

Content Certification Rules, 2007

(These rules shall replace Rules 6 & 7 of the Cable Television Networks Rules, 1994).

CHAPTER - I

Definitions

“**Categorization**” of a programme implies calibration of a program according to theme, subject matter treatment and audio visual depiction suitable for the four categories of ‘U’, ‘U/A’, ‘A’ and ‘S’ programs. All programmes/scenes/advertisements will be categorized based on the following:

Theme: Subject matter, topic or idea of content

Subject matter treatment: the treatment given to the overall theme keeping in view the ‘Likely impact’ among viewers or listeners.

Audio visual presentation: On screen/ on air presentation of the theme.

“**Category U**” These programmes are suitable for all ages and suitable for unrestricted viewing.

“**Category U/A**” These programmes contain material unsuitable for children less than 12 years of age. These are for restrictive viewing only by adults or by minors above the age of 12 years under parental guidance.

“**Category A**” Programmes are meant for mature audience only – These programs are meant to be viewed by adults and, therefore, may be unsuitable for children under 18 years.

“**Category S**” Films or programmes under special category on scientific, technical or medical subjects are restricted to members of any profession or any class of persons (such as Doctors, etc), as may be certified by the Central Board of Film Certification.

“**Defamation**” : It will have the same meaning as given in the Indian Penal Code (IPC)

“**Depiction of cruelty to animals**” means any visual or auditory depiction, including any photograph, motion-picture film, video recording, electronic image or sound recording, of conduct in which a living animal is intentionally harmed, maimed, mutilated, tortured, wounded or killed or any other such conduct that is illegal under the animal-protection laws.

“**Identifiable larger public interest**” include revealing or detecting crime or disreputable behaviour, protecting public health or safety, exposing misleading claims made by individuals or organizations, or disclosing significant incompetence in public office.

“**Libel**”: A published (including broadcast) false statement that is damaging to a persons’ reputation; a written defamation.

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“**Pornography**” means Description or depiction of sexual acts or naked people in a way that is intended to cause sexual excitement but would be considered of no artistic value or unpleasant or offensive by most people.

“**Slander**”: The action or crime of making a false spoken statement damaging to a person’s reputation

“**Suffering**” shall mean and include physical or mental pain or distress or trauma caused to a human being or an animal by mistreatment.

“**Trophy**” means the whole or any part of any captive animal or wild animal that has been kept or preserved by any means, whether artificial or natural, and includes;

1. Rugs, skins and specimens of such animals mounted in whole or in part through a process of taxidermy; and
2. Antlers, horns, hair, feathers, nails, teeth, musks, eggs, nests rhinoceros horn.

“**Violence**” means any overt depiction of a credible threat of physical force or the actual use of such force intended to physically harm an animate being or group of beings and includes domestic violence and all kinds of sexual harassment and torture in word, gesture or action.

Violence also includes certain depictions of physically harmful consequences against an animate being or group that occur as a result of unseen violent means.

“**Warranted**” means that where broadcasters wish to justify an infringement of privacy as

warranted, they should be able to demonstrate why in the particular circumstances of the case, it is warranted. If the reason is that it is in the public interest, then the broadcaster should be able to demonstrate that the public interest outweighs the right to privacy. Examples of public interest would include revealing or detecting crime, protecting public health or safety, exposing misleading claims made by individuals or organisations or disclosing incompetence that affects the public.

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CHAPTER II

1. Scheduling Rules

1. The Broadcast Service Provider (BSP) shall ensure that all programmes are categorized as follows:

- (a) Category 'U' for programmes which are suitable for unrestricted viewing by all viewers;
- (b) Category 'U/A' or 'PG' for programmes which are suitable for restricted viewing only by adults or by minors above the age of 12 years under parental guidance
- (c) Category 'A' for programmes which are suitable for restricted viewing only by adults above the age of 18 years..
- (d) Category 'S' for scientific, technical and medical programmes or films which are suitable for restricted viewing by professionals or a class of persons for professional or educational purposes.

2. The BSP shall broadcast each category of program in accordance with scheduling set out below:

S.No Category of Programme Scheduling of programme

- 1. Categories 'U' & 'S' At all times
- 2. Category 'U/A' 8:00 pm to 4:00 am
- 3. Category 'A' 11:00 pm to 4:00 am

Provided that the BSP shall ensure that programmes of 'adult' genre are edited to fit Category 'A' in conformity with restrictions given in the Categorization System.

Provided further that for News and Current Affairs (N & C A) programming, the BSP shall carry prominent warnings and appropriately mask such news coverage scenes as are not in accordance with the above scheduling, before broadcasting them in News Bulletins.

3. Notwithstanding anything contained in any other rules or regulations in force for the time being, the BSP shall obtain prior certification from the CBFC or any other authority as may be authorized by the Central Government or the BRAI, for:

- a. All films (including foreign films, music videos, albums, trailers, promos, songs etc).
- b. All programmes or advertisements containing promotional materials of products having the same or similar brand name or logo as any of the tobacco or liquor products.

And shall broadcast them on television or radio only after such certification and shall schedule them consistent with their certified categorization as above.

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CHAPTER III

Categorization System

Except in cases where preview and certification by the CBFC or any other-competent authority is prescribed, all content i.e. every film, programme or advertisement shall be self-certified by a Broadcasting Service Provider (BSP) under any one of the categories on the basis of the subject matter treatment and audio-visual presentation of various themes as may be prescribed from time to time. While each film, programme or advertisement shall be certified and given an overall categorization by the CBFC or the BSP or any other competent authority, as the case may be, each scene or dialogue shall be scrutinized for its conformity to the norms prescribed for various themes given below. It is mandatory that each and every scene or dialogue is adjudged 'U' to obtain overall 'U' certification. Any content that violates the prescribed restrictions may be

refused certification by the CBFC or the BSP or any other competent authority for reasons to be recorded in writing and after giving a reasonable opportunity to the applicant/content provider to explain his position or make suitable modification in the content.

News & Current Affairs (N & CA) programming shall be governed by Chapter- IV in addition to the contents of this Chapter.

All other content shall be categorized in accordance with the following norms:

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Theme 1: Crime & Violence

Subject Matter Treatment: While the overall theme, storyline and characterization may justify one or more

specific scenes of crime or violence, the subject-matter treatment of such content under all categories shall

not:

1. Induce, incite, encourage, justify, reinforce or glorify violence or terror or its perpetrators or contain anything against the maintenance of law and order or promote anti-national attitudes.
2. Present violence as glamorous or an acceptable solution to human conflict.
3. Incite violence against specific groups identified by race, national or ethnic origin, colour, class, religion, gender, sexual orientation, age or mental or physical disabilities.
4. Present criminality as desirable and / or glamorous.
5. Endanger human lives or prejudice the success of attempts to deal with a hijack or “hostage” or kidnapping crisis or a law & order situation or any other security-related or criminal investigation.
6. Have a traumatic, desensitizing or dehumanizing effect that could lead to psychological disorders or unsocial attitudes or behavior, particularly among minors.
7. Encourage emulation of criminal or violent behavior.
8. Provide opportunities to copy the modus operandi of criminals and thereby encourage commission of any offences or crimes.
9. Encourage the possession of wildlife as trophies.

Audio – Visual Presentation: The audio visuals presentation of any content will be given in a responsible

and aesthetic manner, subject to the condition that the following shall not be included in respective categories

below:

Category ‘U’

- a) Explicitly depict excessive or gruesome crime or violence.
- b) Explicitly portray eccentric or abnormal type of violence or extremely dangerous behavior.
- c) Show excessive blood or gore, dismembered or disfigured limbs or bodies.
- d) Depict images of dead or seriously wounded people or gruesome and gory scenes while showing violent events, natural calamities or accidents.
- e) Depict explicit cruelty or violence towards animals (whether live or simulated) or whose production may subject animals to excessive pain, fear, or suffering.
- f) Show details of methods of suicide or self harm.

Category ‘U/A’

- a) Excessively explicit or gruesome crime or violence.
- b) Excessively explicit portrayal of eccentric or abnormal violence or dangerous behavior.
- c) Close-ups or prolonged shots of dismembered or disfigured limbs or bodies.

- d) Depict images of dead or seriously wounded people or gruesome and gory scenes while showing violent events, natural calamities or accidents.
- e) Depict explicit cruelty or violence towards animals, or whose production may subject animals to excessive pain, fear or suffering.
- f) Show details of methods of suicide or self harm

Category 'A'

- a) Prolonged or frequent close-up shots of gruesome crime of violence.
- b) Prolonged or frequent portrayal of explicit eccentric or abnormal violence or dangerous behavior.
- c) Prolonged close-up shots of blood and gore or dismembered or disfigured limbs or bodies.
- d) Depict images of dead or seriously wounded people or gruesome and gory scenes while showing violent events, natural calamities or accidents,
- e) Prolonged or frequent depiction of simulated explicit cruelty or violence towards animals, or whose productive may subject animals to excessive pain, fear or suffering.

Theme 2: Sex, Obscenity & Nudity

Subject Matter Treatment: While subjects of themes exploring human relationships may included sexual

relations, the subject-matter treatment of such content under all categories shall not:

1. Be adult oriented and focus on themes such as incest, paedophilia, or other perverted or socially unacceptable practice of any kind or encourage, justify or glorify such practices except under 'A' category.
2. Incite or encourage viewers to obscene or indecent behavior or breach of law.
3. Present sex, nudity, kissing or offensive behavior or language so as to glorify, encourage or justify indecent or obscene behavior.
4. Present the figure of a woman, her form or body or any part thereof in such a way as to have the effect of being indecent or derogatory to woman or depict women as mere objects or symbols of sexual desires or behavior.

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included in respective categories below:

Category 'U'

- a) Included coarse or abusive language or contain double meaning dialogues bearing sexual connotations.
- b) Show nudity, in any manner, of or full female breast/s either explicitly or through thinly veiled or revealing or suggestive clothing.
- c) Show kissing on the lips or kissing or fondling of femalebreasts or human or animals sexual organs.
- d) Show crude gestures or movements or include sound suggestive or sexual activity.
- e) Show explicit images of sexual activity or sexual perversions or violence including rape, molestation etc.
- f) Show pornography.

Category 'U/A'

- a) Highly coarse language with explicit sexual connotations.
- b) Show nudity, with full exposure of lower abdomen or sexual organs or posterior or full females breast/s.
- c) Show kissing on the lips or kissing or fondling of female breasts or human or animal sexual organs.
- d) Close-up shots of indiscreet or crude gestures or movements or sounds, suggestive of sexual activity.

e) Show explicit images of sexual activity or sexual perversions or violence including rape, molestation etc:

f) Show pornography

Category 'A'

a) Prolonged or frequent use of highly coarse language or dialogues with explicit sexual connotations.

b) Show complete nudity with full exposure of sexual organs or full female breast/s

c) Prolonged or passionate kissing on the lips or fondling of females breasts or human or animal sexual organs.

d) Prolonged or frequent depiction of crude or indiscreet gestures or movements or sounds suggestive of sexual activity.

e) Show explicit images of sexual activity or sexual perversions or violence including rape, molestation etc.

f) Show pornography

Theme 3: Horror & Occult

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Subject Matter Treatment: While subjects or themes dealing with exorcism, the occult, the paranormal, divination, human or animal sacrifice or such other practices depicting horror may be covered only in 'A' category provided the storyline or the characters justify these and the subjects matter treatment does not in any way:

1. Justify, encourage or glamorize such practices
2. Instill fear or revulsion about the consequences of not following such practices
3. Encourage blind belief or superstitions in the efficacy of such practices
4. Enable the viewer to emulate such practices or learn their details or sources.
5. Depict women as witches in programs on occult

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included in respective categories below:

Category 'U'

a) Depiction of horror or violence related to occult, exorcism, the paranormal, divination or human or animal sacrifice or other such practices.

b) Depiction of such practices in such morbid details so as to make them look realistic and efficacious.

c) Use of formats such as song or dance sequences that glamorize or highlight the evil effects of such practices

Category 'U/A'

a) Prolonged, frequent or gratuitous depiction of horror related to the occult, exorcism, the paranormal, divination or human or animal sacrifice or other such practices.

b) Depiction of such practices in such morbid details so as to make them look realistic and efficacious.

Category 'A'

a) Prolonged, frequent or gratuitous depiction of excessive horror related to the occult, exorcism, the paranormal, divination or human or animal sacrifice or other such practices.

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Theme 4: Drugs, Smoking, Tobacco, Solvents & alcohol

Subject Matter Treatment: While use of illegal or narcotic drugs or tobacco and tobacco products or smoking, or the abuse or misuse of drugs, alcohol or solvents, may be shown only under 'A' category if the theme, storyline or the characters justify these, provided the subjectmatter

treatment shall not in any way:

1. Justify, promote, encourage or glamorize use or misuse of such products

2. Enable the viewers to learn and emulate various ways of their abuse or misuse
3. Omit to highlight their ill effects on personal health or social behaviour or criminal tendencies.

Note : Depiction of public health messages or programs on de-addiction shall not be governed by the above restrictions.

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included in respective categories below:

Category `U`

- a) Depict the use of illegal or narcotic drugs or tobacco and tobacco products or smoking, or the abuse or misuse of drugs, alcohol or solvents or other such harmful products.
- b) Depict the details of methods of preparation or procurement or such use or abuse or misuse of such harmful products.
- c) Use formats such as song or dance sequences that highlight such activities.

Category `U/A`

- a) Depict the use of illegal or narcotic drugs or tobacco and tobacco products or smoking, or the abuse or misuse of drugs, alcohol or solvents or other such harmful products.
- b) Depict the details of methods of preparation or procurement or such use or abuse or misuse of such harmful products.

Category `A`

- a) Prolonged or frequent or gratuitous depiction of the use of illegal or narcotic drugs or tobacco and tobacco products or smoking, or the abuse or misuse of drugs, alcohol or solvents or other such harmful products.
- b) Depict the details of methods of preparation or procurement or such use or abuse or misuse of such harmful products.

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Theme 5: Libel, Slander & Defamation

Subject Matter Treatment: While reports or comments on historical or current events, ideas, individuals or institutions may be presented, the subject-matter treatment under all categories shall not in any way:

1. Deliberately present as true any unverified or inaccurate facts or half truths or innuendoes so as to avoid trial by media since “a man is innocent till proven guilty by law”. In such cases care should be taken to present both sides of the story and present a balanced view.
2. Defame or malign any individual person, or certain groups or segments of society.
3. Present facts and views in such a manner as is likely to mislead the public about their factual accuracy or veracity.
4. Mislead the public by mixing facts and fiction in such a manner that the public are unlikely to be able to distinguish between the two
5. Present the views or interests of the broadcaster or its employees as representative of the views or interests of the public without giving verifiable evidence.
6. Present a distorted picture of the reality by over-emphasizing or under-playing certain aspects that may trivialize or sensationalize the content.
7. Make public any activities or material relating to an individual’s personal or private affairs or which invades an individual’s privacy unless there is an identifiable larger public interest.

Any infringement of privacy in programmes, or in connection with obtaining material included in programmes, must be “warranted”.

Audio – Visual Presentation: The audio visual presentation of content under all categories (`U` or `U/A` or `A`) relating to reports and comments on historical or current events, ideas, individuals or institutions shall not in any manner.

- a) Portray fictional incidents as facts by failing to use tools of fiction like music or animation or sketches or diagrams or such other techniques or disclaimers as would clearly convey to the public the distinction between fact and fiction.
- b) Juxtapose audio-visuals or images of events, ideas, individuals or institutions, along with comments, in such a manner that the public is unlikely to discern the correct relationship between the visuals and the commentary or be misled into believing in factually incorrect information, which may adversely affect the reputation of the concerned individual or group or institution.
- c) Present simulated news (for example, in drama or in documentaries) in such a way that it is likely to mislead the public into believing that they are listening to, or watching, actual news.
- d) Portray distorted picture of the reality by repetitive broadcast of file (old) audio visuals.

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Theme 6: Religion & Community

Subject Matter Treatment: The subject-matter treatment of any program under all categories shall not in any manner:

1. Defame religions or communities or be contemptuous of religious groups or promote communal attitudes or be likely to incite religious strife or communal or caste violence.
2. Incite disharmony, animosity, conflict, hatred or ill will between different religious, racial, linguistic groups, castes or communities.
3. Counsel, plead, advise, appeal or provoke any person to destroy, damage or defile any place of worship or any object held sacred by any religious groups or class of persons.
4. Proselytize any particular religion as the 'only' or 'true' religion or faith or provoke, appeal, advise, implore or counsel any person to change his religion or faith.
5. Play on fear of explicit or implicit adverse consequences of not being religious or not subscribing to a particular faith or belief.
6. Promote any dangerous, retrogressive or gender discriminatory practices in the name of religion or faith or ideology.

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included under all categories (U, U/A & A):

- a) Distort or demean or depict in a derogatory manner the physical attributes or social customs and practices of any ethnic, linguistic, religious groups or any caste or communities.
- b) Distort or demean or depict religious or community symbols or idols or rituals or practices in a derogatory manner.

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Theme 7: Harm & Offence

Subject Matter Treatment: The subject-matter treatment of any program under all categories shall not in any manner:

1. Create public panic or unnecessary alarm, which is likely to encourage or incite the public to crime or lead to disorder or be offensive to public feeling.
2. Ridicule, mock or scorn physically or mentally challenged persons.
3. Encourage superstition about the causes of mental illness or stigmatize the mentally sick as violent or dangerous.
4. Stereotype mental health practitioners as unethical or exploitative
5. Disclose the location of a person's home or family without permission, unless it is warranted
6. Question minors about private matters without the consent of a parent or legal

guardian unless it is warranted to proceed without such consent for an identified larger public purpose.

7. Stereotype women as passive or submissive so as to promote or glorify their subordinate or secondary role in the family or society.
8. Portray women as primarily driven by sexual impulses or the female body or form as an object of sexual exploitation.
9. Promote, glorify or justify social evils such as child marriage, dowry, bigamy, son preference, etc.
10. Glamorize, promote, encourage such activities & sports which encourage ecological imbalance and hurt animals.

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included under all categories (U, U/A & A) below:

- a) Depict the physical attributes or personality traits or mental deficiencies of an individual or a class of individuals in a derogatory manner so as to evoke ridicule or contempt.
- b) Depict mentally challenged people as more violent or dangerous than the common persons.
- c) Show scenes involving children in violence as victims or as perpetrators or as forced witnesses to violence or being subjected to any form of child abuse.
- d) Portray by gestures or expressions or words or images that women are primarily driven by sexual impulses or that the female body or form is an object of sexual exploitation.
- e) Reveal the identity of an individual or his family or location of his home or fail to protect the privacy of his personal or private activities by failing to use suitable techniques such as masking blurring, changing names or identities etc., particularly in the cases of minors, victims of sexual violence or dreaded diseases like HIV/AIDS or natural or other disasters unless there is an identifiable larger public interest involved.

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Theme 8: Advertisements

Subject Matter Treatment: The subject-matter treatment of any advertisement under all categories shall not in any manner:

1. Place any advertisement or promotional material as content in news or current affairs programs without specifically acknowledging it as such.
2. Place in the content of any film or program, any advertisement or promotional material of such products or services as are prohibited from being advertised or promoted or which are considered illegal or anti-social or harmful.
3. Have a purpose that is wholly or mainly of a religious or political nature or is directed towards any religious or political end.
4. Make unsubstantiated claims about the impact of its products or services on individuals, events, society or nature, including environmental impact.
5. Endanger the safety of children or create in them any interest in unhealthy practices or show them begging or in undignified or indecent manner.
6. Use a situation, performance, or style reminiscent of a program in a way that might confuse viewers as to whether they are watching a program or an advertisement.
7. Refer to an advertisement in a way that might lead viewers to believe they are watching a program.
8. Violate the code for self regulation in advertising as adopted by Advertising Standards Council of India (ASCI), and as may be modified from time to time.
9. Promote, glorify or justify social evils such as child marriage, dowry, bigamy, son preference, etc
10. Contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super natural properties or

qualities, which are difficult of being proved.

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included in all categories (U, U/A & A) below:

- a) Juxtapose an advertisement with a program in such a manner that not more than 20% of the screen is used to carry captions, static or moving images alongside the program.
- b) Place in the content of any program, any advertisement or promotional material of such products or services as are prohibited from being advertised or promoted, or which are considered illegal or anti-social or harmful.

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Theme 9: General Restrictions

Subject Matter Treatment: The subject-matter treatment of any program under all categories shall not in any manner:

1. Contravene the Constitution of India or the applicable Indian laws
2. Cast aspersions against integrity of the Nation
3. Involve defamation or contempt of court.
4. Adversely affect the judicial process of the country
5. Affect the integrity of the country or jeopardize or endanger the security of the State
6. Cast aspersions against the integrity of the President or the Judiciary
7. Exploit the national emblem .

Audio – Visual Presentation: The audio visual presentation of any content will be given in a responsible and aesthetic manner, subject to the condition that the following shall not be included in all categories (U, U/A & A) below:

- a) Distort or demean or depict national emblem or symbols or national geographical boundaries in a derogatory manner deliberately.

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CHAPTER IV

NEWS AND CURRENT AFFAIRS (N & CA) PROGRAMMING

Subject Matter Treatment :

1. Broadcasters shall observe general community standards of decency and civility in news content and scheduling, taking particular care to protect the interest and sensitivities of children and general family viewing. Great care and sensitivity should be exercised to avoid shocking, offending or misleading the audience.

2. News should be reported with due accuracy and presented with due impartiality. Accuracy requires the verification (to the fullest extent possible) and presentation of all facts that are necessary to understand a particular event or issue.

‘Due’ is an important qualification to the concept of impartiality. Impartiality itself means not favouring one side over another. ‘Due’ means adequate or appropriate to the subject and nature of the programme. So ‘due impartiality’ does not mean an equal division of time has to be given to every view, or that every argument and every facet of every argument has to be represented. The approach to ‘due impartiality’ may vary according to the nature of the subject, the type of programme and channel or service, the likely expectation of the audience as to content, and the extent to which the content and approach is signalled to the audience.

Balance, or impartiality, requires the presentation of all the main points of view or interpretations of an event or an issue, Accuracy and impartiality has to be ensured regardless of whether the BSP, reporter, editor or the audience agrees with these views. Any mistake in news should be acknowledged and corrected on air within a week after coming to notice of the mistake. Corrections and apology should be scheduled in the

same time band where the initial error had occurred.

3. News should be well balanced and BSP shall endeavour that news is comprehensive, factual material is presented accurately and all viewpoints represented fairly. Commentary and analysis shall be clearly distinguished in the news and actual news should precede the commentary and analysis.

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4. In presenting Talk Shows/Discussions on any issue of public importance, views both for and against must be presented in a balanced manner, truly, objectively and impartially.

5. Any personal interest of a reporter or presenter, which would call in to question the due impartiality of the programme, must be made clear to the audience.

6. Good taste should guide the selection and presentation of news. Morbid, sensational, or alarming details not essential to factual reporting should be avoided.

7. BSP should not give undue prominence to the view and opinions of particular person or bodies on matters of political or industrial controversy and matters relating to current public policy.

8. Tools of fiction like music and animation used to whip up emotions blur the line between entertainment and news. For any fictional picturization of news and events or/and repackaging with fictional elements, the yardsticks applicable to the programme will be similar to non-news and current affairs guidelines mentioned in this Broadcasting Content Code.

9. News should not jeopardize the security of the nation and care should be taken that news broadcasts are in the interest of the nation. All plans for a broadcast which explore and expose the views of people who use or advocate violence for the achievement of political ends must be considered carefully by senior editorial/ management before any arrangements for broadcasting are made.

10. News should not jeopardize any ongoing criminal investigation and should exercise due care in such cases.

11. BSP's should avoid a trial by media since "a man is innocent till proven guilty by law". In such cases care should be taken to present both sides of the story and present a balanced view.

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12. No material should be presented in any manner that creates public panic and unnecessary alarm. BSP has to ensure that nothing is broadcast which is likely to encourage or incite viewers to crime or lead to disorder or be offensive to public feeling.

13. News covering scenes of crime, violence, national tragedy and obscurantist supernatural practices should be dealt with utmost objectivity and sensitivity and not with a view to trivialize, sensationalize or glorify them.

14 Infringement of privacy in a news based/related programme is a sensitive issue. There have been a slew of programmes where privacy of individuals appears to have been breached in public interest, however public opinion has been divided on this. Therefore, this calls for exercise of great degree of responsibility on part of the BSP, while telecasting any such programs, as may be breaching privacy of individuals. Failure to follow the tenets given below will constitute a breach of this Chapter of the Code resulting in an unwarranted infringement of privacy:

14.1 Channels must not use material relating to persons' personal or private affairs or which invades an individual's privacy unless there is an identifiable larger public interest reason for the material to be broadcast.

14.2. Senior editorial control must be exercised for selecting material in issues relating to privacy and intrusion into public affairs.

14.3. Any infringement of privacy in news based/related programmes, or in connection with obtaining material included in such programmes, must be "warranted".

14.4 Any infringement of privacy in the making of a news based/related programme should be with the person's and/or organization's consent or be otherwise "warranted".

(a) If the broadcast of a news based/related programme would infringe the privacy of a person or organization, consent should be obtained before the relevant programme is broadcast, unless the infringement of privacy is warranted. (Callers to phone-in shows are deemed to have given consent to the broadcast of their contribution).

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(b) If an individual or organization's privacy is being infringed, and they ask that the filming, recording, or live broadcast be stopped, the BSP should do so, unless it is warranted to continue.

(c) When filming or recording in institutions, organizations, or other agencies permission should be obtained from the relevant authority or management, unless it is warranted to film or record without permission. Individual consent of employees or others whose appearance is incidental or where they are essentially anonymous members of the public will not normally be required.

(d) However, in potentially sensitive places such as ambulances, hospitals, schools, prisons or police stations, separate consent should normally be obtained before filming or recording and for broadcast from those in sensitive situations (unless not obtaining consent is warranted). If the individual will not be identifiable in the programme, separate consent for broadcast will not be required.

14.5. Scenes of human suffering and distress are often an integral part of any report of the effects of natural disaster, accident or human violence, and may be a proper subject for actuality rather than indirect reporting. But before presenting such scenes, broadcasters must balance the wish to serve the needs of truth and the desire for compassion against the risk of sensationalism and the possibility of unwarranted invasion of privacy. In particular, while reporting natural or manmade calamities, human violence and deaths, the feelings and sensitivities of grieving relatives or the injured must be respected and interviews avoided unless consent has been obtained

14.6. The means of obtaining material must be proportionate in all the circumstances and in particular to the subject matter of the news based/related programme.

14.7. The BSP should ensure that the reuse of material, i.e., use of material originally filmed or recorded for one purpose and then used in such a programme for another purpose or used in a later or different programme, does not create an unwarranted infringement of privacy. This applies both to material obtained from others and the BSP's own material.

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14.8. Door stepping for news/news based programmes should not take place unless a request for an interview has been refused or it has not been possible to request an interview, or there is good reason to believe that an investigation will be frustrated if the subject is approached openly, and it is warranted to doorstep.

Door stepping is the filming or recording of an interview or attempted interview with someone, or announcing that a call is being filmed or recorded for broadcast purposes, without any prior warning. It does not, however, include vox-pops (sampling the views of random members of the public).

14.9. The BSP can record telephone calls between the BSP and the other party if they have, from the outset of the call, identified themselves, explained the purpose of the call and that the call is being recorded for possible broadcast (if that is the case) unless it is warranted not to do one or more of these practices. If at a later stage it becomes clear that what has been recorded will be broadcast (but this was not explained to the other party at the time of the call) then the BSP must obtain consent before broadcast from the other party, unless it is warranted not to do so.

14.10. The BSP should be particularly careful not to provide clues which may lead to the identification of those who are, or might be, involved as a victim, witness, defendant or other perpetrator in the case of sexual or other offences featured in criminal, civil or family court proceedings.

14.11.

(a) The BSP should pay particular attention to the privacy of minors. They do not lose their rights to privacy because, for example, of the fame or notoriety of their parents or because of events in their schools.

Where a programme features a minor in a way that infringes privacy, consent must be obtained from:

(i) a parent, or legal guardian; and

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(ii) wherever possible, the individual concerned;

unless the subject matter is trivial or uncontroversial or it is warranted to proceed without consent.

(b) Minors should not be questioned about private matters without the consent of a parent or legal guardian unless it is warranted to proceed without consent.

(c) The BSP should be particularly careful not to provide clues which may lead to the identification of those who are not yet adult and who are, or might be, involved as a victim, witness, defendant or other perpetrator in the case of sexual offences featured in criminal, civil or family court proceedings.

(d) When covering any pre-trial investigation into an offence, the BSP should pay particular regard to the potentially vulnerable position of any person who is not yet an adult and who is involved as a witness or victim, before broadcasting his/her name, address, identity of school or other educational establishment, place of work, or any still or moving picture of the minor. Particular justification is also required for the broadcast of such programme relating to the identity of any person who is not yet adult and who is involved in the defence as a defendant or potential defendant.

Audio- Visual Presentation :

1. No advertising matter shall be offered as news or included in the content of a news programme or newsreel.

2. Any scene/clipping/footage depicting excessive violence, nudity, obscenity and vulgarity that is not suitable of viewing by children and in family setting must be avoided.

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3. Simulated news (for example, in drama or in documentaries) must be broadcast in such a way that there is no reasonable possibility of the audience being misled into believing that they are listening to, or watching, actual news.

4. While reporting violent events, natural calamities and accidents, appropriate regard must be paid to the feelings of relatives and viewers and inclusion of images of dead or seriously wounded people or gruesome and gory scenes, which may seriously distress or offend substantial number of viewers, should not be included in the telecast. The feelings and sensitivities of grieving relatives or the injured must be respected and interviews avoided.

5. The dead should be treated with respect and not shown unless there are compelling reasons for doing so. Close ups of faces and serious injuries in case of disasters/riot etc. should be avoided.

6. Broadcasters shall advise viewers in advance of showing scenes of extra-ordinary violence, or graphic reporting on delicate subject matter such as sexual assault or court action related to sexual crimes, particularly during newscasts and updates when children could be viewing. Senior editorial control must be exercised for selecting material in

relation to telecast of violent events, accidents and natural calamities, in addition to examination by the Content Auditor.

7. Language which could incite to violence, disorder or hatred must not be used. The gratuitous use of language likely to offend must be avoided when images depicting human tragedy or excessive violence or audio material are telecast. Warning both, oral and visual must precede the telecast.

8. Information, which discloses the location of a person's home or family, should not be revealed without permission, unless it is warranted.

9. With regard to minors, victims of rape and sexual crimes greatest care should be taken to protect their identity.

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10. Repetitive broadcast of file (old) audio-visuals, which create a distorted picture of reality should be avoided.