soaps**

BCCC also reviewed complaints pertaining to violence against women in daily/ fiction shows. The complaints pertained to torture, physical abuse, domestic

violence, etc. In most of cases, BCCC noted that the content shown was part of an extended storyline and the channels were found to be adhering to IBF's Self-Regulatory Guidelines.

❖ **Reality Shows**

Few complaints pertained to violence shown in reality shows. BCCC found such occurrences not to be scripted but based on actual happenings. With regard to the violent tasks shown in reality shows, the Council asked the channel to appropriately modify the content and not to repeat the episodes in question.

Theme 2: Sex, Obscenity & Nudity

Nearly 8% of the 4545 specific complaints pertain to Theme 2. A large number of such complaints were received from the Ministry of I&B and most were against the content of English TV programmes.

While this theme recorded several violations in the past, for the period under review, majority of complaints under Theme 2 were not found violative of IBF's Self-Regulatory Guidelines. This resulted from BCCC issuing detailed Orders and levying financial penalties on channels that were found to be seriously violating this theme.

BCCC also reviewed complaints regarding vulgarity in reality shows. The main concern was use of vulgar language by participants and the alleged obscene acts performed by them during the shows. BCCC has asked the channels to double check the edits and omit any objectionable language. The channels have also been asked to caution participants about use of vulgar language and acts.

Theme 3: Horror & Occult

11% of the 4545 specific complaints were related to horror programmes. While referring to such complaints BCCC noted that although these programmes are shown at late hours, promos of such programmes repeatedly appear during the day. The complainants alleged that such content causes fear in the minds of children and is not suitable for general viewing hours. BCCC asked channels to suitably edit the promos for daytime telecast without scary/gory visuals.

Theme 4: Drugs, Smoking, Tobacco, and Solvents & Alcohol

The complaints pertaining to depiction of smoking scenes, consumption of alcohol and drugs were found to be less than 1% out of the 4545 specific complaints.

Theme 5: Religion & Community

Approximately 28% of the 4545 specific complaints related to Theme 5. A majority of such complaints were pertained to mythology based programmes aired on

various channels. In almost all cases, it was alleged that the current lot of mythological programmes were not based on historical facts, thereby, hurting religious sentiments. These complaints were made by several religious groups and individuals. In some cases, the complaints were referred to BCCC by a superior court with direction to act on the same. BCCC examined all such complaints and was of the view that mythology has been variously interpreted in relevant literature and on this basis, the channels are often within their rights to exercise their creativity. The complaints were disposed of on these grounds. In some cases, however, the channels were asked to be sensitive.

Some complaints pertaining to this theme related to stereotyping of a community, particularly minorities. BCCC maintained that such issues require a great degree of sensitization and asked the channels to take note of the same. In certain cases, BCCC asked the channels to modify the content or not to repeat objectionable content. Taking note of the complaints, BCCC also issued an Advisory with regard to the content sensitive to minorities.

Other complaints pertained to comedy programmes involving mockery of mythological characters or a community.

Theme 6: Harm & Offence

A large percentage – 39% – of total specific complaints received between July 2012 and 22 August 2015 fall under this category. These complaints pertain to portrayal of persons with disabilities, child marriage/abuse/exploitation, stereotyping of women, mistreatment of animals and airing of content that may be offensive to public feeling. BCCC had issued various Advisories on these issues, including Advisory on Portrayal of Persons with Disabilities in TV Programmes, Advisory on Telecast of Content on Cartoon/ Children's channels, Advisory on Sexualisation of Children, Advisory on Health & Safety of Children and Advisory on Depiction of Animals/Wildlife in TV Programmes.

Remaining 2% of the 4545 specific complaints pertained to Theme 7: General Restrictions. These complaints were against depiction of wrong map of India, insult to the National Flag and wrong portrayal of court proceedings. The Council took note of such complaints and issued an advisory on Depiction & Use of National Flag, National Emblem, National Anthem and Map of India in TV Programmes.

MEETINGS & SESSIONS

So far, BCCC has held 50 meetings. Each session has yielded encouraging results in the Council's quest to uphold and strengthen high standards of self-regulation based on the principles of autonomy, transparency and accountability.

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

The BCCC has also held four interactive sessions with channel heads, S&P heads, content heads and creative teams 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 regarding content and self-regulatory guidelines.

ADVISORIES

In order to sensitize the channels on various issues concerning the society, BCCC has so far issued 12 Advisories to its member channels. These Advisories have tremendously helped the channels in addressing content-related issues.

In January 2012, the Council came out with its First Advisory to check the wrong depiction 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.

The 12 Advisories issued by BCCC are:

- Advisory on Portrayal of Persons with Disabilities in TV Programmes
- Advisory on Depiction & Use of National Flag, National Emblem, National Anthem and Map of India in TV Programmes
- Advisory against Showing Acid Attacks on Television
- Advisory on Telecast of Content Sensitive to Minorities
- Advisory on Telecast of Content on Cartoon/ Children's channels
- Advisory on Comedy Shows
- Advisory on Sexualisation of Children
- Advisory on Health & Safety of Children
- Advisory on Depiction of Animals/Wildlife in Television Programmes
- Advisory on Award Functions
- Advisory on Participation of Children in TV Reality Shows
- Advisory on Portrayal of Women in TV Programmes

All the Advisories have been well received by channels. The issuance of Advisories also received extensive media coverage.

ORDERS

Wherever necessary, BCCC issued detailed Orders to channels found to be violating the Guidelines. Through these Orders, channels were asked to run apology scrolls and pay financial penalties. So far, BCCC has issued 15 such Orders to channels.

INTERACTIVE SESSIONS

BCCC has held four interactive sessions with channels so far. Two such sessions were held in Mumbai on 14 March 2013 & 17 December 2014. Considering the improvement in Hindi content and increase in complaints regarding regional channels particularly Southern channels, BCCC held a similar interactive session in Chennai on 7 April 2014 followed by another session in Kolkata on 16 June 2015.

During these sessions, the Council discussed various thematic issues, including portrayal of women and children on TV, depiction of crime and violence, and reality shows. BCCC also invited various TV/Film personalities to address channels' representatives on relevant subjects. These sessions have turned out to be fruitful for broadcasters as they also get an opportunity to share their sensitivities and structural limitations regarding content that goes on air.

INFORMATION

Transparency is the mainstay of BCCC's functioning. The Council has put all necessary information in public domain (www.ibfindia.com). Through its subhead 'Complaints and Redressals', the portal facilitates online filing of complaints. If necessary, viewers can also download the complaint form. The portal is the repository of all decisions and advisories. Details of specific complaints and summary of total number of complaints are also displayed in the public domain. The information is updated after every BCCC meeting. BCCC has evolved a system of providing information on complaints and the Council's functioning to the public and the Ministry of I&B whenever sought. BCCC keeps a record of all information and communication not displayed on the website and it is shared whenever necessary.

BCCC SECRETARIAT

To streamline the day-to-day functioning of BCCC, IBF has put in place a full-fledged Secretariat of the Council. The Secretariat, which became operational on in May 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:

| | |
|---------------------|--------------------|
| Secretary General: | Mr. Ashish Sinha |
| Assistant Director: | Mr. Vishal Koushik |
| Complaints Analyst: | Ms. Manvi Dewan |