Broadcasting Services (Regulation) Bill, 2023

Why in news?

Recently, the draft Broadcasting Services (Regulation) Bill, 2023 was released by the Ministry of Information & Broadcasting.

Broadcasting Regulations in India
• **Ministry of Information and Broadcasting**- It is the focal point for matters related to private broadcasting, public broadcasting service (Prasar Bharati), multi media advertising, regulation of print media etc., • **Telecom Regulatory Authority of India (TRAI)** - It regulates the tariffs payable to subscribers of television channels and service providers in the broadcasting sector. • **Electronic Media and Monitoring Centre**- It was established to supervise, monitor and record the content that is broadcast on Television channel in accordance with the government norms and regulations. • **Prasar Bharati-** It is a statutory autonomous body set up by Parliament under Prasar Bharati Act 1990, and comprises of Doordarshan Television broadcasting and Akashvani. • **Cable Network Act 1995-** It governs broadcaster and distribution registration, and the State government has established many monitoring agencies to ensure proper implementation of the Act.

What are the key features of Broadcasting Services (Regulation) Bill 2023?

- **Aim-** To bring a consolidated legal framework for the broadcasting sector.
- **Modernization**-The Bill seeks to replace *Cable Television Networks (Regulation) Act, 1995* and other policy guidelines governing the broadcasting sector.
- **Extension**- It extends the regulatory purview to the OTT content, digital news and current affairs which are currently regulated through *Information Technology Act, 2000.*
- **Regulation-** The bill provides regulatory provisions for various broadcasting services under a single legislative framework.
- **Adaptability-** The bill adapts to the dynamic world of OTT, Digital Media, DTH, IPTV, and more, promoting technological advancement and service evolution.
- **Comprehensive** - It provides definitions for contemporary broadcasting and other important technical terms for the first time.
- **Differentiated approach**- It allows for a differentiated approach to Programme and Advertisement Code across various services and requires self-classification by broadcasters and robust access control measures for restricted content.
- **Inclusivity-** It aims to make broadcasting more inclusive and accessible to people with disabilities through the use of subtitles, audio descriptors, and sign language.
- It also has a provision for *Disability Grievance Officer*.
- **Accessibility-** It has provisions for infrastructure sharing among broadcasting network operators and carriage of platform services.

- The Bill streamlines the ‘Right of Way’ section to address relocation and alterations more efficiently
- **Institutional support**-

Institution	About
Content Evaluation Committee	Self-regulation
Broadcast Advisory Council	Advise the Central government on programme code and advertisement code violations

- **Dispute Resolution Mechanism**- The bill established a structured mechanism for dispute resolution.
- **Penalty-** It provides statutory penalties for operators and broadcasters, such as advisory, warning, censure, or monetary penalties.

What are the concerns of the bill?

- **Affects autonomy**- The regulation could affect the autonomy, as OTT platforms work on a "pull model" where consumers choose the content.
- **Impact on content innovation**-The stringent and subjective codes could lead to content censorship and affect the audience experience.
- **Over regulations**- The bill extends the regulatory purview to OTT platforms which are regulated under IT Act.
- **Pricing regime**- As OTT contents are regulated under the bill, the government may bring the pricing regime for OTT content as it has done for television channels.

References

1. Indian Express- Broadcasting Services (Regulation) Bill 2023
2. PIB- Broadcasting Services (Regulation) Bill 2023

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