I&B Ministry Vs PrasarBharati - II

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What is the Prasar Bharati Act of 1990?

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- ThePrasar Bharati (Broadcast Corporation of India) Act of 1990 has been made for a free broadcasting from the stranglehold of the government.
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- The Prasar Bharati Corporation's main objective is to provide autonomy to Doordarshan and Akashvani in order to "educate and entertain the public.
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- The twin objectives of the Prasar Bharati (Broadcast Corporation of India) Act of 1990 are crystallised in Section 12 of the law.
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- Section 12 (3)(a) mandates that Prasar Bharati ensure that "broadcasting is conducted as a public service."
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- Again, Section 12 (3)(b) reinforces that the purpose of establishing the corporation is to gather news, not propaganda.
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Why Prasar Bharati act was implemented?

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- During emergency the captive Parliament misused the government's broadcasting agency.
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- Post emergency in 1978 a panel, highlighted the need for a fiercely unbiased and independent corporation.
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- It recommended the formation of Akash Bharati or the National Broadcast Trust for All India Radio and Doordarshan.
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- In 1979 the then Information and Broadcasting Ministry proposed a Bill for an autonomous corporation called Prasar Bharati for AIR and Doordarshan.But the Bill lapsed.
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- In 1982, a committee was appointed with a narrow mandate of evaluating the programming of Doordarshan.
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- The committee emphasised the lack of functional freedom in Doordarshan and later in taking such considerations the bill was passed in 1990.
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What is the extent of autonomy of the body?

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- That Prasar Bharati is an autonomous corporation in India.
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- The Chairman and the other Members except the ex-officio members, the nominated member and the elected members shall be appointed by the President on the recommendation of a committee.
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- The government has no part in the appointment.
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- The Act points out that the CEO would be under the "control and supervision" of the Board and not the Central government.
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- Section 22 gives the Centre powers to issue directions which it "may think necessary in the interests of the sovereignty, unity and integrity of India or the security of the State or preservation of public order" to not broadcast "any matter of public importance".
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What is the SC stand on the autonomy of the body?

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- The Centre still holds the reins of Prasar Bharati as it has the power to make rules for the corporation, issue grants or allowances and control the salaries of employees.
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- On the context of what true autonomy means for a broadcasting corporation,

the Supreme Court has referred to a ruling by the German Constitutional Court.
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- It claims that “freedom from State control requires the legislature to frame some basic rules to ensure that government is unable to exercise any influence over the selection, content or scheduling of programmes”.
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Source: The Hindu

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