India Licensed to Kill?

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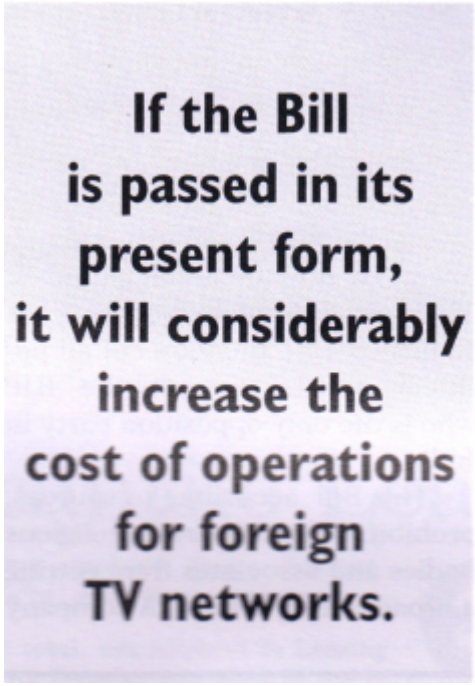
The proposed Broadcast Bill in India, said to have been approved by the cabinet, is awaiting the fuller attention of the new information and broadcasting minister of India, Jaipal Reddy. The controversy is raging on as media analysts feel the Bill dwells on non issues.

he drafters of the Bill would have done a better job had they realized that the role of the government regulation.

Of the issue of foreign participation, the bill allows a ‘foreign equity participation of up to 49% In companies incorporated in it will considerably India, provided that the share of Indian promoters, in case of public companies, does not fall below the foreign shareholding.

However, the Broadcasting Bill ‘does not permit any foreign equity participation in respect of terrestrial broadcasting.” On the quantum of foreign equity, the Bill says that satellite technology has made the ‘national boundaries irrelevant and a large number of 100% foreign owned channels are already beaming into the sky and reaching Indian homes.’ Therefore, the is sue whether to permit foreign equity in the satellite broadcasting and, if so what would be its quantum, ‘has lost its relevance.”

The Bill also says that in TV broadcasting, a ‘person’-‘every person connected with him will be treated as one person’ shall be allowed to hold a license in only one of the category of services’ namely ‘terrestrial TV, satellite radio, domestic satellite TV, direct-to-home (DTH) broadcast and local cable network.”



If the Bill is passed in its present form, it will considerably increase the cost of operations for foreign TV networks. To have their programs received in India, foreign satellite channels would have to get them downlinked in India, then uplinked to a satellite before once again being downlinked for the subscriber. This, together with the clause of stipulating majority Indian holding in foreign TV companies, will put a question mark on the future of foreign channels. Small wonder, then, that foreign Bill Media analysts say that the Bill. Media analysts move is aimed at boosting the commercial usage of the Insat series of satellites.

The comprehensive broadcasting law, slated to be put in place soon, empowers the broadcasting authority to give permission for reception of unlicensed foreign channels too. However, this is subject to certain yardsticks being followed. The channel in question must be free to air dedicated to international news, and current affairs (like BBC and CNN) and should meet the broadcast/program standard set by the broadcast authority for the purpose. Analysts feel that the real issue before the nation today is not the threat of foreign channels or how much equity control they should have in Indian channels. The issue truly is for a fool-proof, workable, legal

framework within which India’s broadcasting must serve its people. If the Bill is not corrected in time, they feel, it could cause more damage than serve the people of India. It is felt that there is an overdose of semi-pornographic song and dance

sequences (especially in Hindi films) which dominate the programs in Indian satellite channels and Doordarshan. In fact, the real threat to India's culture and way of life comes mainly from crass commercialism promoted by the Indian TV channels. No Indian channel runs informative and educative programs. Hence, controlling of foreign channels, it is felt, is a political ploy to ban Indian people's right to know things.

I & B sources confirm that, in part, it is the lobbying by some prominent TV networks that is responsible for there being no certainty as to various clauses in the Bill. If TV companies are lobbying with the government for or against certain proposals, political groups have their own axe to grind. The most sensible course suggested by the Bill of allowing private companies to break the hegemony of Doordarshan in terrestrial broadcasting has found political par- ties opposing it. (Doordarshan, if monopoly is kept, could be used as a public relations platform for those who have power). The Left leaders objected to proposals on DTH TV broadcasts, arguing that only Doordarshan should be allowed to provide DTH facilities. The United Front government has to incorporate the views of all political parties, except the BJP who is the only opposition party in India.



This Bill, according to sources, prohibits political parties, religious bodies and associates from getting a broadcasting license. A company which has more than 5% equity participation from a political or religious body will be prohibited from being granted a license. An internal note circulated in the Ministry of I & B, which justifies the restrictions on political and religious bodies, quotes the judgement of the Supreme Court of India to assert that the right of free speech ‘guaranteed to every citizen of this country does not encompass the right to use these airwaves at his choosing. Conceding such a right would be detrimental to the free speech rights of the body of citizens in as much as only the privileged few powerful economic, commercial and political interests. would come to dominate the media.’

The Bill also debars an ‘advertising agency’, ‘an associate’ or ‘any body corporate in which an advertising agency’ or its associates has more than 5% stake.

It is generally felt that the Bill is a misnomer in that it makes no effort to address itself to integrating the functions of the information and broadcasting and communication ministries. With the rapid march of technology, the functions of the two ministries are converging. The Bill dwells on such non- issues as the need to protect Indian culture from the onslaught of foreign media.

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