

Prasar Bharati (Broadcasting Corporation of India) Act, 1990 – An overview

Introduction

Media is a mediator of information between the citizens and the State. It is the fourth-pillar of our democracy which has a responsibility in shaping the public opinion. A vibrant and a free media is to be necessary for a healthy democracy. As media has the nature of questioning and criticism, so it has a vital role in the whole countries. This means that, for any country which has aspired to democratic norms of governance, should have a free and fair press.

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Prasar Bharati is India's largest public broadcasting agency. It consists of Doordarshan television network and All India Radio. Earlier, both were media units of the Ministry Of Information and Technology. During the emergency time as well as other times, Doordarshan was used for government propaganda. Thus, the Prasar Bharati Act, 1990 was established. The main motive of the Act is to provide freedom to electronic media i.e. the All India Radio and Doordarshan.

History of Prasar Bharati Act, 1990

After 50 years of Independence, in the year 1997 was a year in which measures to free the broadcast media from the control of Government has taken. It was the first time where revolutionary changes are bringing in the field.

- During the Emergency period, Indira Gandhi buried the *Chanda Committee Report*[1]. She openly questioned the need for credibility for the Government media. She widely misused the AIR for political propaganda.

- In 1977, initial steps were taken by *Janata Government* and to suggest a remedy for this, *B.G. Varghese Committee* was appointed. In 1978, a report was submitted by this committee where it was recommended that there should be an independent *National Broadcasting Trust (Akash Bharati)* responsible for both Akashvani and Doordarshan.
- In 1979, a bill was introduced by L.K. Advani in the Parliament. He was Information and Broadcasting Minister at that time. This bill proposed the "*Autonomous Corporation*" for both AIR and Doordarshan which was known as *Prasar Bharati*. The bill lapsed and Congress Government did not re-introduce the bill of its previous government.
- In 1982, P.C. Joshi Committee was appointed whose main aim was to prepare a software plan for Doordarshan. According to this committee, Ministry of Information and Broadcasting should be recognized. They also said that Railway Board should be created in which only professional experienced person should get the entry.
- In 1989, Prasar Bharati Bill was introduced by the National Front Government. Bill borrowed some contents from the previous bill and also added some new changes. V.P. Singh Government moved this bill and was passed in Lok Sabha in August 1990.
- In 1992, Vardan Committee was set up by P.V. Narasimha Rao. The committee was under K.A. Vardan, the additional secretary of Information and Broadcasting Ministry. According to this committee, the second channel of Doordarshan should be leased out in 4 metros and some FM stations should also be leased out.
- The new policies of Narasimha Rao Government are to allow private and foreign broadcasters to engage in limited operations in India.
- Later K.P. Singh Deo, Information and Broadcasting Minister said that the invasion of the foreign media would be responded with an indigenous programming strategy. He made repeated statements that Government was serious about implementing the Prasar Bharati Act, but not want to grant autonomy to Akashvani and Doordarshan.
- Finally, Prasar Bharati came into force in 1997 which is established under the "Prasar Bharati Act" and came into existence on 23rd November 1997.

Doordarshan was founded in 1959. Its motto is "Satyam Shivam Sundaram". In 1960, the terrestrial broadcast was started in Delhi and it was extended to metropolitan cities. Doordarshan was started as a part of All India Radio until it was separated from it in 1976.

All India Radio is the largest radio network in the world. It is a National Public Radio Broadcaster in India which was launched on 1st March 1930. It is officially known as *Akashvani* with its motto "*Bahujana Hitaya Bahujana Sukhaya*".

Both played the role of National and Public Service Broadcaster and served as the voice of the Government and the people. For true Public Service and National Broadcaster, it was decided by the Hon'ble President to convert it into Prasar Bharati.

Grievance Redressal Mechanism

AIR (Prasar Bharati) works at three levels:

1. Concerned Station Level
2. Zonal Headquarter Level
3. Central Headquarter Level

The citizens can approach any concerned officer at any of the three level from the following:

- **Information Facilitation Counter (IFC):** It may be approached for getting the information and necessary help as per the matter. The grievance redressal system is approached to Director of Public Grievance at central level or Grievance officer at local station/office level.
- **Major/Policy/ Planning issues:** These are at central level and anyone can contact or send grievance or complaint to the Director General, Akashvani Bhavan, Parliament Street.[2]
- **Contact for particular grievance matters:**

Any specific grievance matter of the central level can be redressed by approaching any of the following officers at the O/o DG: AIR, Akashvani Bhavan, New Delhi.

For an particular grievance matter one may contact below:

1. *Programme:* Addl. Director General (Programme Planning and Development),

Directorate General, All India Radio, Room No.106, Akashvani Bhavan, Parliament Street, New Delhi-110 001. Tele : 011-23421391, Fax : 011-23421632, Email: ddgppd@air.org.in

1. *Engineering:* Addl. Director General Engineering (Development), Directorate General:All India Radio, Room No.107, Akashvani Bhavan, Parliament Street, New Delhi-110001. Tele : 011-23421464, Fax : 011-23421967, E-mail: ced@air.org.in

2. *News*: Addl. Director General (News), News Services Division, Room No.211, NBH, All India Radio, Parliament Street, New Delhi-110001. TeleFAX : 011-23421209, Email: adgnews2.nsd@nic.in
3. *Administration*: Dy. Director General (Admin.), Room No. 146, 1st Floor, Akashvani Bhavan, Parliament Street, New Delhi-110001. Tele : 011-23421110, Fax : 011-23421110.
4. *Civil Construction Wing (Civil and Electrical Works)*: Addl. Director General Engineering / Chief Engineer (Civil), Civil Construction Wing, Sochna Bhawan, Lodhi Road, New Delhi-110003. Tele :011-24367360, Fax : 011-24367360,E-mail:ce_ccwair@rediffmail.com

Time Frame

- Issue of interim reply to the petitioner: 1-2 week
- Issuance of formal reply to the petitioner: 4-8 weeks
- Forwarding of petition to the concerned authority: 2 weeks
- Referred cases will be disposed finally by the concerned Ministry/ Department/ State and time limit for informing the position of the outcome: 3 months
- 'Sexual Harassment of Women at workplace' cases will be referred to the Complaint Committee: 3 months
- Grievance Redressal: within 3 months, and other issues: As per usual time frame.

Prasar Bharati (Broadcasting Corporation of India) Act, 1990

This Act extends to the whole of India. The Act provides for the establishment of a Broadcasting Corporation. The Act defines composition, powers and functions of the corporation. It grants autonomy to the All India Radio and Doordarshan which were previously under the control of the government. Section 3 of the Act deals with the establishment and composition of the corporation. The corporation is a body corporate having perpetual succession and a common seal with the headquarters in New Delhi.

Structure of the Prasar Bharati Board

The Act specifies General Superintendence, direction and management of affairs of the corporation. Prasar Bharati Board does all such acts and exercises all those powers which may be done by the corporation.

The Board shall consist:

- Chairman
- One Executive member
- One member (Finance)
- One member (Personnel)
- Six Part-time members
- Director-General (Akashvani), *ex officio*
- Director-General (Doordarshan), *ex officio*

- One representative of the Union Ministry of Information and Broadcasting (India), to be nominated by that ministry and
- Two representatives of the employees of the corporation

The President of India appoints Chairman and other member except for ex-officio members, a nominated member and the elected members. There shall be not less than six meetings every year but three months shall not intervene between one meeting and the next meeting.

Functions and Objectives of Corporation

The main motive of the corporation is to educate, inform and entertain the public. By conducting and organizing public broadcasting services to people, it has become easy to provide the information to the people in an easy manner. It also ensures the balanced development of broadcasting on radio and television.

The following objects are namely:

- To provide the autonomy to Akashvani and Doordarshan, so that to ensure the function in a fair, objective and creative manner.
- To uphold the unity and integrity of the country.
- To maintain the democratic and social values which are enshrined in the constitution.
- To look after the safeguarding of the citizen's right to be informed freely, truthfully and objectively.
- To spread literacy, agriculture, rural development, health, family welfare, environment, science and technology.
- To encourage healthy competition and spirit of sportsmanship by providing adequate coverage to sports and games.
- To promote cultures and languages of the various regions by broadcasting many programmes.
- To provide special needs of the youth always organize special programmes.
- To remove the problems of women, pay special attention to the upliftment of the women.
- To take special steps for the protection of the children, the aged, the blind, the handicapped and other vulnerable section.
- To protect the rights of working classes and advancing their welfare.
- To provide the suitable programmes for the needs of the minorities and tribal communities.
- To promote national integration that will maintain the community language of the nation.
- To promote research and development activities of radio broadcast and television broadcast technology.

Parliamentary Committee

According to section 13, it shall consist of twenty-two members of Parliament, out of which fifteen from the House of the People shall be elected by the members and seven from the Council of States shall be elected by the members. The committee shall function according to the rules made by the speaker of the House of the People.

Powers of Central Government

According to the Act, the government has the following powers are:

- From time to time when the government may think fit may issue the directions to the corporation for the unity, sovereignty and integrity of India.
- The Central Government require the corporation to furnish the information which government may consider.
- At the time of any difficulty arises, the central government may by order publish in the official gazette and make the procedure to remove the difficulties.
- The Central Government has also the power to make the rules. The rules may be considered in relation to:
 - The salaries and allowances and condition of service in respect of leave and pension.
 - Allowances payable to the chairman and part-time members.
 - Control, restrictions and conditions for which corporation may appoint officers and other employees.
 - Conditions and restrictions which a Recruitment Board may establish.
 - Qualifications, other conditions and period of the office of the members of the Recruitment Board.
 - Terms and condition of the service of the officers.
 - Form and manner in which the annual statement of record shall be prepared.

Significance of Prasar Bharati

There are two significance of Prasar Bharati:

- India's Public Service Broadcaster
- National Broadcaster

Public and Private Service Broadcaster

Private Broadcasters cannot fulfill the objectives of Public Service Broadcasting. The main motive of Private Broadcaster is to sell products of their advertisers. They depend upon the revenue from their advertisers. Commercial broadcasting will not meet the needs of public service broadcasting because commercial broadcasting assumes the audience as consumers and not as citizens.

National Broadcaster

National Broadcaster Prasar Bharati is the largest technical coverage. The Prasar Bharati services are available in all the corner of the country. In remote and border areas it reaches 99.3% and 91.42% in geographical areas. A strong National Broadcaster is a symbol of national pride for the entire nation. A National Broadcaster is the one which has a great strategic significance in emergency situations like natural calamities, war etc.

Freedom of expression is guaranteed as a fundamental right of the citizen in our constitution. And we all know that Prasar Bharati is a means of expression and a most important part of our democratic set-up. All media's are enjoying full freedom of expressions like Print media and electronic media too. As it is well known that, Print media and electronic media are owned by big corporate sectors and now these companies are enjoying the freedom of expression. So we can't imagine that public broadcaster suffers from every kind of restrictions that put it under the effective control of the government.

To control the growth of Prasar Bharati was in the interest of the private sector since Prasar Bharati came into being on 15th September 1997 with the formal Prasar Bharati Act notification and it commands an unstoppable reach. However, it has not been able to function as the medium of the people. It has practically no freedom except to sing the praise of the government of the day. It is not surprising that it has not risen in public esteem.

Autonomy for Prasar Bharati: Sam Pitroda Committee recommendations

Sam Pitroda Committee has taken minimal action to strengthen the Prasar Bharati in February 2014. Certain recommendations have been made by [Sam Pitroda](#) Committee for the autonomy of Prasar Bharati:

- **Effective Freedom**

To give the effective freedom to the Prasar Bharati, amend the Prasar Bharati Act, 1990.

- **Manpower**

In order to frame rules and regulations and to hire manpower without the approval of the Government, Prasar Bharati should be given the power.

- **Genuine Public Broadcaster**

Prasar Bharati should become a "Genuine Public Broadcaster" as against a "Government Broadcaster".

- **Direct -To-Home(DTH)**

To make the Direct-To-Home (DTH) signals in a primary mode.

- **Allocation of Funds**

To increase the allocation of funds in order to content generation to 50% of the total expenditure within a period of 5-7 years.

- **Technology Front**

To meet the obligations of the public service broadcasting, satellite and digital cables TV operations should be expanded.

- **Social Media**

To define the social media strategy of Prasar Bahrain.

- **Review of Channels**

To review all the channels, Doordarshan and All India Radio and their sub-optimal utilization of the resources should be phased out.

- **Prasar Bahrain Connect (PBC)**

To set up PBC as the third arm of the public service broadcaster, Doordarshan and All India Radio.

- **To create best broadcasting service**

It should be best broadcasting service in the world using next-generation opportunities, strategies, technologies and etc.

Manpower Audit after the recommendation

After the recommendation of Sam Pitroda Committee, Prasar Bharati has prepared a tender to start the manpower audit of the organization in January 2018. The Broadcaster has allowed an RFP (Request for Proposal) by *Broadcast Engineering Consultants India Ltd (BECIL)*. To carry out the audit, a private agency would be finalized soon.

Multiple Manpower Challenges: There are two multiple manpower problems which Prasar Bharati has been facing:

1. Several employees have not seen promotions in a long time.
2. The last recruitment program took place in 1996.

World's largest Public Broadcaster

According to the report of Sam Pitroda Committee, 2014, Prasar Bharati had 33,800 employees and a sanctioned strength of 48,022. On the other hand, BBC had 16,858 staff and public broadcasters of Japan and China had 10,000 each.

Number of channels in Doordarshan

Doordarshan operates 23 television channels and Direct-To-Home (DTH) platform DD Free Dish.

Number of radio stations in All India Radio

AIR operates 420 total radio stations which include FM Channels, local radio stations, Vividh Bharati Stations and five community radio stations.

Prasar Bharati signs MOU to set up cooperation in the Broadcasting Sector

Recently in 2017, Prasar Bharati signed MOU with Morocco's Societe Nationale de Radiodiffusion et de Television for the cooperation of broadcasting sector. The MOU was signed during the fifth India Morocco Joint Commission Meeting (JCM) in Rabat, Morocco's capital. The MOU was signed by Kheya Bhattacharya, Ambassador of India, on behalf of Prasar Bharati and Faycal Laraichi, Chief Executive Officer of SNRT.

Case Laws

•Union of India v. Board of Control for Cricket in India and Ors. [3]

The Supreme Court held that Prasar Bharati cannot engage in free transmission of the signals of live sporting or cricketing events, received from content right holders/owners, to cable operators.

•Union of India v. Cricket Association of Bengal [4]

Supreme Court held that broadcasting should be under the control of public and should be operated by the public statutory corporation. This is implicit in Article 19(1)(a) where the corporations, whose constitution and composition must be in such order to ensure their impartiality in political, economic and social matters and other public issues.

The right of free and expression includes the right to receive the information. It is necessary that citizens have the benefit of the plurality of views and must have opinions on the all public issues. There must be a diversity of opinions, views, ideas and ideology among the citizens. Private Broadcasting is more prejudicial to the right of free speech of the citizens than the government controlled media.

•BCCI-Nimbus Prasar Bharati Case [5]

According to the Court, the objects and purpose of the Sports Act are to provide access to the largest number of the viewer through sports broadcasting channels with Prasar Bharati. Court also said that it should be essentially directed towards those citizens who do not have access to cable television and only access to terrestrial and DTH networks of Prasar Bharati. Court also pointed out the virtue of Section 12(3)(c) of the Prasar Bharati Act.

Today's Broadcasting Scenario

Today, collaboration with western channels has become an accepted practice in India. India is a country where there are number of cultures, religions and languages. The National Broadcaster has a vital role in the national security, integrity and unity. It can't be expected from Private Commercial Broadcaster for the national integration. In February 2007 when the coverage given by the private broadcasters to the 36th national games held at Guwahati, Assam shows their real attitude. Because of this, it provoked the I&B Minister to ask in a television interview, "*Why you not shown National games, Are you not Indian citizens, only Prasar Bharati Shown it*".

In a democratic country like India, the basic objective of National or Public Service Broadcaster is to strengthen the democratic process by providing information, promoting debate and discussions on all the main issues.

List of relevant websites

Main Link: <https://blog.ipleaders.in/prasar-bharati-broadcasting-corporation-of-india-act-1990-an-overview/>

Prasar Bharati: <http://prasarbharati.gov.in>

All India Radio-Organization: www.allindiaradio.org

All India Radio-News Services Division: <http://www.newsonair.com> and, www.newonair.nic.in

Doordarshan: <http://www.ddindia.gov.in>

Ministry of Information and Broadcasting: <http://mib.nic.in>