

ORDER

In the matter of a Complaint against the Programme 'The Dead Zone' telecast by Prime Big CBS Channel at 8:56 PM on 1st December 2012

The Ministry of Information & Broadcasting has filed a Complaint against the programme 'The Dead Zone', which was telecast on Big CBS Prime Channel at 8:56 PM on 1st December 2012. The Complaint is summarized as under:

"The first scene shows a couple engaged in a lip-lock. Seemingly aroused by the kissing, both start undressing each other and feeling each other's body in a seductive manner. In span of visuals, the lady is shown lying in the bed and the male repeatedly kissing all over her body. Several similar shots of lovemaking and embracing each other's body follow.

"The next scene shows the lady lying over the man wrapping her legs around his waist. They are also making suggestive movements moving up and down.

"The scenes including kissing and bare body parts of the lady have been shown from close quarters. This makes the scene even more objectionable.

"Such visuals offend good taste and decency and look obscene. It also denigrates the image of women. Though the visuals are shot in dark, but it still looks vulgar. Moreover, the Channel should not show such content during the time when a large number of children might be watching TV."

The Council watched the Programme pertaining to the Complaint. Thereafter, the Channel filed their reply mentioning that this is a niche Channel. It is meant for and watched by a select audience only. Therefore, the norms and guidelines may not be strictly applied to these shows.

Thereafter, representatives of the Channel appeared before the Council on 10th July 2013. It may in fact be mentioned that the Channel did not even press the above defence at the time of hearing. The Channel submitted that this error had occurred only because they had encountered some problem with their S&P (Standards and Practices) Department. The Channel said they have now restructured their S&P Department and therefore, such violations would not occur in the future. Therefore, the Channel prayed that the Council may kindly take a lenient view of the matter.

BROADCASTING CONTENT COMPLAINTS COUNCIL

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BROADCASTING CONTENT COMPLAINTS COUNCIL

In the Council's considered opinion, the defence raised by the Channel is completely untenable and the Council is not at all persuaded by such reasons advanced by the Channel. Even if there was some problem with the S&P Department, the same still does not absolve the Channel of its responsibility.


The Council finds that the Programme in question is violative of Clauses (a), (d) and (k) of the Programme Code. In addition to this, the Programme is also violative of Guidelines 1, 2 and 3 of 'Theme 2: Sex, Obscenity and Nudity' of IBF's Self-Regulatory Guidelines. Furthermore, the Programme is also violative of Clause a) of Category 'G' Programmes for unrestricted viewing and/or under parental guidance as well as Clause a) of Category 'R' Programmes. In the past also, complaints have been received against the Channel.

In view of the above, this Council recommends to the Ministry of Information & Broadcasting to issue a Warning to the Channel.

The Channel must also run the following Apology Scroll, in large and legible bold fonts, every TWO (02) hours, over a period of SEVEN (07) Days, from 12 Noon on Wednesday 31st July 2013 to 10 AM on Wednesday 7th August 2013:

"In compliance with BCCC's Order passed on 24 July 2013, Big CBS Prime Channel apologizes for the telecast of an episode of the Programme '*The Dead Zone*' on 1 December 2012. This episode was found to be in violation of Indian Broadcasting Foundation's (IBF) Self-Regulatory Guidelines."

For & on behalf of
Broadcasting Content Complaints Council


Justice (Retd. A.P. Shah)
Chairperson

24th July 2013
New Delhi