Eastern Broadcasting Code for Western Content

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Abstract
India is the second largest television Industry in the world, however private satellite television in India is as new as 26 years. The innovations in content has taken a lead in creating engaging programmes for the Indian consumers. India is a diverse television market, with 29 spoken languages, more than 800 dialects, 175 million television households spread across all regions, various social-religious-economic-cultural communities an audio visual medium like television has a large role to play. There have been studies implying potential impact of television on the minds of viewers. A study was undertaken to evaluate the potential impact of television in India from socio-legal perspective. The content on General Entertainment Television, especially reality shows are formatted from the western markets, however their cultural adaptation requires serious consideration from the social perspective. Private Satellite Television entered India through an illegal route. The first laws of television content regulations were brought into force five years after Private Satellite Television channels started beaming in India. India is suffering from offensive content, not so stringent content code, no provision for the watershed hours and most importantly profane content during the children viewing hours. The proposed paper looks at provisions of Ofcom Broadcasting Code and compares them with the Indian broadcasting code. The content complained were reviewed for this research, experts from the field of content creation, psychology, psychiatry, social science, journalism and media lawyers were interviewed to draw conclusions from this interdisciplinary study.

Keywords: Broadcasting Code, Cable Television Networks (Regulation) Act, 1995, Ofcom Broadcasting Code

Introduction

India is a multicultural country with diversity of languages, dialects, socio-cultural regions, castes, tribes, geographies, religions, lifestyles and socio economic groups. India has a population of 1.21 billion people (Census, 2011). With information revolution and disruption multiple avenues are available for an average Indian to get entertained. Television has proved to be one of the most formidable platforms of Media and Entertainment in the country. India is currently world's second largest television market, with 183 million television households in 2016 (Ficci Frames, 2017, p. 63) and 892 granted satellite television channels (MIB, 2017). The first Satellite Television experiment was undertaken by Indian Space Research Organization in the name of Satellite Instructional Television Experiment (SITE) (Kumar, 2013, pp. 297-298). SITE was the dream of Dr. Vikram Sarabhai, father of India's space programme to ensure that technology is used for the betterment of the society. The sole purpose of this experiment was to map the development of communities in specific areas. The satellite television was introduced to India for information, education and entertainment; however entertainment occupies the major chunk of television consumption in India today (Ficci Frames, 2017, p. 75).

With satellite television foreign content entered the Indian domain. Television channels license Reality shows formats from various western countries for broadcasting in India. Indian television system and the broadcasting regulations draw a lot from the British system. The scope of this paper is to conduct a comparative study of provisions of Ofcom broadcasting code with the broadcasting code of Cable Television Networks Regulation Act 1995. Besides the paper will also look into the content code of Indian broadcasting foundation.

Objectives

1. To throw light on the social responsibility that a satellite TV channel adheres to vis-à-vis Broadcasting Code of Conduct; with reference to the Reality shows
2. To do a comparative analysis of Indian broadcasting code with Ofcom broadcasting code

Research Design:

The secondary data was referred from various sources viz. books, magazines, articles, websites, journals, newspapers etc. The empirical data was used for understanding the statement of the problem. In order to strengthen the findings and arrive at a solution to the problem data was collected from primary sources. In depth interviews were conducted with various experts.

Sampling:

Purposive sampling method was used. A sample of 55 experts was drawn. The experts belonged to the field of Social Science, Print Journalism, Video Journalism, Television Content Creation, Psychiatry, Psychology and Media Law as shown below.

Sr. No.	Field of Experts	Sample
1	Renowned Social Scientists	10
2	Newspaper Editors	10
3	Bureau Chiefs of TV News Channels	10
4	Entertainment Content Creators	10
5	Psychiatrists / Psychologists	10
6	Media Lawyers	5
Total		55

Table 1: Table Showing the distribution of sample

Criteria of Sample Selection:

The experts belonged various fields. Since Reality shows have been criticized for having more offensive content, the Broadcasting code was observed from the Reality Shows' point of view.

Description of Tool:

An interview schedule was designed to capture feedback of the experts. The interview schedule was divided into two parts; in part background information of the experts were included, whereas in part two specific information regarding reality shows, their influence, consumption pattern and adherence to broadcasting code were included.

Journey of Indian Broadcasting

As described by McLuhan, television is a cool medium (McLuhan, 1994, pp. 22-25). The technological interface and the ability to produce visuals and sounds are heavily consumed by the not so literate country like India. India has seen a distinctive journey in terms of media ownership. Television is the first mass media platform that was introduced after independence. Television for the first few years was under the control of Government. Doordarshan the Public Broadcaster of India was the main source of television entertainment.

For the first few years the Indian television ran with monopolistic player i.e. Doordarshan. The initial days of Indian television were filled with content that was mainly development driven. *Hum Log* - the first Soap Opera launched on the Indian television also had a strong message pertaining to population explosion in lower middle class families, alcoholism and illiteracy(Kohli-Khandekar, 2010, pp. 67-73). This was also the time when Foreign Television Programmes were exposed to Indian Television. With the introduction of VCR technology, apartments, colonies and hotels of big cities were connected through Cable Television (Kohli-Khandekar, 2010, pp. 67-73). The content shown on cable television was pirated. Television series from various content markets like USA, UK and Pakistan were popular in this era. Foreign Television Programmes were gathering popularity in India. Introduction of cable television that was a new phenomenon became widespread across the country.

A big event happened in 1990-91, which changed the pattern of television viewing in India. The Gulf War broke out, CNN covered the war live and beamed it to India. Business enthusiasts considered this as an opportunity to develop the cable television business. The existing cable connections soon got converted into cable and satellite homes. Globalization was in the air, growth of cable television in India was one offshoot of the liberalization following new economic policy. The cable operators not only showed CNN, but also started using engaging content from across the world to keep the cable television consumers hooked on to their TV sets(Rodrigues U. M., 2010, pp. 181-205). It was the time for the local enterprises to mark their foray into broadcasting. Star TV launched its operations with foreign programming beamed into India. Zee group later launched joint venture operations with Star and launched Zee TV which was primarily launched to showcase Indian content. Regional channels, multi system operators, specialty television channels; in the next few years(Rodrigues U. M., 2010, pp. 181-205). Indian television market was poised to become one of the most prolific television markets in the world.

In the Cable television regime, the content producers and aggregators had a free hand. As the Cable TV Act was introduced much later, the Indian market was already spoiled with offensive content. On one hand regulatory measures were being implemented, on the other hand content was being infused through various channels.

Reality Shows and Foreign Content

Today Indian television has prolific content flow with thousands of hours of content being created, aggregated, licensed and broadcast. The journey of Reality Shows started with Alan Funt creating his pioneering show called *Candid Camerea* in 1948, on American Television (Priya, 2008, pp. 3-10). Interestingly the format he started with, is still prevalent in majority of Reality Shows of the world. With the evolution on satellite broadcasting in India there are various Reality Shows on the Indian Screen. Various types of Reality Shows that have been introduced to Indian television viz. elimination shows (*Bigg Boss,*), competition shows (*Indian Idol, JhalakDikhalaJaa, Voice of India, Zee Cine Stars Ki Khoj*), dating shows (*Blind Date*), fear centric shows (Fear Factor, Survivor) and makeover shows (The Biggest Loser)(Priya, 2008, pp. 3-10). Whether it is a regional channel, a niche channel or Hindi General Entertainment channel, no programming strategy can be drafted without Reality Shows. The aspects of manipulation in Reality Shows, casting of participants, shows not shot in real time are designed for youth and preferred by advertisers (Priya, 2008, pp. 3-10). Reality Shows make for engaging viewing, they create a world of make believe; one of the reasons why they are popular amongst youth. Some of India's most popular music artistes have been products of Reality Shows.

As described by Hill the Reality Shows today represent three conventional ways of media productions namely tabloid journalism, documentary television and popular entertainment (Hill, 2005, p. 14). Such hybrid production style makes the Reality Shows popular amongst viewers. Another reason of popularity of Reality Shows as per Hill is their key characteristic of attracting the viewers(Hill, 2005, pp. 41-56). Bratich calls these Reality Shows as less about intervening reality and more about involving in it (Bratich, 2007, pp. 1-5). This explains subjective involvement of Reality Shows. Shows like *Big Brother* and *Survivor* have been criticised about the

controversial background of the participants and the amount of aggression they depict (Huff, 2006, pp. 3-14). The biggest gratification from this shows is hefty rewards that they get, besides the popularity. The journey that started with *Candid Camera* continued to contribute the same kind of shows, in a more aggressive fashion. Besides aggression gratification has increasingly become another factor for viewers to like such shows.

Ethics and Responsibility

Ethics are the watchdog of any democracy. As per Christians the world of media is divided into metaethics (moral theory and relativism), normative ethics (social Justice, truth, nonviolence) and descripting ethics (instrumentalism) (Christians, 2011, pp. 1-19). Thus one needs to look at the combination of all aspects to be able to talk about ethics in the modern time. He further explains that the larger aspect of ethics needs to give moral discernment and perspective on reality. Impact of television on youth is a subject that researchers are keenly observing ever since the platform has emerged. As the popular perception prevails, the content on television is designed based on the need of the consumers. Perebinossoff explains as to how the politics of media decides the content that should be shown on any platform like television (Perebinossoff, 2008, p. 90). Besides the politics of media, it is the profit motive that plays a role in deciding the content selection. As explained by Rao, media ethics theories need to have *Glocal*approach; an interaction between international, national, regional and local media practices (Rao, 2011, pp. 154-170). With privatisation, liberalisation and globalisation media content can travel across the borders. The technology has become a strong catalyst in making this a reality. Reality Shows which are considerably new phenomena to Indian television are being transported and translated to Indian terrain at a fast pace from across the world. The real media ethics approach in this context needs to look at the interaction between global and local cultural trends. As per Dighe it is the economics of media that have led broadcasters override all the rules of media ethics. Cultural heterogeneity is a product of cultural imperialism culminating from globalisation (Dighe, 2001, pp. 516-533). Dighe further explains here that the effects of globalisation has tempted broadcasters to dodge all the norms of broadcasting. According to her, self-regulatory mechanisms will be the right way forward for a country like India.

As per Gupta the impact of media influence could affect the psycho-social development of children and adolescents. This impact could be both positive and negative(Gupta, 2006, p. 182).Peddiboyina further establishes some relation between TV usage and mental ability of viewers (Peddiboyina, 2005, p. 31). The children who watched more television were more prone to violence. It further has a potential to affect the knowledge and intellectual development of younger viewers. While the foreign television programmes portray sex, vulgarity, violence, crime social stereotypes, western lifestyle; they also bring in positives like helping viewers bond with the family and increase knowledge(Peddiboyina, 2005, p. 31). This was observed in a research where television really helped families to control conflicts. About foreign television programmes Peddiboyina explains quoting a research that was conducted in 1964, that such programmes could bring about a behaviour change through the exposure (Peddiboyina, 2005, p. 39). Countries that belong to the mature television markets have been faced with problems like aggression, unsafe sex, substance abuse etc. (Prabhakar & Basu, 2007, p. 136). These socials evils can

directly be linked with television exposures. For those who don't agree with the potential of television to impact individuals to be violent, should look at the reason why big companies spend millions of dollars on advertising (Prabhakar & Basu, 2007, pp. 203-204). The argument above explains the ability of television to influence individuals. About media violence and aggressive behaviour of children, Leveskque explains through a statement signed by the American Psychological Association, the American Academy of Paediatrics, the American Academy of Family Physicians, the American Psychiatric Association, the American Medical Association, and the American Academy of Child and Adolescent Psychiatry that aggressive behaviour in children is due to media violence(Levesque, 2007, pp. 21-23). Further this influence is not negative all the time.

As per the Social Responsibility Theory given by Wilbur Schramm, Siebert and Theodore Paterson; a judicial mix of self-regulation, state regulation and high professional standards were imperative (Siebert, Peterson, & Schramm, 1956, pp. 73-104). According to the theorists the free market approach had increased the power of press. The onus was on the media professionals to ensure that they create content with responsibility towards society. Wertham talked about stupendous quantity of violence in all the media (Laughey, 2008, pp. 12-14). He raised the concerns about how violence in comics and television could potential influence the children. Similarly George Garbner explained how long term TV viewing could impact the minds of the viewers, especially children (Laughey, 2008, pp. 21-22). Television viewing according to Garbner cultivates the minds of viewers over a long period of time. According to Uses and Gratifications theory given by Katz, Blumler, and Gurevitch, media audience uses media actively to satisfy their own uses, interests and motives (West & Turner, 2004, pp. 404-419). The heavy consumption of television is a result of choices that the audiences make themselves. The mass media theories indicate the potential impact of television on its viewers.

Broadcasting Code of India

The first encounter of commercial Satellite television was illegal for India. The channels started beaming these channels to India from foreign soil (Rodrigues, 2010, pp. 246-268). The government ignored beaming of these illegal signals to Indian soil. It was a direct effect of liberalisation in India. The growth of Satellite Television in India was on a massive rise. The newly liberalised country was in no mood to regulate the same (Rodrigues, 2010, pp. 246-268).

Before India got its independence, the early media regulations were enacted to regulate the British voice in India. Article 19 (1)(a) of the Indian constitution grants all Indians the freedom of speech and expression. The freedom of speech and expression talks about restrictions which include; operation of any existing law, preventing the State from making any law, reasonable restrictions on the exercise of the right conferred in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence(Bakshi, 2013, pp. 42-43). The first mass media platform that launched in India after independence was television, in 1959 (Rodrigues, 2010, pp. 246-268). The freedom of press is covered under this Article 19(1); media doesn't enjoy an extra ordinary power under the constitution of India (Divan, 2010, pp. 2-3).India saw

emergency in 1962, 1968, 1971 and 1975. All these years the freedom of speech and expression granted in the constitution of India were restricted (Divan, 2010, pp. 39-44).

Rao explains that there are four types of code of ethics viz. Self-regulated guidelines, Government guidelines, industry norms and international norms governed by the international bodies(Rao, 2011, pp. 154-176). In India the first three types of codes of ethics are practiced. In India the broadcasting code was originally drafted for public broadcasters. Since the public broadcasters were under the monopoly of Government, the broadcasting code mentioned all the positive aspects(MIB, 1990). It was in 1997 that the public broadcaster of India got its autonomy (Saxena, 2009, p. 31).

The Cable Television Networks (Regulation) Act, 1995, was mainly enacted to regularise the operations of the cable operators. There was a serious concern about the cultural invasion due to satellite television penetration in India. Thus besides the cable operators regularisation; the act also looked into the content related matters. There is a provision of two codes: Programme Code and Advertising Code in the Act, which talks about the content regulations. Under the Act there is provision of a government officer to seize cable operator's equipment if he/she found any discrepancies(Divan, 2010, pp. 251-256). The offenders are subject to punishment for non-adherence. There is a provision of imprisonment of upto two years or one thousand rupees fine or both for the first offence; every subsequent offence has a provision of up to five years of imprisonment and/or fine up to five thousand rupees (MIB, 1995). There is also a provision of an Electronic Media Monitoring Committee, which has been in the news for monitoring the representation of politicians instead of monitoring content (Raman, 2015).

Under Programme Code, content is forbidden if it shows indecency, criticism of friendly country, attack on religions of community, obscenity, defamation, deliberation, falsehood, innuendos, half-truths, incitement of violence, contempt of court, content against president or judiciary, offending integrity of nation, malign or slanders against individuals or groups, superstitions, denigrated women in any manner, denigrated children, slandered ethnic-regional-linguistic groups, contravened Cinematograph 1952, restricted for public exhibition, no film content that was for restricted exhibition under Central Board of Film Certification. Further Cable operators were advised to carry programmes that would; portray women in positive light, not offend the provisions of Copyright Act, 1957, contain bad language if they were made for children (MIB, 2009).

Under the advertising code Cable operators are refrained from showing any advertisement if it contained content that offended morality-decency-religions susceptibility; derided any race, caste, colour, creed, nationality; elements against provisions of constitution of India; violence or obscenity; incited people to commit crime or violence; criminality; exploitation of national emblem, person or leader; derogatory image of women; social evils; direct or indirect sales of tobacco or alcohol or prohibited products; milk substitutes for infants; religious or political content; content that hurts religious sentiments; prohibited items as mentioned under Consumer Protection Act, 1986; miraculous remedies; content that endangers safety of women or children; content that is Indecent, vulgar, suggestive, repulsive or

offensive themes; violates provisions of Advertising Standard Council of India or cannot be distinguished from programmes(MIB, 2009).

Broadcast Content Complaints Council (BCCC)

Indian Broadcasting Foundation is the non-news channels representation dealing with broadcasters, advertisers, buying agencies, viewers, television producers and law makers to bring about holistic development in the sector(IBF, 2013). BCCC is a unique complaint redressal system that is set up for viewers through self-regulation(IBF, History & Vision, 2013).BCCC acts as the watchdog of self-regulation. It is a self-regulatory body to examine content related complaints against private non news satellite TV channels. The Council examines complaints from various stakeholders including viewers(IBF, Who We Are, 2013). The viewers refer to guidelines and make complaints. The guidelines include broad subjects viz. National Interest, Racial & Religious Harmony, Children & Generally Accessible Programmes, Social Values, Kissing, Sex & Nudity, Violence & Crime, Gambling, Horror & the Occult, Drugs, Smoking, Tobacco, Solvents & Alcohol, Libel, Slander & Defamation, Harm & Offence(IBF, Guidelines, 2013). The guidelines are differently explained for the broadcasters as well. Two aspects covered in these guidelines, which were not explained well in the Cable TV Act were, restricted access time, i.e. between 11:00 pm to 5:00 am; and provision to categorise the shows in Generalor Restrictive viewing categories(IBF, 2011). Though the complaints mechanism under BCCC has been made user friendly, the drawback of this system is that is has no strong law enforcement mechanism. BCCC can issue warnings, fines etc. When a legal action has to be taken the complaint is forwarded to the I&B ministry.

Complaints

Between April 16, 2014 and December 31, 2016; total 20,377 complaints were received by BCCC out of which, total 5104 complaints were found specific to the purview of BCCC and decisions were taken on them (IBF, 2017). BCCC only accepts complaints of channels that are a part of Indian Broadcasting Foundation, the non-members' complaints are passed on to Ministry of Information and Broadcasting. Complaints regarding Quiz, Prize money, news and current affairs channels, films, music videos, film trailers, advertisements were found being transferred to other authorities. Thus BCCC looks into limited activities, which has a potential of leading complainants to dissatisfaction.

Highlights of Ofcom Broadcasting Code

Ofcom is required and acts under the Communications Act 2003 and the Broadcasting Act 1996 to draw up a code for television and radio, covering standards in programmes, sponsorship, product placement, fairness and privacy(Ofcom, 2017, p. 2). This Code is known as the Ofcom Broadcasting Code. It has been drafted in the light of Human Rights Act 1998 and European Convention on Human rights(Ofcom, 2017, p. 2). It specifically mentions about right to freedom of expression, right to a person's private and family life, home and correspondence; right to freedom of thought, conscience and religion; and the right to enjoyment of human rights without discrimination on grounds such as sex, race and religion. The code has a provision of

putting statutory sanction against a broadcaster in an event of the broadcaster breaching the code; deliberately, seriously, repeatedly or recklessly(Ofcom, 2017, p. 4).

Ofcom, the regulator of communications industries of United Kingdom, deals with services including radio, television, on demand, postal, telecommunications and wireless (Ofcom, What is Ofcom, 2017). Accountable to Parliament, Ofcom sets and enforces regulatory rules for the sectors for which it has responsibility. Ofcom has powers to enforce competition law in those sectors, alongside the Competition and Markets Authority. Ofcom is funded by fees from industry for regulating broadcasting and communications networks, and grant-in-aid from the Government(Ofcom, What is Ofcom, 2017). Ofcom ensures the optimal use for wireless telegraphy of the electro-magnetic spectrum, availability of a wide range of electronic communications services, availability of a wide range of TV and radio services of high quality and wide appeal, maintenance of plurality in radio and television services, the application of standards that provide adequate protection to people against offensive, harmful content, unfair treatment and infringement of privacy (Archives, 2003). Thus Ofcom assumes a large role that aims at holistic development and fair distribution of resources to the people of UK. Ofcom works as a single agency for all communication related activities, unlike that of India where the scope is narrow. Interestingly Ofcom's duties and powers have closed the loop of passing the buck of decision making to a third party. Thus Ofcom has the power of licensing, monitoring, dealing with complaints and issuing sanctions.

Ofcom Broadcasting code is drafted in detail over ten sections viz. Protecting the Under Eighteen; Harm and Offense; Crime, Disorder, Hatred and Abuse; Religion; Due Impartiality and Due Accuracy and Undue Prominence of Views and Opinions; Elections and Referendums; Fairness; Privacy; Commercial References in Television Programming and Commercial Communications in Radio Programming(Ofcom, 2017, pp. 7-72). Watershed hours of broadcasting are clearly defined. Watershed is defined from 21:00 to 5:30 hours; this means content that is unsuitable for children cannot be shown during these hours(Ofcom, 2017, p. 8). Due care is taken to ensure that children below eighteen are protected under broadcasting. The list of things which include violence, drugs, smoking, alcohol, offensive language, sexual material, nudity is covered under the watershed hours(Ofcom, 2017, pp. 7-15).The code prescribed in Ofcom not only ensures the freedom of speech, but also ensures that larger interests of people of United Kingdom is taken care of. The key highlight of the Ofcom code with respect to protecting younger viewers are the provisions of watershed hours and detailed mention of offensive content. Nudity, paranormal and explicit content is prohibited in non- watershed hours, this also indicates the freedom of speech of content creators to show explicit content but in restricted hours. Ofcom is a good benchmark in terms of the details with which the codes of broadcasting have been defined, especially for protection of the under eighteen viewers.

Unlike the Indian code, Ofcom has provision of heavy punishment for those not adhering to the code. In most cases the maximum financial penalty for commercial television or radio licensees is £250,000 or 5% of the broadcaster's 'Qualifying Revenue', whichever is the greater (CLD, 2012). Thus Ofcom code is a good benchmark for content regulation. The code ensures freedom with restrictions prescribed by law and necessary in a democratic society.

Views of the Experts

- All the experts believed that Reality shows were popular amongst the youth.
- All experts believed that television especially Reality Shows had strong potential of influencing the viewers. This belief confirms with the Cultivation Theory given by George Garbner (Laughey, 2008). Upon asking the psychologists, psychiatrists and social scientists shared that the influence of television viewing depends on the upbringing and exposure of the viewer; a viewer with positive surrounding may not get affected as much with negative visuals as compared to a viewer with negative surrounding.
- More than two third of the experts felt that the images and sounds shown on TV Reality Shows were obscene and vulgar. The experts indicated that these Reality Shows were not good for viewers under eighteen years of age. The experts questioned the Social Responsibility of makers and broadcasters for showing such content during the prime time viewing hours. Further the experts also believed that most of the Reality Shows shown in the country were either foreign television programmes (FTP) or were licensed from foreign countries.
- About the Broadcasting Code of Conduct, more than eighty percent experts mentioned that the Broadcasting Code of Conduct is not followed largely by the broadcasters in India.
- More than seventy percent newspaper editors, Television channel Bureau Chiefs felt that the content shown in television Reality Shows was not acceptable for younger viewers keeping the Indian sensibilities in mind. It was observed by more than one journalists, that while there were Broadcasting Codes existing in the country, they were not followed. As per the Bureau Chiefs, while Indian Broadcasting Code gave right to the broadcasters to exercise the freedom of speech, the broadcasters violated the broadcasting norms frequently, this according to them was highly immoral.
- According to all psychiatrists and psychologists the aggressive behaviour, foul language, consumption of alcohol, smoking, abusing, vulgarity shown on Indian television, especially the Reality Shows was not acceptable according to Indian social standards. The provocative content led younger viewers to imitate inappropriate things in their behaviour. The experts questioned Social Responsibility of Broadcasters.
- About fifty percent of the content creators either did not formally study Broadcasting Code or were not aware about the specific provisions of Broadcasting Code of Conduct. The content creators mentioned that they worked on shows that adhered to broadcasting code of conduct, however more than fifty percent content creators mentioned that there were many shows that did not adhere to the Broadcasting Code of Conduct. The content creators termed the Reality Shows having elements like obscenity, vulgarity, jarring images and sounds, bad words, exploiting human emotions, below the belt comedy etc. All these elements qualify for non-adherence of Broadcasting Code of Conduct as per the Indian legal system. Even the content creators questioned the Social Responsibility of the broadcasters. Few of the experts also shared that many a times they were pushed by the broadcasters to create offensive content. Further as per one of the experts, different channel would provide different interpretations of the Broadcasting Code of Conduct in the name of self-regulatory guidelines, to suit their programming demands.

- According to more than half of experts, youth has become more aggressive compared to the past. Television viewing, especially the Reality Shows were responsible for such aggression as per the experts.
- More than two third experts gave examples of action taken by youth after watching Reality Shows. Some of these actions taken were harmful and negative. This suggests the power of television as a medium.
- As per one of the media lawyers, Reality Shows in India largely followed Code of Conduct, however they were almost at the threshold point. One of the Media Lawyers mentioned, "most of the Reality Shows have passed the test of Ofcom and FCC as they are licensed from other countries, and tried and tested abroad. If they are accepted there, then they should be accepted here." All the media lawyers found ambiguities in Broadcasting regulations of India. The challenges of Indian Broadcasting Code were poor definitions, no strong mention of watershed hours, multiple layers, lack of uniform voice between various government agencies and lack of government's will about Broadcasting regulations. All the media lawyers unanimously mentioned about the Indian Broadcasting Foundation having less powers compared to Ofcom, for effective implementation of Broadcasting regulations. As per the lawyers Indian Broadcasting regulations are less strict, compared to that of the UK. They also have little provision to suggest punishment to the offenders. As per them the Indian Broadcasting Foundation runs a risk of operating as the voice of the industry as it has strong broadcasters' representation.

Conclusions

Reality Shows in India are western content, adapted by the Indian content creators. As observed by the experts, satellite television channels in India don't adhere to the Broadcasting Code of Conduct prescribed by the Indian legal system (MIB, 2009). The Cable Television Regulation Act, 1995 was originally enacted to protect the Indian viewers from the Cultural invasion, the broadcasters of India continue to telecast offensive content despite having content regulations. The media monitoring committee which is supposed to monitor the content on Indian television, has shifted focus to monitor political coverage in Media. Though media assumes a role of social responsibility in democratic India, experts interviewed believed that the broadcasters don't act in a responsible manner.

As far as Broadcasting Code goes, the Ofcom describes the code with great detail, compared to the Indian code. There is a strict provision for under eighteen viewers in Ofcom code including the watershed hours' provisions(Ofcom, 2017, p. 8), whereas in the broadcasting code of India, just mentions about care to be taken at broadcaster's end not to showcase programmes not suitable for children when larger number of children are viewing television. India is a diverse country with variety of ethnicity, language, culture, habit, socio-cultural insights. The Indian code lacks specific details to protect children under eighteen. While the Indian Broadcasting Foundation self-regulatory guidelines mention about scheduling of content not suitable for viewers under eighteen between 11 pm to 5 am, it has been criticized for not having direct authority to punish the offenders beyond asking them to pay nominal fine, issuing advisory or asking the broadcasters to run apology scroll. As per the Cable Television Regulation Act, 1995 there is a provision for two to five years imprisonment, as well as fine of Rupees one thousand to five thousand rupees(MIB, 1995). So far no

imprisonment has taken place for content on Indian television. The fine is way too less compared to the international standards. In UK the fine is up to £250000, or 5% of broadcaster's qualifying revenue whichever is higher(CLD, 2012). Thus the not so strict broadcast regulations motivate the broadcasters to walk away with showing content that is not permissible as per the law.

The above comments indicate that Indian television content doesn't adhere to the Broadcasting Code of Conduct prescribed by the Government of India. Reality shows use vulgar images and sound (offensive content) which are prohibited considering the existing statutory framework. The content that is suited for socio cultural set up of UK may not be appropriate for Indian market, considering the diversity that India has. Moreover, the Broadcasting Code is more lenient compared to the Ofcom Broadcasting Code. As a consequence, it can be concluded that the theory set for the investigation was largely accepted.

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