

No.N-4407/3/2015-BC.I

Dated the 26th April, 2017

OFFICE MEMORANDUM

Subject: Monitoring Committees at the State and District level to monitor violation of Programme and Advertisement Codes under the Cable Television Networks (Regulation) Act, 1995 by Private Satellite Television Channels and AIR Broadcast Code by Private FM Channels and Community Radio Stations – reg.

- Reference:** (i) Ministry of Information & Broadcasting, Government of India's Order No. 2301/7/2003-BC-III dated 6th September, 2005
- (ii) Ministry of Information & Broadcasting, Government of India's Order No.2301/7/2003-BC-III dated 19th February, 2008 and 28th July, 2008
- (iii) Hon'ble Supreme Court's Order dated 12.01.2017 in WP (C) 387 of 2000 Common Cause Vs. Union of India and Others.

As per references at (i) and (ii) the state governments were directed to constitute Monitoring Committees to monitor and to take action against the private satellite TV channels for violation of Programme and Advertisement Codes [Sections 5 & 6 of the Cable Television Networks (Regulation) Act, 1995 and Rules 6 & 7 of the Cable Television Networks Rules, 1994] and other provisions of the said Act / Rules vide the above mentioned Office Memorandums of this Ministry. In pursuance, as per available information, State Level Committees / District Level Monitoring Committees have been set up in 19 States and 5 Union Territories and in 327 Districts.

2. The Hon'ble Supreme Court in its Order dated 12.01.2017 in WP (C) 387 of 2000, Common Cause Vs. Union of India & Others has directed *that the Central Government, within the framework of Section 22 of the Cable Television Networks (Regulation) Act, 1995, deliberate on the issue, and take a conscious decision*



thereon, and to finalise a similar statutory framework for radio programme as well. Hence, the monitoring of the content being broadcast by private FM Channels and Community Radio Stations (CRS) should also be done and action taken against them for any violations of the All India Radio (AIR) Broadcast Code, which has to be mandatorily followed by them as per the conditions in the Grant of Permission Agreement (GOPA) signed by these operators with the Government of India.

3. Accordingly, it has been decided that the functions of the Monitoring Committees may be enhanced to cover the monitoring of content of private FM Channels and the Community Radio Stations as well to ensure adherence to the AIR Broadcast Code on suo moto and complaint basis. A copy of the AIR Broadcast Code is enclosed for reference (**Annexure-I**). A consolidated framework for the constitution of the Monitoring Committees, their scope and the procedure to be followed by them has been detailed in **Annexure-II**. All private FM Channels are required to preserve recordings of their broadcast for 90 days.

4. It has been observed that some States are yet to constitute State and District Level Monitoring Committees. Further, it has also been noted that some of the constituted Committees are not functioning actively. It is reiterated that wherever such Monitoring Committees have not been constituted, they may be constituted expeditiously and ensured that they function effectively.

5. This O.M. is in supersession to this Ministry's orders referred to in Reference (i) and (ii) above.



(Manoj Kumar Pingua)
Joint Secretary to the Govt. of India

To

1. All Chief Secretaries of the State Governments/Union Territories
2. State Information Secretaries
3. All District Magistrates

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Director (OL) for translation / NIC

AIR BROADCAST CODE

AIR broadcast does not permit:-

1. Criticism of friendly countries;
2. Attack on religions or communities;
3. Anything obscene or defamatory;
4. Incitement to violence or anything against maintenance of law and order;
5. Anything amounting to contempt of court;
6. Aspersions against the integrity of the President and Judiciary;
7. Anything affecting the integrity of the nation and criticism by name of any person.

