



**Ministry of Information
and Broadcasting**
Government of India

Cable Television Networks

(Amendment) Rules, 2021 (Notified on 17th June, 2021)

**Statutory Mechanism for Grievance Redressal
of Television Content**



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Rules at a glance



Shri Prakash Javadekar

**Hon'ble Minister of
Information and Broadcasting, Government of India**

"The @MIB_India has by amending the Cable Television Network Rules, 1994, developed a statutory mechanism to redress citizens' grievances & complaints against programmes of TV Channels."

The Central Government today issued a notification amending the Cable Television Network Rules, 1994 thereby providing a statutory mechanism for redressal of grievances/complaints of citizens relating to content broadcast by television channels in accordance with the provisions of the Cable Television Network Act, 1995.

At present, there is an institutional mechanism by way of an Inter-Ministerial Committee to address grievances of citizens relating to violation of the Programme/Advertising Codes under the Rules. Similarly, various broadcasters have also developed their internal self-regulatory mechanism for addressing grievances. However, a need was felt to lay down a statutory mechanism for strengthening the grievance redressal structure. Some broadcasters had also requested for giving legal recognition to their associations/bodies. The Hon'ble Supreme Court in its order in WP(C) No.387 of 2000 in the matter of "Common Cause Vs Union of India & Others" while expressing satisfaction over the existing mechanism of grievance redressal set up by the Central Government, had advised to frame appropriate rules to formalize the complaint redressal mechanism.

In the aforementioned background, the Cable Television Network Rules have been amended to provide for this statutory mechanism, which would be transparent and benefit the citizens. At the same time, self-regulating bodies of broadcasters would be registered with the Central Government.

At present there are over 900 television channels which have been granted permission by the Ministry of Information and Broadcasting all of which are required to comply with the Programme and Advertising Code laid down under the Cable Television Networks Rules. The above notification is significant as it paves the way for a strong institutional system for redressing grievances while placing accountability and responsibility on the broadcasters and their self-regulating bodies.

Dated - 17th June, 2021

Cable Television Networks (Amendment) Rules, 2021 (Notified on 17th June, 2021)

[Published in Part II, Section 3, Sub-Section (i) of the Gazette of India, Extraordinary]

MINISTRY OF INFORMATION AND BROADCASTING Notification

New Delhi, dated the 17th June, 2021

G.S.R. 416 (E). – In exercise of the powers conferred by section 22 of the Cable Television Networks (Regulation), Act, 1995 (7 of 1995), the Central Government hereby makes the following rules further to amend the Cable Television Networks Rules, 1994, namely: -

1. Short title and commencement

(1) These rules may be called the Cable Television Networks (Amendment) Rules, 2021.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In rule 6 of the Cable Television Networks Rules, 1994 (hereinafter referred to as the said rules), after sub-rule (6), the following sub-rule shall be inserted, namely: -

“(7) where the Central Government is satisfied that the programme of any channel is not in conformity with the Programme Code, it may, after giving an opportunity of hearing to the cable operator, and by an order in writing, prohibit the transmission or re-transmission of any such channel or programme in accordance with the provisions of section 20 of the Act.

3. In rule 7 of the said rules, after sub-rule (11), the following sub-rule shall be inserted, namely: -

“(12) where the Central Government is satisfied that the advertisement of any channel is not in conformity with the Advertising Code, it may, after giving an opportunity of hearing to the cable operator, and by an order in writing, prohibit the transmission or re-transmission of any such channel or programme in accordance with the provisions of section 20 of the Act.

4. In the said rules, after rule 14, the following rules shall be inserted, namely:-

15. Complaint redressal structure

(1) To ensure observance and adherence to the Programme Code and the Advertising Code by the broadcaster and to address the grievance or complaint, if any, relating thereto, there shall be a three-level structure as under:

- (i) **LEVEL I** A self-regulation by broadcasters;
- (ii) **LEVEL II** Self-regulation by the self-regulating bodies of the broadcasters; and
- (iii) **LEVEL III** Oversight mechanism by the Central Government

16. Filing and processing of grievance or complaint

(1) Any person aggrieved by the content of a programme of a channel as being not in conformity with the Programme Code or the Advertising Code may file his complaint in writing to the broadcaster:

Provided that where such complaint relates to Advertising Code laid down by the Advertising Standards Council of India, such complaint may be addressed to the said Council and that Council shall deal with such complaint in accordance with the procedure laid down by it :

Provided further that Advertising Standards Council of India shall take a decision on the complaint within sixty days of its receipt, and communicate the same to the broadcaster and the complainant.

(2) The broadcaster shall, within twenty-four hours of complaint being filed, generate and issue an acknowledgment to the complainant for his information and record.

(3) Every complaint shall be dealt with in the following manner, namely: -

(a) the broadcaster shall dispose of the complaint and inform the complainant of its decision within fifteen days of receipt of such complaint;

(b) if the decision of the broadcaster is not communicated to the complainant within the stipulated period of fifteen days, or if the complainant is not satisfied with the decision of the broadcaster, he may prefer an appeal to the self-regulating body of which such broadcaster is a member, within fifteen days therefrom;

(c) the self-regulating body shall dispose of the appeal within sixty days of receipt of appeal and convey its decision in the form of a guidance or advisory to the broadcaster, and inform the complainant of such decision within a period of fifteen days;

(d) where the complainant is not satisfied with the decision of the self-regulating body, he may, within fifteen days of such decision, prefer an appeal to the Central Government for its consideration under the Oversight Mechanism referred to in rule 19.

17. Self-regulation by broadcaster

(1) A broadcaster shall

(i) establish a grievance or complaint redressal mechanism and appoint an officer to deal with the complaints received by it;

(ii) display the contact details related to its grievance redressal mechanism, the name and contact details of its Grievance officer at an appropriate place on its website or interface, as the case may be;

(iii) ensure that such Officer takes a decision on every grievance or complaint received by it within fifteen days and communicate the same to the complainant within the stipulated time;

(iv) be a member of a self-regulating body and abide by its terms and conditions.

(2) The Officer referred to in sub-rule (1) shall –

(i) be the contact point for receiving any grievance

or complaint relating to Programme Code and Advertising Code;

(ii) act as the nodal point for interaction with the complainant, the self-regulating body and the Central Government

(3) The broadcaster shall comply with every advisory, guidance, order or direction issued under this rule by the self-regulating body or by the Central Government, as the case may be.

18. Self-regulation by the self-regulating body of broadcasters

(1) There may be one or more self-regulatory body of broadcasters, being an independent body constituted by the broadcasters or its association:

Provided that every such self-regulating body shall be constituted by a minimum of forty broadcasters

(2) Every self-regulating body referred to in sub-rule (1) shall be headed by a retired judge of the Supreme Court or of a High Court or an independent eminent person from the field of media, broadcasting, entertainment, child rights, human rights or such other relevant fields, and shall have other members, preferably not exceeding six, being independent experts in the field of media, broadcasting, entertainment, child rights, human rights and such other relevant fields.

(3) The self-regulating body shall, after its constitution in accordance with sub-rule (2), register itself with the Central Government within a period of thirty days from the date of publication of these rules, or within thirty

days from the date of its constitution, whichever is earlier:

Provided that before granting registration to the self-regulating body, the Central Government shall satisfy itself that the self-regulating body has been constituted in accordance with sub-rule (2) and has agreed to perform the functions specified in sub-rules (4) and (5).

(4) The self-regulating body shall perform the following functions, namely

- (i) oversee and ensure the alignment and adherence by the broadcaster to the Programme Code and the Advertising Code;
- (ii) provide guidance to the broadcaster on various aspects of the Programme Code and the Advertising Code;
- (iii) dispose of grievances which have not been disposed of by the broadcaster within the specified period of fifteen days;
- (iv) hear appeals filed by the complainant against the decision of the broadcaster;
- (v) issue such guidance or advisories to a broadcaster, including those specified in sub-rule (5), for ensuring compliance to the Programme Code and the Advertising Code.

(5) A self-regulating body while disposing complaint or an appeal referred to in sub-rule (4) may issue the following guidance or advisories to the broadcaster, namely: -

- (i) advisory, warning, censure, admonish or reprimand; or
- (ii) an apology to be telecast by the broadcaster; or

(iii) include a warning card or a disclaimer; or

(iv) in case of any content where it is satisfied that there is a need for taking action to delete or modify content, refer it to the Central Government for the consideration of the oversight mechanism referred to in rule 19 for appropriate action.

(6) where the self-regulating body is of the opinion that there is no violation of the Programme Code or the Advertising Code, it shall convey such decision to the complainant and the broadcaster.

(7) Where the broadcaster fails to comply with the guidance or advisory of the self-regulating body within the time specified in such guidance or advisory, the self-regulating body shall refer the matter to the Oversight Mechanism referred to in rule 19 within fifteen days of expiry of the stipulated period.

19. Oversight Mechanism

(1) The Central Government shall coordinate and facilitate the adherence to the Programme Code and the Advertising Code by the broadcaster, develop an Oversight Mechanism, and perform the following functions, namely: -

(i) publish a charter for self-regulating bodies, including Codes of Practices for such bodies;

(ii) establish an Inter-Departmental Committee for hearing grievances or complaints;

(iii) refer to the Inter-Departmental Committee grievance or complaints arising out of the decision of the

self-regulating body under rule 17, or if no decision has been taken by the self-regulating body within the stipulated time, or on receipt of such other complaints or references relating to violation of Programme Code or Advertising Code as it may consider necessary;

(iv) issue appropriate guidance and advisories to broadcasters;

(v) issue appropriate orders and directions to broadcasters for maintenance and adherence to the Programme Code and the Advertising Code;

(vi) take action for non-compliance of its orders or directions and that of the self-regulating body.

20. Inter-Departmental Committee

(1) The Central Government shall constitute an Inter-Departmental Committee, chaired by the Additional Secretary in the Ministry of Information and Broadcasting, and consisting of representatives from the Ministry of Women and Child Development, Ministry of Home Affairs, Ministry of Electronics and Information Technology, Ministry of External Affairs, Ministry of Defence, and representatives of such other Ministries and Organisations, including experts, as the Central Government may decide

(2) The Inter-Departmental Committee shall devise its own procedure for hearing grievances or complaints.

(3) The Committee shall meet periodically and hear complaints regarding violation or contravention of the Programme Code and the Advertising Code that may –

(i) arise out of appeal against the decisions taken at the Level I or Level II, as the case may be, or where no such decision is taken within the specified time;

(ii) be referred to it by the Central Government

(4) The Inter-Departmental Committee shall examine complaints or grievances received by it and make any of the following recommendations to the Central Government, namely: -

(i) advising, warning, censuring, admonishing or reprimanding such broadcaster; or

(ii) requiring an apology of such broadcaster; or

(iii) requiring such broadcaster to include a warning card or a disclaimer; or

(iv) requiring such broadcaster to delete or modify content or take the channel or a programme off-air for a specified time period where it is satisfied that such action is warranted, for reasons to be recorded in writing.

(5) The Central Government may, after taking into consideration the recommendations of the Committee, issue appropriate orders and directions under sub-section (3) of section 20 of the Act for compliance by the broadcaster.

21. Disclosure of Information

(1) A self-regulating body and a broadcaster shall make true and full disclosure of all grievances or complaints received by it, the manner in which the complaints are

disposed of, the action taken on such complaints, the reply sent to the complainant, the orders or directions received by it and action taken on such orders or directions.

(2) The information referred to in sub-section (1) shall be placed in public domain, and updated quarterly.

(3) Subject to any law for the time being in force, the broadcaster shall preserve record of the content telecast by it for a minimum period of ninety days and make it available to the self-regulating body or the Central Government, or any other Central Government agency as may be requisitioned by it.

[F. No. N-3104/29/2003-BC-III]

(Vikram Sahay)
Joint Secretary to the Government of India

Rules at a Glance



Statutory Mechanism for Grievance Redressal of Television Content

Main Features



- Three Tier Grievance redressal structure
- Grievance redressal by broadcasters
- Self regulating bodies to receive Government registration
- Oversight mechanism of Central Government
- Information disclosure by broadcasters



THREE TIER GRIEVANCE REDRESSAL STRUCTURE

To ensure observance and adherence to the Programme Code and the Advertising Code by the broadcaster and to address the grievance or complaint

-  **Level I** - A self-regulation by broadcasters
-  **Level II** - Self-regulation by the self-regulating bodies of the broadcasters
-  **Level III** - Oversight mechanism by the Central Government

THREE TIER GRIEVANCE REDRESSAL STRUCTURE



Level 1: Broadcasters

- Establish an adequate grievance redressal mechanism
- Appoint a Grievance officer
- Time bound acknowledgement and disposal of grievances
- Be a member of a self-regulating body and abide by its terms and conditions
- Comply with every advisory, guidance, order or direction issued by the self-regulating body or by the Central Government



Level 2: Self-Regulating Body

Independent body/bodies constituted by the broadcasters

- Headed by a retired judge of the Supreme Court or of a High Court or an independent eminent person from relevant field
- Members - experts from various fields
- Ministry of I&B to register self-regulating bodies



THREE TIER GRIEVANCE REDRESSAL STRUCTURE



Level 2: Self-Regulating Body

FUNCTIONS

- Oversee and ensure the adherence to the Programme Code and the Advertising Code by the broadcaster
- Address grievances unresolved at Level 1
- Provide guidance/Issue advisories to the broadcaster



Level 2: Self-Regulating Body

Guidance/Advisories

- Advisory, warning, censure, admonish or reprimand
- An apology to be telecast by the broadcaster
- Warning card or Disclaimer
- In case there is a need for taking action to delete or modify content, refer to Central Government



THREE TIER GRIEVANCE REDRESSAL STRUCTURE



Level 3: Oversight Mechanism Role of Central Government

- Publish a charter for self-regulating bodies, including Codes of Practices for such bodies
- Establish an Inter-Departmental Committee for hearing grievances or complaints
- Issue appropriate guidance, advisories, orders and directions to broadcasters for maintenance and adherence to the codes
- Take action for non-compliance of its orders or directions and that of the self-regulating body

Inter-Departmental Committee

- Chaired by Additional Secretary, Govt. of India (Ministry of I&B)
- Consists of representatives from various Ministries and Departments, and domain experts
- Hear complaints arising out Level I/II, and referred to it by the Central Government



Recommendations:

- Advice, warning, censure, admonishment or reprimand
- Apology
- Warning card or a disclaimer
- Delete or modify content,
- Taking the channel or programme off-air for a specified time



Central Government to issue orders and directions based on recommendations of IDC

Disclosure of Information

By a self-regulating body and a broadcaster

- All grievances or complaints received and their disposal
- Orders or directions received by it and action taken on them
- Information to be placed in the public domain, and updated quarterly



लोगों की शिकायतों को हल करने को लेकर केंद्र सरकार ने केबल TV नियमों में किया संशोधन

केंद्रीय मंत्री प्रकाश जावड़ेकर ने बताया कि मिनिस्ट्री ऑफ इन्फार्मेशन एंड ब्रॉडकास्टिंग ने केबल टेलीविजन नेटवर्क नियम, 1994 में संशोधन करके, टीवी चैनलों के कार्यक्रमों के खिलाफ नागरिकों की शिकायतों और शिकायतों के निवारण के लिए एक वैधानिक तंत्र विकसित किया है.

Provide Guidelines For Complaint Redressal

The Information and Broadcasting (I&B) Ministry notified the Cable Television Networks (Amendment) Rules, 2021 in an official gazette on Thursday.

All India | Press Trust of India | Updated: June 18, 2021 12:57 am IST

The Indian Express

Govt amends Cable TV network rules

Self-regulatory bodies for television to get legal m

केंद्र सरकार ने टीवी चैनलों की शिकायतों के निवारण के लिए कानूनी तंत्र बनाया, अधिसूचना जारी

Govt amends cable TV rules, recognizes self-regulatory bodies

900 से अधिक TV Channels की शिकायत के लिए बनेगी नई व्यवस्था, कंटेंट से आपत्ति होने पर एक्शन लेगी सरकार

आईबीएफ (IBF) और न्यू ब्रॉडकास्टिंग एसोसिएशन (NBA) जैसी कुछ नियामक संस्थाएं हैं, जिन्होंने अवैधानिक कंटेंट पर कार्रवाई करने का वादा किया है. इसलिए इस कानून में बहुत सारे लोगों को यकीन नहीं होगा.



Mr Uday Shankar
President, FICCI

The MIB's historic announcement granting statutory recognition to self-regulatory bodies in the broadcasting sector is a major step in the right direction. I congratulate Minister Mr Prakash Javadekar and the MIB leadership - Secretary Mr Amit Khare; Additional Secretary Ms Neerja Sekhar and Joint Secretary Mr Vikram Sahay - for this progressive step. Personally, it's a moment of satisfaction for me as the process of self-regulation that I started pushing for a dozen years ago through FICCI and later as IBF President gets further legitimacy.

It's also a big milestone in the journey of BCCC, the first self-regulatory body for TV content. I've always believed that self-regulation is the best regulation to serve creativity and society. I hope the creative community and the government will ensure that content created in India wins a global audience and recognition.

#FICCIspeaks

Hindustan Times

Centre formalises mechanism for TV channels' regulation

Hindu

Rules regulating cable TV network amended

India amends cable TV rules to address complaints of citizens



सत्यमेव जयते

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For more information visit: <https://mib.gov.in/>