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# Strengthening self-regulation

Given the crucial role that the media plays in the economy and in maintaining a healthy growth rate, the question of accountability is a significant one

Fine Print | PN Vasanti

The provocative remarks made by the new chairman of the Press Council of India (PCI), Markandey Katju, have given rise to a great deal of debate. Katju criticized the news media in a television interview for low professional standards and called for more measures to make journalists accountable, including the levy of penalties such as the withdrawal of government advertising.



While his comments didn't contain anything that was surprising, original or what hasn't already been mentioned by a number of leaders, including earlier PCI chiefs, they were nonetheless hard-hitting and confrontational.

However, the arguments that have been raised as a result are pertinent and timely. The transformation in the media landscape since the advent of

private television channels and technological advances in the past two decades have led to a number of issues that both the industry and the government need to address.

Given the crucial role that the media plays in the economy and in maintaining a healthy growth rate, the question of accountability is a significant one.

This issue has somehow eluded the media sector. As a key pillar of democracy or as an important business sector, the responsibility to stakeholders and to society is sacrosanct. Given the sensitivity of the industry and the limitations of its market structure, the need for mechanisms or systems to ensure accountability are all the more important.

The response that has been held up as shield by the media is self-regulation—a form of delegated regulation that assumes the space that government otherwise would. There are a series of industry bodies—the News Broadcasters Association (NBA), the Indian Broadcasting Foundation (IBF) and the Broadcast Editors Association (BEA)—that have recently been set up to counter any move made by the government to regulate or question the media. One self-regulation model that is often cited as a good example for emulation is the Advertising Standards Council of India (ASCI), which uses a Consumer Complaints Council (CCC), something that other industries have adopted.

The CCC comprises various industry stakeholders and also civil society

representatives who regularly meet to address complaints received by ASCI. According to ASCI's 25th annual report (2010-2011), CCC met 12 times and considered 777 complaints against 190 ads, of which 104 were upheld, 80 were not and six were deemed non-issues. Even more noteworthy is that out of the 104 complaints upheld, in 84 cases the advertisement was withdrawn or modified in line with the CCC decision.

ASCI says its membership covers almost two-thirds of the advertising industry and that it encourages representation from advertisers, press/media, advertising agencies and allied professions. The total membership is put at 313 in the 2010-2011 annual report.

ASCI has launched programmes to increase consumer awareness about misleading commercials and pressed the industry to "advertise with a conscience".

What has given ASCI credibility is its ability to keep adapting to a vibrant media scenario and coming up with dynamic guidelines and initiatives.

For example, last year it issued norms for advertising by the educational sector to make sure that all stakeholders would know which lines they shouldn't cross.

But many consumers of the media, including me, would still argue that advertisements can be quite misleading, often offensive and are frequently insensitive to social and cultural realities. And while ASCI is a great initiative to address issues and maintain standards, it's not adequate to address the scope and complexity of the subjects involved.

ASCI has already realized this and is working closely with the government, consumer courts and other industry bodies to make itself more effective.

There are many lessons on self-regulation from the evolution of the ASCI, especially on the various means of consumer involvement in the system. However, the experience also shows ineffective legislative support to be one of the major limitations of effective self-regulation.

We can continue to debate the modality and systems to address the question of media accountability but cannot escape the need for it.

Clearly, the shield (and often the sword) of self-regulation that the media flaunts today is not sufficient to survive the era of transparency that we are experiencing in our country today.

Till then, unless self-regulation efforts are supported with Constitution-based independent mechanisms that are aligned to national concerns (and not just industry interests), we will continue to hear the issues that were raised by Katju.

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