

# Ethical Practice Guidelines for Community Radio Stations



**CEMCA Community Radio Facilitation Centre  
Commonwealth Educational Media Centre for Asia  
New Delhi**



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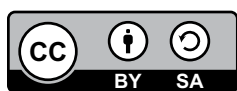
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thank all the community members, whom I met during the last two decades of my interest in democratization of information and knowledge that has helped shape my current perspectives.

The first draft of this document was prepared in October 2011 and through a series of consultations, dialogues, secondary research, etc. was revised in June 2012. It was released in a discussion list and copies circulated to all functional community radio stations. In addition, thought leaders, policy makers and domain experts in community radio policy were also invited to share their views.

Two National Community Radio Sammelans have been held in 2012 and 2013, in which special workshop sessions have been organized to get inputs into the community members' perspective of ethical practices, going beyond policy compliance. These inputs provided insights on the need to frame examples of how to understand the nuances of ethical practice, primarily on content and programme development issues. Two international experts have also provided valuable insights into the concept of Ombudsman mechanism that are in place in several countries. This has led to valuable enrichment of this document.

I express deep gratitude to all the national and international experts at the CR Sammelan and to Ford Foundation, which has enabled the exchange of ideas between CR practitioners in India and the foreign experts.

**Jayalakshmi Chittoor Parameswaran**





# 1 | Introduction

## 1.1 The Rationale

The Community Radio (CR) movement in India is still in its infancy. Since the Community Radio Policy Guidelines were issued in 2003, it has been a decade of evolving ecosystem for better policy drafting. Policy guidelines have been amended twice and it will continue to evolve as the ground experiences, inform policy directions. With only over 147 functional CR stations, the way in which they have been able to create an impact is worth mentioning, despite the slow growth of the CR sector. In India, variety of experiences have been shared and documented at national level consultations highlighting issues and challenges, where the exchange of ideas, experiences and sharing of knowledge have become more substantive.

The Ethical Practice Guidelines (EPG) and Self-Assessment Toolkit (SAT) will provide the readers with a bouquet of issues and aspects of ethical exercises to pave the way for developing a quality assurance framework as the CR sector evolves into a more robust and mature sector. The EPG has been developed as a part of a long-term consultative process of developing a common and collective understanding of problems, while offering possible solutions for issues of ethics and ethical practices. Several doubts and dilemmas that will continue to surge must be documented. The long term goal of these guidelines is to also help evolve a suitable institutional mechanism for the Community Radio sector to make it a more effective element for a free, independent and pluralistic media system of any democratic society, especially in a country like India.

Ministry of Information and Broadcasting organised the first CR Sammelan in 2011. This forum provided an opportunity to address some core issues like sustainability, technical support and capacity building measures to be addressed at the policy level. This event also provided a platform for the CR stations to exchange experiences to enhance their work. Experiences show that educational institutions, agriculture institutions and NGOs have been struggling to put the CR policy guidelines into practice.

Further, strengthening of the functional CR stations happened in the Second CR Sannelan organized in New Delhi in February 2012. The most recently held Third CR Sannelan (February 9-11, 2013) also brought together representatives of CR stations, experts and thought leaders on a single platform to address core issues confronting the Community Radio Movement in India. These annual events also looked at issues and concerns of the practitioners. The deliberations also brought international practices to the forefront of the debate.

Since all the stakeholders are not familiar with policy processes to enhance the engagement of community and other aspects outlined in the policy, these become a subject to interpretation. There are as many views on a topic as are the number of agencies implementing them. Often, new CR stations ask questions around what can and cannot be included in the content, while developing radio programmes. The experienced stations have developed a fairly good understanding of how to address queries.

Policy compliance has become the central driving force to ensure that the CR stations function as per the desired objectives. CR stations also debated on various directives of the Policy Guidelines, for example, if music could be played on CR stations. The discussion focused on seeking clarity on various aspects of inclusion, like gender, ability and diversity issues. In general, the current 147 CR stations have been using the existing framework of ethical practice as defined in the All India Radio (AIR) Code of Programme and Advertising, which they agreed to at the time of signing the Grant of Permission Agreement (GOPA). The problem is that in practice, people who actually run the CR stations, often do not read the AIR Code of Programming and Advertising, be they programme team members, station managers or the NGO staff.

In discussions and dialogues with functional CR stations, several members expressed doubts about its practical interpretation. To cite an example, AIR Code on Advertising prevents taking an advertisement from Gold Jewellers, but such advertisements are allowed in newspapers and television. This raises a moral dilemma of interpretation of the existing codes. Thus, the need for reinterpreting these policy guidelines, codes and rules have been felt necessary.

Effort has been made in this EPG to enable various functional CR stations, other supporters and experts to use these *Guidelines* as a benchmark to ascertain the strategies, programme design, methods of addressing issues around ethical practices, while striving for excellence and initiating good practices for other new CR stations to follow.

In order to make this varied and diverse family of CR stations a community of practitioners who share a common baseline of practices, several networking initiatives have been made at the national and state levels. The formation of the Community Radio Forum (CRF) and Community Radio Association (CRA) are two significant institutional processes that have been established to enable sharing of good practices. As in the television broadcasting space, where privatization and satellite channels have organized themselves into associations and have also developed their own code of practice, the CRF and CRA are yet to build it into their core activities.

The earliest effort at developing EPG was drafted by Ideosync Media Collective's Venu Arora,<sup>1</sup> who has circulated the copy of the draft among various stakeholders through the CR India discussion list.

## 1.2 Drawing on Global Experiences

The current draft of the EPG has been drafted after examining practices that are followed by other countries.

The World Association of Community Radio (AMARC) had issued a series of definitions of community radio as per the understanding of some of its members. It includes a wide range of interpretations such as: giving voice to the voiceless, serving the community, a station for the community, by the community, a tool for development; and democratizing tool for the community. These are important aspects of defining CR. While CR is a terminology that instills different definitions in different people's minds, it is important for CR stations and agencies to build a collective understanding of what this means. The principle, which has to be accepted by all practitioners, is to follow the guidelines provided by the Government of India's CR Policy Guidelines (2006), both in letter and spirit.

The author has conducted secondary research to analyze guidelines issued by British Broadcasting Corporation (BBC), Australian Broadcasting Services, and South Africa Code for Broadcasting. The CR Policy Guidelines in India already provides an overall framework to follow the AIR Programme Code for content and Advertisement Code practices for radio stations as notified by Ministry of Information and Broadcasting. However, given that the nature of communities across the country is diverse and the

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<sup>1</sup> cr-india@sarai.net Check archives in the discussion list for the draft circulated by Venu Arora, this is the mail id to subscribe to the list.

design of the community radio stations is to ensure continued engagement of the community members, there is need to create wider awareness of the AIR Programme and Advertisement Codes.

Since the 1960s, politically and culturally diverse groups in Australia have sought access in the form of broadcast licenses and basic resources to enable them to produce content. Advocates argued that the broadcast spectrum is a public resource and its use should not be restricted to corporations (private or government funded) and the professionals that work for them. Community broadcasting became the accessible infrastructure in physical and governance terms, which enabled non-producers to create and distribute media content reflecting their own interests or community interests that fell outside of the purview of mainstream media.

The struggle for the means to communication ‘was fought and won, first by community radio advocates in the late 1970s, followed by community television in the mid-1990s. In Australia, the sector’s highest body, the Community Broadcasting Association of Australia (CBAA) was formerly constituted as the Public Broadcasting Association of Australia in 1974, changing its name when the educational and experimental licenses were consolidated under the community broadcasting license category in 1992. The Community Broadcasting Codes of Practice endorse the encouragement of community access and participation in all aspects of station operations from programming to management’ (Community Radio Broadcasting Codes of Practice, 2008).<sup>2</sup> Community broadcasting is now Australia’s largest media sector with 526 radio and television licenses across the country. Eighty percent of them are in rural, regional and remote areas (Roitman, 2010).<sup>3</sup>

Each of the stations that are in the process of getting their broadcast license have already gone through a long, strenuous process and have faced a steep learning curve for establishing the CR stations.

## 1.3 Understanding Community

The principal perspective that needs to be kept in mind is the engagement of the local community that is proposed or that the existing CR station purports to serve. This will vary depending on the mandate of the institutions to which the CR station is licensed.

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<sup>2</sup> Community Broadcasting Association of Australia (CBAA), 2008. Community Radio Broadcasting Codes of Practice. Available at: [http://www.cbba.org.au/News\\_And\\_Publications/Code-of-Practice/Code-of-Practice](http://www.cbba.org.au/News_And_Publications/Code-of-Practice/Code-of-Practice) (accessed March 2012).

<sup>3</sup> Roitman, A. (2010). A five year plan to create the world’s most innovative, accessible community media. CBX.March 2010: 5.

CR Policy Guidelines defines community as all people living in the geographical area of 10 square kilometers radius of the Transmitter.

It is important for all CR stations to understand that the license that is offered in the spirit of custodianship is the license to air the voice of the community that it reaches. CR stations are expected to act as a catalyst and engage the community, while enabling expertise and knowledge flow interactions that will help communities to learn, share and express themselves. This is a community access to information and information and media rights perspective.

While the challenges and opportunities each CRS encounter may differ as per the modalities and structures they have adopted for their operations, it is essential that stations adopt certain key non-negotiable ethical tenets by which to conduct their broadcast and content creation activities. This in turn will enable them to build upon and adhere to the principles of freedom and equity of media, moving towards community structures of ownership in keeping with the foundation of the CR movement and its vision of empowering communities with a voice. This is particularly critical at a time when most operational stations are beginning to think about sustainability issues, obtaining advertisements and availing other available sponsorship opportunities.

## 1.4 Distinction between Public Service Broadcasting and Community Radio

It is important to recognize the difference between Public Service Broadcasting (PBS) and CR in order to be guided by the various codes that the CR stations are expected to follow and thus, interpretations will also be based on the basic differences between the two streams. In Australia, the line distinguishing these two terms is quite thin, whereas in India the two terms differ significantly, as in several other countries like UK, South Africa, Canada, etc.

Ram Bhat of Maraa defines PBS as usually funded by public money, media professionals are hired, distribution is national or at least regional, and here “public service” is usually interpreted as national good.<sup>4</sup> In contrast CR is often funded by local communities directly, community members do all the work, and it focuses on service to community, as well as community ownership of means of production

<sup>4</sup> Ram Bhat (10 June 2012) Discussion Post in Cr-India List <http://www.mail-archive.com/cr-india@sarai.net/msg01204.html>

and distribution. “It is possible to counter-argue based on the definitions of the two terms, but they have come to mean certain notions the world over and no point in mixing them now”<sup>5</sup> remarks Ram Bhat in response to a query by Bazlur Rahman of Bangladesh in the CR India discussion list.

Vinod Pavarala, Professor of Communications and UNESCO Chair on Community Media at the University of Hyderabad says that the distinction is very clear. “The degree of editorial independence and financial management through public funds are supposed to characterize public broadcasting in addition to professional staff (as mentioned by Ram). Community ownership, management and community participation in programme production are the hallmarks of community radio. There may be features common to both systems, but there are certain minimum non-negotiable features. World-wide, there is clear recognition of a three-tier system of broadcasting with public and community identified as distinct tiers.”<sup>6</sup>

### **Community Media: Good Practices Handbook<sup>7</sup>**

“Community Media: A Good Practice Handbook”, by Steve Buckle and supported by UNESCO, has been designed for community media practitioners around the world.

The handbook is a collection of case studies of good practice in community media with examples from 30 countries. Each case study has a summary of the good practice, a short description that provides further context, plus highlights of some of the key characteristics. References and links are provided for those who seek further information.

Its intention is to provide inspiration and support for those engaged in community media advocacy and to raise awareness and understanding of community media among policy makers and other stakeholders. This publication is a particularly useful tool for community media professionals as it highlights problems, while at the same time offering possible solutions, focusing on sustainability and social impact of community media.

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<sup>5</sup> Ibid

<sup>6</sup> Vinod Pavarala (June 2012) Post in Cr-India discussion list <http://www.mail-archive.com/cr-india@sarai.net/msg01207.html>

<sup>7</sup> Buckle, S. (2001). Community Media: A Good Practice Handbook, Paris: UNESCO, Available from: <http://unesdoc.unesco.org/images/0021/002150/215097e.pdf>

## 1.5

**Ethical Practice Concepts Demystified****1.5.1 What is EPG?**

- Ethics are a set of do's and don'ts based on the norms acceptable to the community.
- Ethics are a set of do's and don'ts framed for the common well-being of a society.
- Ethics is a personal choice. Yet, ethics is what is good not only for you but also for many.
- Ethics should be decided by community members. (Ethics is more a summary of common sense, social decisions – Judith Martin).
- Ethics helps one to understand dynamics of a society.
- Social conduct also becomes ethical practices. (e.g. People working in CR stations must not only do programmes about social evils like dowry, but also commit to not give or take dowry themselves).
- Due to the diversity of various communities living in a locality, the interpretation will be subject to the respective communities' cultural and social context. But, this should be questioned and reviewed from time to time for society to evolve more harmoniously.
- There is no single universal practice as such, except the constitutional framework on freedom of speech and peaceful co-existence.
- The means are as important as the end. Fair practices in operations are also part of ethics.
- Prejudice on the basis of race, caste, religion or any other divisive factor affects ethical practice.

**1.5.2 How is EPG different from code of conduct?**

- Ethical practices are for the development of the community (Planting Trees).
- Personal ethics are possible (e.g. I will never smoke in front of elders). They differ from person to person.
- Ethics demand that one should not waste water when the whole city is going through a water crisis. But there may be no code of conduct defining the behaviour of individuals in a CR station.
- Ethics are practiced amongst a group of people to help co-exist.

- Ethics are a set of standards devised to create a balance among the co-existing and conflicting sentiments prevailing in a community. (e.g. XXX wants to send mail to her office during a training programme. Colleague at the training says 'Yes', go ahead. Trainer says 'No'.)
- To clarify such conflicting issues, Code of Conduct or Code of Ethics are defined, agreed, and published in well-established organisations.
- Uniformity is not an affirmative ethic in the context of CR stations. The intent of the CR Policy Guidelines clearly indicates that diversity has to be accepted and indicated in the management.
- Existing social or cultural bias or regional conflicts cannot come in the way of CR stations. Individual ethics have to raise the bar and follow the institutional code of ethics.

### **1.5.3 Who will monitor?**

- Ethics is motive based and this can result in conflicting interpretations. The AIR Code for Programming and the CR Policy Guidelines have already defined the mechanisms of addressing complaints.
- CR stations have to reflect as a group, if actions like scolding, penalizing, reprimanding, punishing can be considered ethical? If so, under what circumstances and whether it can also be codified.

### **1.5.4 How will it be monitored?**

- The Ministry of Information and Broadcasting, Government of India is the agency that has been given the responsibility of monitoring and responding to the complaints. For this purpose, it mandates that CRS have to maintain a three-month archive of all programmes that have been broadcast (on-air content) for review in case of a complaint. Complaints pertaining to broadcast content older than three months are not addressed.
- In several countries, industry associations come together to define their own mechanism of independent monitoring processes and system to address complaints. CR stations in India could also consider adopting the same, given that there are two associations, Community Radio Association and Community Radio Forum.
- When complaints get uncomfortable or become unfair, mechanism must be there to provide a fair hearing. Therefore the concept of a highly respected Ombudsman has been suggested in several countries.



### 1.5.5 What are the guiding sources for EPG?

- Directive Principles of the Constitution of India.
- Community Radio Policy Guidelines for India.
- All India Radio Programme Code.
- All India Radio Advertising Code.
- Social/Cultural Practices of the community.
- International norms and practices (Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), Human Rights Convention, Creative Commons Licensing for community developed content, etc.).
- Rules of the Societies Registration Act.
- Rules and Regulations mandated by various departments of Government of India related to foreign contribution, income tax, service tax, etc.

### 1.5.6 What should it cover?

- At least, 50% of the programmes should involve participation of the community.
- Everything that guides a nation like, the Constitution of India, Fundamental Rights and Directive principles.
- An important component of ethics is also about inclusion and tolerance to opposing views.
- Ethics itself is a matter of balancing “right versus right”, i.e. putting priorities on two things that are both right, but that must be traded off carefully in each situation.
- EPG should cover the locally relevant, legally correct and morally just practices.
- EPG should be acceptable to a larger part of the society.
- EPG should help build greater tolerance and sensitivity towards sentiments of people.
- Ignorance may mar one’s ability to distinguish between what is ethical and beyond a certain point, should not be an excuse for unfair practice.
- EPG should cover issues relating to the institutional mechanisms to address grievances or interpretation of terms or concepts, etc.

## 2 | Ethical Practice Framework

The terms ‘ethics and ethical practices’ may mean assuming what is generally referred to as “the moral point of view”. Discussion about assuming the moral point of view is indispensable when discussing ethical theories that are either non-realist, or non-cognitivist (not easy to see or understand), or both. It is the popularity of these theories that makes the moral point of view a common reference point.

However, from a community perspective, where plural sub-cultures exist, it’s not clear what “the moral point of view” means. Adopting the moral point of view takes what is good for others into account. It is a disinterested position, not a self-motivated one.

Should an individual adopt the moral point of view? What is the justification for adopting a position that might sacrifice what is best for the individual in favour of what is best for others? This is an important question. When we are deciding what to think, say or do, how should we decide? What considerations are relevant? How we answer may have a great impact on the quality of our lives. That’s the importance of the issue concerning whether or not to adopt the moral point of view. This EPG document examines the ethical practices on the above context and drafts it from the following perspectives:

Perspectives to be covered
Constitutional Framework and Preamble of Rights and Duties
Policy Compliance (Covering a range of Acts, Laws and Policy Guidelines)
Community Engagement and Practices
Management of Community Radio Station
Content Review
Resource Mobilization Strategies (Revenue Generation and Advertising)
Appraisal and Evaluation, including Mandatory Reporting Requirements (CR station and staff related)
Grievance Redressal Mechanism

It is important for every Community Radio Station to evolve its own vision statements and mission documents. A clear articulation of these along with management structures and policy documents that are publicly available will help the station evolve an unambiguous policy with regard to most of its operations and assist in decision making, especially in difficult situations.

This ethical guide is an attempt to collate relevant parameters provided in different guidelines pertaining to community radio and radio broadcasting. It is also an attempt to discuss some of the key ethical questions community radio stations need to discuss with their communities and their management to come up with tenets that they then decide to adopt.

This is an evolving document and work in progress. Any inputs to the understanding, definitions and interpretations will enable these guidelines to become more robust and all readers are invited to send in their perspectives and raise questions or seek clarifications.

## **2.1 Constitutional Framework and Preamble of Rights and Duties**

All community radio practitioners have to ensure that their work is built within the Indian Constitutional framework and takes into consideration the Preamble with defined rights and duties. This is particularly important, while dealing with issues of local practices that may be important for one community group, but may be hurting the sentiments of the other. Handling of programmes that need to address sensitive issues is to be governed first and foremost by the principles laid down in the Constitution of India.

## **2.2 Policy Compliance**

There are several Acts and policies that govern the functions of a Community Radio Station. Community members, especially the programme management committee and advisory committee members must become well conversant with the CR Policy Guidelines issued by Ministry of Information and Broadcasting, Government of India.

Since, all CR stations have to obtain licenses to operate Transmitters, the provisions of the Indian Telegraph Act 1885 and Indian Wireless Telegraphy Act 1933 and other notifications issued by WPC should also be reviewed from time to time.

Besides this, the AIR Programme Code, Advertisement Code, Income Tax Act, Service Tax Regulations (if DAVP advertising is to be sought and its revenue exceed Rs. 9 lakhs per annum), Consumer Protection Act, Copyright Act, etc. also have direct impact on the functioning of CR stations.

The license holding organisations like NGOs, Trusts, educational institutions, will be respectively governed by the Societies Registration Act 1860 or amended in each State, Indian Trusts Act; UGC, AICTE, School Board, ICAR etc. Rules and Regulations have to be complied with. CR stations, therefore, must provide all the requisite information regarding setting of the Committees, Minutes of Meetings, Recording of Changes in Board/Management Committees, etc. to the relevant authorities. It is desirable for the CR stations to be abreast of their roles and responsibilities to the parent institution and comply with the regulations.

Organisations that propose to apply for international funding support or from foreign sources have to comply with the regulations and amended policy notifications of the Foreign Contribution Regulation Act (FCRA). Regular progress reports and maintenance of separate bank accounts are a must. These have to be sent to Ministry of Home Affairs, Government of India.

It is desirable for all stations to acquire a copy of these Acts and make them available to all functionaries and members of the staff, volunteers, and Management Committee members.

From practical experience, it is noted that each CR station needs at least three to four days to review and deliberate in detail the provisions under the CR Policy Guidelines and other relevant acts from time to time for capacity building of all key stakeholders.

## 2.3 Community Engagement and Practices

Some of the more in depth ethical discussions that CR stations should engage in obtaining further clarity of the guidelines that they should be governed by must include discussions and decisions around the following key areas:

### (a) Community Participation

Stations may be practicing different degrees of community participation given the number of years they have been in operation and the effort at community involvement they have put in during those years. However, in keeping with the core principle

of empowering community voice, it is essential that stations design their content production and community engagement strategies in a manner in which, over a period of time, the community members alone are producers and editors of the content. It is important that this strategy for community participation is articulated and written up as part of the CR station's own policy.

### **(b) Be Locally Relevant and of Community Interest**

It is essential to define what locally relevant means. In a continuous shrinking world, the CR stations may discuss how to make global or national events available for local discussions. This means strategies for adapting content to make it accessible for local communities to discuss and debate.

This process is complex and will need clear strategy, which is ethical, while respecting copyright and or using creative commons and other related and appropriate content sharing processes.

#### **Giving Credit and Acknowledgment**

Providing due credit to the creators of content and knowledge requires an ethical practice among the CR station Manager, Producers and Management Committee of each CR station. It should strive to recognize the contribution of the individual, while recognizing that at the community level there is a lot of work that is folk or traditional knowledge. This raises the issue of Copyright. Good practices will recognize the community knowledge provider due credits and release this content in a Creative Commons or similar license, which permits work to be shared, modified or re-released. It makes it possible for CR stations to share in other sites like Ek Dunia Anek Awaz ([www.edaa.in](http://www.edaa.in)) that has created an online platform for CR related knowledge banking and sharing (audio, text, video).

The Management Committee of each CR station has a very important role to play. Often the challenge is when CR stations record a community event, drama or music and they fail to provide proper credits. Give credits where it is due. It is a good practice to make it part of each CR station's own functional or operational code.

The content and archives of the contents of the CR station must be accessible to the community. Artists and their work must be given due credits. At times, it is considered a good practice to provide a recorded CD/DVD of the work that was recorded and broadcast as a token of appreciation of the artists' involvement with the CR station.

It would also be important to ascertain the value of new media in providing such access. However, the veracity of the information and knowledge being

shared should also be reviewed to ensure that it is compliant with the AIR Programme Code.

All CR stations must ensure that the practices of illegal copying of Music clips from Internet could be subject to Copyright violations and hence, should be avoided. With so much of talent available across the country, no CR station actually requires to illegally copy music.

The fundamental role of community media is to inform and provide access. Issues relating to coverage of local events and of national and international importance like sports, weather, disasters, development conferences, etc. become locally relevant once the community members have opportunity to discuss these issues amongst themselves.

Use of Internet and other technologies like Mobiles have made it possible for even remote communities to benefit from these sources.

### **(c) Community Interest**

It is also important to clarify what ‘community interest’ actually means.

For example, if the community practices *purdah* (veil) for women and bans women from participating in social events:

- Should the station respect the local contexts and laws and continue to perpetuate subordination of women?
- Should it create and broadcast content that will contribute to social change?

This process is complex and will need clear strategies which are ethical and clearly defines the interest of the local communities.

While debating on the sensitive issues, it is also important to bring in a wide variety of perspectives and views by bringing in experts who bring in legal, social and development analysis in the discourse. At times, issues like superstitious beliefs need to be challenged. For this purpose, support can be sought from agencies like *Vigyan Prasar*,<sup>8</sup> a programme of the Ministry of Science and Technology, Government of India, which has a good repository of content on this and would be interested to promote a scientific temper and thus support workshops for creating greater awareness around issues that demystify and build an analytical behaviour.

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<sup>8</sup> See [www.vigyanprasar.gov.in/index.asp](http://www.vigyanprasar.gov.in/index.asp)

### (d) Local Community

It is important to arrive at a clear understanding of the local community/communities, some of which may be marginalized and therefore, may require greater support and a sustained enabling environment to encourage their participation in the CR station and its content production activities. It will be important that the content line up of the CR station adequately represents the diversity of the local communities that it is established to serve. The Management Committee of the CR station and the representatives must participate to a changing ethos of social order and allow more inclusive and democratic decision making. The basic principles outlined in the CR policy guidelines also reflect this aspect. If an existing NGO or institution does not have a structure or reach, it must strive to be more inclusive and consciously make efforts to do so.

#### Learning to Map the Diversity of Local Community

In various CR Awareness Workshops conducted by CEMCA, sessions have been incorporated to help NGOs and educational institutions and KVKs to understand this concept. The exercise is very simple. All the participants are asked to reflect on the various professions of the people living in the potential broadcast area, the languages they speak, the tribe and caste they belong, and the languages known to them/spoken in the region, including the dialects.

It is also important to note that several communities that have assumed that the language of the dominant community should be the language of broadcast have actually changed their mind, when prodded with questions like:

- Are there migrant populations in your region?
- Do you have communities that speak a completely different language than the dominant one?
- Are there communities or dialects that have disappeared? (were spoken by the elders but are no longer spoken because some of the tribal communities were mainstreamed in education, jobs, etc.)

The results are astonishing even to the participants. They are able to comprehend that the diversity of languages and plurality is an important issue to be kept in mind, while planning the language of broadcast and understanding which community segment they seek to serve.

## **2.4 Management of Community Radio Station**

As per the Community Radio Policy Guidelines, the management of the community radio stations must be representative of the community that it seeks to reach out to. At least 50% of the members of the Programme Management Committee must be representatives of the communities. CR stations must strive to bear in mind that representation should be based on some of these criteria – gender, communities (including minority), geographies, differently abled groups.

It is a good practice for the management of the Community Radio Stations to be through a process of regular consultation with the Committee. The minutes of the meetings should be recorded and programme plans should be approved. The Committee, as it evolves should take into consideration the need to address debatable issues and develop its own operating procedures and guidelines. It is a desirable practice to hold at least four meetings of the Management Committee each year. It should also task itself to review the budgets, work plan, human resources management and other critical issues to ensure the sustenance of the stations, including forging new collaborations for fund-raising and programme development.

## **2.5 Content Review**

Regulations regarding content are given under the CR policy as well as the AIR Programme Code. The CR policy also makes provisions for penalty in case some or all of these content guidelines are not followed. Relevant sections of both the CR policy and the AIR Code are attached as Annexures to this document.

Some of the salient features for CR stations include:

1. The programmes should be of immediate relevance, fulfill local information needs and reflect the interests of the local community.
2. At least 50% of content shall be generated with the participation of the local community, for whom the station has been set up.
3. Programmes should be in the local language and dialect(s).
4. The Permission Holder shall preserve all programmes broadcast by the CRS for three months from the date of broadcast.



5. The Permission Holder shall not broadcast any programmes, which relate to news and current affairs and are otherwise political in nature.

**The Permission Holder shall ensure that *nothing* is included in the programmes broadcast which:**

- Offends against good taste or decency.
- Contains criticism of friendly countries.
- Contains attack on religions or communities or visuals or words contemptuous of religious groups or which either promote or result in promoting communal discontent or disharmony.
- Contains anything obscene, defamatory, deliberate, false and suggestive innuendoes and half-truths.
- May encourage or incite violence or contains anything against maintenance of law and order or which promotes anti-national attitudes.
- Contains anything amounting to contempt of court or anything affecting the integrity of the nation.
- Contain aspersions against the dignity of the President or Vice President and the Judiciary.
- Criticizes, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country.
- Encourages superstition or blind belief.
- Denigrates women.
- Denigrates children.
- May present, depict, suggest as desirable the use of drugs including alcohol, narcotics and tobacco or promote stereotype, incite/vilify or perpetuate hatred against or attempt to demean any person or group on the basis of ethnicity, nationality, race, gender, sexual preference, religion, age or physical or mental disability.

**The Permission Holder shall ensure that due care is taken with respect to religious programmes with a view to avoid:**

- Exploitation of religious susceptibilities.
- Committing offence to the religious views and beliefs of those belonging to a particular religion or religious denomination.

The CR station will endeavour to respect people's legitimate right to protect from unjustified use of material which is obtained without consent or through breaching privacy and will only broadcast the words of an identifiable person where:

- Person has been told in advance that the words may be broadcast.
- It is clearly indicated at the time of recording that the report will be broadcast.
- The person's consent has been taken prior to the broadcast.

The CR station will attempt to avoid censorship, wherever possible. However, programming decisions will be made in keeping with community interest, context and degree of explicitness, the possibility of alarming the listener, the potential for distress or shock, prevailing local or community standards and the social importance of the broadcast. Content and broadcast line up of the station should be in keeping with its vision statement and mission document.

## 2.6

### Resource Mobilization Strategies

The CR stations are run by volunteers, who often get a basic stipend for their services at the station. Along with this, the CR stations also have to incur the expenditure of paying an annual spectrum fees for the transmitter (price includes royalty and fees) to the Wireless Planning and Coordination Committee (WPC) of the Department of Telecommunications, after their frequency is allotted to them. Given the social mandate, the spectrum fees should not be charged to communities that have little or inadequate resources. Government must consider making the spectrum (for low power transmitters) free of charge. This is likely to create a strong momentum of support and encouragement for the community radio movement in the country after a decade of experience.

While initially these expenses may be borne by the partner organization, the long term goal is for the partner organizations to assist the Community Radio Stations in becoming independent, autonomously functioning, self-reliant, community-led and have its own initiatives. Thus, advertising is important to enable stations gain resources for sustainability. However, advertising must also conform to ethical norms, so as to be in the best interest of the community the CR station is serving.

The policy urges CR stations to comply with the AIR code of advertising with regard to advertisements (Refer to Annexure IV for details on AIR Advertising Code). The policy also has certain in-built restrictions that it has placed on the CR station with respect to advertising and implementation of sustainability activities.

### **Relevant Extracts of the CR Policy Guidelines Relating to Funding** ***Section 8-Funding & Sustenance***

- i. Applicants will be eligible to seek funding from multilateral aid agencies. Applicants seeking foreign funds for setting up the CRS will have to obtain FCRA clearance under Foreign Contribution Regulation Act, 1976.
- ii. Transmission of sponsored programmes shall not be permitted except programmes sponsored by Central & State Governments and other organizations to broadcast public interest information. In addition, limited advertising and announcements relating to local events, local businesses and services and employment opportunities shall be allowed. The maximum duration of such limited advertising will be restricted to 5 (Five) minutes per hour of broadcast.
- iii. Revenue generated from advertisement and announcements as per Para 8 (ii) shall be utilized only for the operational expenses and capital expenditure of the CRS. After meeting the full financial needs of the CRS, surplus may with prior written permission of the Ministry of Information & Broadcasting be ploughed into the primary activity of the organization i.e. for education in case of educational institutions and for furthering the primary objectives for which the NGO concerned was established.

It is important that CR stations develop a written sponsorship policy that reflect the CR policy guidelines and include some of the following:

- Sponsorship will not be a factor in deciding who can access broadcasting time. (This could be done by limiting the proportion of broadcast time that can be dedicated to sponsor programming).
- Ensure editorial decisions affecting the content and style of individual programmes are not influenced by programme or station sponsors.
- Ensure that editorial decisions affecting the content and style of overall station programming are not influenced by programme or station sponsors.

It is important that every CR station articulates its advertising and sponsorship policy and makes it publicly available.

This should include some of the principles already stated in the CR policy and the AIR advertising code as well as certain local imperatives that will need the CR station

to decide the type and quantities of advertising that it will accept. Other important considerations are: the prerequisites for CR stations to open a separate bank account in the name of the CR station, maintaining a separate book of accounts for the CR Operations as raising resources through advertisements is subject to Service Tax levy. CR stations may be required by the DAVP Empanelment process to complete these formalities. All CR stations must commit to comply with the stipulations of these Acts and Rules.

It is imperative for the station to discuss the best interests of its community members, especially the marginalized community members in keeping the mission and vision of the station. This entails identifying resource-rich agencies in the coverage area with the understanding that the agencies' interest will not necessarily synergize with the interests of the local community.

These could be large agencies with a religious, political, cultural, economic or industrial interest. If approached by any such agency would the station accept advertising or sponsorship funds?

Even more difficult would be situations, where community members do not clearly see an agency as having interests or priorities that conflict with their own.

**Example:** There is a carpet factory in the area that gives employment to a thousand or more community members. When community members are approached, they consider the carpet factory an employment provider and thus an agency in their interest. However, as a member of the community station management, you are aware that the carpet factory employs child labour and underpays its women labourers. Would you accept advertising or sponsorship from this agency?

A possible way out in such a situation would be to consider advocating with the carpet factory and offer them time slots on your broadcast schedule only after it revises its employment and payment policies.

Some of the issues discussed in this section are difficult to generalize. Each station must define its own policy based on the collective wisdom of the Management of the License Holder and the Community Management Committees.

## 2.7 Appraisal, Evaluation and Reporting Requirement

All CR stations are obliged to send their annual audited statement of expenditures and narrative report to the MIB. It would be desirable to write the report and be vetted by the Management Committee. Obtaining regular feedback from community, management, donors and collaborators through self-assessment toolkits would ensure that the appraisal of the performance of the CR station is in consonance with the stated objectives.

Not only is it important to fulfill mandatory and legal obligations to donors, advertisers, Ministries, etc., but also to ensure that the license fee is paid on time. Two important practices that CR stations may adopt would be to display the copies of the LOI, SACFA Clearance and WOL in the premises of the CR station. In their annual review meetings, the dates for renewal may be noted and all internal clearances be obtained well in advance to ensure timely renewal of licenses. This will prevent from paying high interest amounts for delays with WPC and Department of Telecommunications.

Once every five years, all CR stations have to renew their GOPA with the MIB. This should also be part of their annual appraisal of performance.

The organisations with DAVP empanelment would also have to engage in regular reporting as FCRA guarantees.

Appraisals would also be necessary of the staff, volunteers, managers, Management Committee members. A number of organisations have standard procedures for employee appraisals. But it is important to extend this to other key stakeholders as well. Issues and concerns that emerge during appraisal processes must be handled in a dialogue mode.

Several donor organisations, supporters and advertisers may require external evaluations to be undertaken. The finding and results should also be shared with the Management Committee with the objective of constantly improving ethical practice.

CR stations have received the licenses for 24 hours broadcasting. One of the key indicators for progress is the ability of CR stations to use the spectrum to its full extent. Good practice is to gradually increase the number of hours of programming. Many NGOs and institutions run CR stations with least hours of programming. They have evolved strategies for enhancing their broadcast hours by engaging with other local institutions. The collaborations with other local agencies like schools,

NGOs and foundations are done for preparing programmes. Content slots for bringing in more partners have yielded highly positive results. These may be done informally or formally by entering into Memorandum of Understanding (MOU). These may be regularly reviewed and appraised.

**Questions for Debate:**

- Is it unethical to not broadcast for more than two hours in a crowded urban city precinct, despite having the license?
- Does it amount to squatting?
- What should be done to change the situation?

CR Policy Guidelines requires all CR stations to maintain archive of contents of the last three months. This will primarily help to refer the content, if any complaint is received by the Ministry of Information and Broadcasting.

**Questions for Debate:**

- Does this kind of tracking and monitoring oppose the right to freedom of expression?
- Will this create a threat in the minds of communities to articulate governance related problems that they face?
- What are the possible ways in which they can create a balance between the right to speech and responsibility of Ministry to maintain peace and harmony?

Evaluation must also be undertaken to review the Hardware and Software status in order to plan well ahead of the need for replacements or up-gradation. Budgetary planning exercise should become an integral part of the appraisal.

**Appraisals and Evaluations: Some Relevant Ethical Questions:**

- Should these appraisals be done by the community? (Public hearings/Social audit).
- Should it be done by the Ministry (MIB) (through electronic monitoring or through M&E experts?)
- Should it be a peer-evaluation?
- Should it be done by the entire ecosystem of stakeholders including the representatives of the staff, management committee, parent institution, donors and community volunteers, supporters and partners?

Though very nascent, most advertisers would like the CR stations to provide audience research data. Tools are still being developed and there is a need for older CR stations to contribute to the development of these indices and to undertake exercises to document the reach. Baseline studies, Mid-term Monitoring and End-term Evaluations (external and internal) may already be defined in the mandate of several donor-supported initiatives. Lessons can be drawn from these experiences (DST has been supporting CR stations and have a very good documentation practice for the Science for Women Programmes, which is currently in its III Phase).

## 2.8 Grievance Redressal Mechanism

Community Radio is intended to provide communities with a platform for people to participate for a variety of causes. These include providing community members a voice to air their concerns and opinions, share their ideas, joy, sorrow, songs and cultural expressions. It is also an important outreach and learning medium to keep abreast of local events and important information that can help fuel change and bring development. Several CR stations have found immense value being created for the listeners by including information of Government schemes and demand accountability from local administrations. This process empowers the voice of the common community member.

Bearing this in mind, all CR stations must first remain accountable to the community they serve. Token participation will not ensure that the CR station is truly community driven.

Since, the Community Radio Movement is still only about a decade old, there will be many instances when the CR station Management and Staff have a different view than that of the listeners. It is extremely important for all CR stations to be receptive, besides support and appreciation for the good work done, there will also be genuine grievances among the common listeners and these have to be addressed.

Therefore, CR stations should be ethically bound to create processes that allow community members to register complaints and receive response of public apology or even recall of content based on a predefined and publicly accepted process of redressal. There can be several innovative ways (Phone-in and E-mails are the most common methods). For example, if a box is placed outside the CR station for anonymous complaints that would help the CR field reporting volunteers and staff to build a review and grievance redressal session, while interacting with communities at

their location. CR stations must keep in mind that it is often not easy for an aggrieved person to articulate their grievance. It might require sensitive handling. At times, an experienced mediator is required to handle such issues.

### **Concept of Ombudsman**

In several countries including in USA, Australia, Canada, UK, South Africa and the Philippines, the concept of independent Ombudsman has been introduced, primarily to address issues of Public Broadcasting. We are sharing the cases of USA and Australia for our readers.

In India, the television industry has organized itself into associations of Independent Broadcasting Authority, which addresses complaints. They address complaints on content from the public.

### **United States of America (for Public Service Broadcasters)**

In the US, the Corporation of Public Broadcasters' ombudsman is an independent observer of public broadcasting. The CPB ombudsman will adhere to the highest standards of journalistic integrity. All decisions to review programming, and all reports on broadcasts will be made by the ombudsman. The ombudsman will confine written reports to material that have been broadcast on the public airwaves and will not engage in pre-broadcast commentary. The purpose of the Code of Ethics published in their website is to enable all employees, new and old to refer to a formal process of eliciting the commitment of the Board to these standards. It is to formalize the commitment of the CPB Board to transparency, accountability, and independence of the ombudsman.

The thrust and focus on the establishment of the CPB in US was to establish the highest standard of excellence in programming, without compromising on the right to expression.

### **Australia**

Australian Communications and Media Authority (ACMA) has been set-up to ensure that the Broadcasting Services Act is complied with. The ABC Board was tasked to develop the code of ethics and define the mechanisms to address grievances. The ACMA is the body that is tasked to undertake this responsibility. They are expected to investigate a complaint received in writing. It may not pursue the matter further, if any of the following conditions are applicable. This Code

*Contd...*



does not apply to any complaint which the ABC had decided not to investigate or having accepted it for investigation, decided not to investigate further, where the ABC was satisfied:

- The complaint concerns content which is or becomes the subject of legal proceedings.
- The complaint was frivolous or vexatious or not made in good faith.
- The complaint was lodged with the ABC more than six weeks after the date when the program was last broadcast by the ABC on its free-to-air radio or television services, unless the ABC accepted the complaint for investigation after being satisfied that it was appropriate to do so, having regard to:
  - The interests of the complainant in the subject matter of the complaint.
  - The seriousness of the alleged breach.
  - The reason(s) for the delay.
  - The availability of the programme content which is the subject of the complaint.
  - Any prejudice the delay may otherwise have on the ABC's ability to investigate and determine the matter fairly.
- The complainant does not have a sufficient interest in the subject matter of the complaint, where the complaint alleges a breach of Fair and honest dealing (Standards 5.1-5.8) or Privacy (Standard 6.1).

Transparency is essential for all CR stations about its fund allocation and usage. This is also a policy requirement. If staff and volunteers have issues regarding payments, costs etc, there must be an operational mechanism to directly address it with Station Manager. Should this not be satisfactory, the staff should have a pre-defined escalation of grievance redressal. Management Committee members should openly deliberate and discuss critical issues, and resolve them as soon as possible. Not discussing a grievance may create more problems in future.

CR stations should also be ethically bound to conduct a process of self-evaluation. CEMCA Community Radio Facilitation Centre (CCFC) has undertaken the development of Self Assessment Toolkit. A variety of aspects needs to be evaluated. These will be covered in the toolkit providing opportunity for all CR stations to suitably adapt the questionnaires periodically – at least once a year or desirably twice a year.

This could be a third party evaluation or a community audit that will assess the station on a set of parameters including:

- Community participation indicators.
- Relevance to local community.
- Addressing needs of underserved, under-represented, or minority Communities.
- Non-partisan and Accountable Management Structures.
- Non profitability.
- Transparency in decision making.
- Staff and volunteers issues.

## Additional Sources

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# ANNEXURES

Annexure I

## All India Radio General Broadcasting Code or Programme Code

*(Already mentioned in the GOPA and CR Policy Guidelines in greater detail, specifies that the CR stations sign with the Ministry of Information and Broadcasting, Government of India)*

The General Broadcasting Code which is otherwise called the Programme Code for both AIR and Doordarshan (the television wing of Prasar Bharati Broadcasting Corporation of India) prohibits the following:

- Criticism of friendly countries.
- Attack on religions or communities.
- Anything obscene or defamatory.
- Incitement to violence or anything against maintenance of law and order.
- Anything amounting to contempt of court.
- Aspersions against the integrity of the President and Judiciary.
- Anything affecting the integrity of the nation.
- Criticism by name of any person.

## Annexure II

## **Community Radio Ethics - IGNOU (Certificate Course on Community Radio)**

- A Community Radio Station must primarily broadcast in the language and dialect which majority of the community speak and understand.
- While describing a person or group, it is best to avoid labels like caste, sect that might sound offensive.
- Speak in a manner that can be easily followed on radio and be careful not to speak too quickly.
- Keep technical terms to a minimum.
- Achieve maximum participation of every section of the community living within the target area.
- Completely involve the community in planning, research, programming, production, broadcasting and feedback.
- The diverse, multi-cultural tastes of audience should be reflected in the programme policy.
- Apart from entertaining the audience, giving them something new, give unknown facts, teach them new skills and bring out their hidden talents.
- Organize training workshops for community members to ensure proper access to the studio and other production facilities.
- Aim to bring up the social standard of the target community.

Annexure III

## **Ethical Conduct of Radio Stations to Ensure Individual/Institutional Rights and Privacy (National Public Radio Guidelines)**

- Plagiarism is an unpardonable offence. When other people's work is broadcast, due credit has to be given to the producer or the authority concerned.
- No material from another source should ever be included substantially without attribution. Also when a person gives new information, it is the role of the CR broadcaster to confirm it at least from two reliable sources and then air the information.
- Any story that goes on air has to be completely balanced and should contain views of both parties.
- No story shall favour a particular caste, religion, political party, etc. This situation might arise easily in a rural community radio set-up where the *Panchayat* leader might favour a particular issue and the people might favour another. But, it is the duty of the CR broadcaster to properly get the views of both parties and present them on air. The programme is not expected to give a solution to every problem, its primary duty is to present them forward for the community to find its own solutions.
- Proper permission has to be obtained for conducting events or using a public place like a school, park, etc. for recording a special programme.
- Every person's individual sentiment has to be respected. Suppose a person is not ready to speak on a particular topic, it is better to avoid it.



## Annexure IV

## Code for Commercial Advertising - All India Radio (Air)<sup>9</sup>

### A: General Rules of Conduct in Advertising

1. Advertising shall be designed as to conform to the laws of the country and should not offend against morality, decency and religious susceptibilities of the people.
2. No advertisement shall be permitted which:
  - Derides any race, caste, color, creed and nationality.
  - Is against any of the directive principles or any other provision of the Constitution of India.
  - Tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way.
  - Presents criminality as desirable.
  - Adversely affects friendly relations with foreign States.
  - Exploits the national emblem or any part of the constitution or the person or personality of a national leader or State dignitary.
  - Relates to or promotes cigarettes and tobacco products (including Pan Masala), alcohol, drugs and other intoxicants.
3. No advertisements message shall in any way be presented as News.
4. No advertisements shall be permitted, where objects are wholly or mainly of a religious or political nature, advertisement must not be directed towards any religious or political end or have relation to any industrial dispute.

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<sup>9</sup> Tobacco products including 'Pan Masala' and liquors are not permitted. The goods and services advertised should be in consonance with the laws of the country enacted to protect the rights of the consumers. The commercial should never project a derogatory image of women and should not endanger the safety of children.

**Proviso:** *“But advertisements in the form of spots and jingles on payment of prescribed fees, from political parties, Candidates, any other person shall be accepted only in respect of General Elections to Lok Sabha/General Elections to the State Assemblies/General Elections to Local bodies during the period when the model Code of Conduct is in force. Such advertisements shall be subject to pre-broadcast scrutiny by the Election Commission of India, authorities under the Election Commission of India in respect of elections to Lok Sabha and the State Assemblies and State Election Commissions in the case of Local bodies. “(As per DG: AIR’s I.D. No. 15/3/2008-PIV dated November 20, 2008)”.*

5. Advertisements for services concerned with the following shall not be accepted:
  - Money lenders.
  - Chit funds.
  - Saving schemes and lotteries other than those conducted by Central and State Government organisations, nationalised or recognised banks and public sector undertakings.
  - Matrimonial agencies.
  - Unlicensed employment services.
  - Fortune tellers or sooth-sayers, etc. and those with claims of hypnotism.
  - Foreign goods and foreign banks.
  - Betting tips and guide books etc. relating to horse racing or the other games of gambling.
6. The items advertised shall not suffer from any defect or deficiency as mentioned in the Consumer Protection Act 1986.
7. No advertisement shall contain reference(s), which are likely to lead the public to infer that the product advertised or any advertised or any of its ingredients has some special or miraculous or supernatural property or quality, which is difficult to be proved, e.g. cure for baldness, skin whitener, etc.
8. No advertisement shall contain the words ‘Guarantee’ or ‘Guaranteed’ etc., unless the full terms of the guarantee are available for inspection by the Directorate General, All India Radio are clearly set out in the advertisement and are made available to the purchaser in the writing at the point of sale or with the goods. In all cases, terms must include details of the remedial action available to the purchaser. No advertisement shall contain a direct or implied reference to any guarantee, which purports to take away or diminish the legal rights of the purchaser.

9. Advertisers or the agents must be prepared to produce evidence to substantiate any claims or illustrations. The Director General reserves the right to ask for such proofs and get them examined to his full satisfaction. In case of goods covered by mandatory quality control orders, the advertiser shall produce quality certificate from the institutions recognized by the Government for this purpose.
10. Advertisements shall not contain disparaging or derogatory references to another product or service.
11. Testimonials must be genuine and used in a manner not to mislead the listeners. Advertisers or Advertising Agencies must be prepared to produce evidence in support of their claims.
12. No advertisement of any kind of jewellery (except artificial jewellery) or precious stones shall be accepted.
13. Information to consumers on matters of weight, quality or prices of products given should be accurate.
14. Advertisements indicating price comparisons or reductions must comply with relevant laws. No advertisement shall be accepted which violates AIR Broadcast Code

***“Note: Advertisements concerning jewellery, foreign goods and foreign banks, besides those related to Indian Equity/Debenture issued for NRIs will, however, be accepted as far as the external services of All India Radio are concerned.”***

15. Any such effects which might startle the listening public, must not be incorporated in advertisements. For example, without limiting the scope, the use of the following sound effects will not be permitted:
  - Rapid gunfire or rifle shots.
  - Sirens.
  - Bombardments.
  - Screams.
  - Raucous laughter and the like.
16. Any pretence in advertising copy must be avoided and such copy shall not be accepted by All India Radio. The ‘simulation’ of voices of a personality in connection with advertisements for commercial products is also prohibited,

unless *bonafide* evidence is available that such personality has given permission for the simulation and it is clearly understood that station broadcasting such announcements are indemnified by the advertiser or advertising agency against any possible legal action.

## **B: Advertising and Children**

17. No advertising for a product or service shall be accepted if it suggests in any way that unless the children themselves buy or encourage other people to buy the products or services, they will be failing in their duty or lacking in loyalty to any person or organization.
18. No advertisement shall be accepted which leads children to believe that if they do not own or use the product advertised they will be inferior in some way to other children or that they are liable to the condemned or ridiculed for not owning or using it.
19. No advertisement likely to bring advertising into contempt or disrepute shall be permitted. Advertising shall not take advantage of the superstition or ignorance of the general public.
20. No advertising of talismans, charms and character reading from photographs or such other matter as well as those which trade on superstition of general public shall be permitted.
21. Advertising shall be truthful, avoid distorting facts and misleading the public by means of implications by false statements, as to:
  - The character of the merchandise i.e. its utility, materials, ingredients, origin etc.
  - The price of the merchandise, its value, its suitability or terms of purchase.
  - The services accompanying purchase, including delivery, exchange, return, repair, upkeep, etc.
  - Personal recommendations of the article or service.
  - The quality or the value of competing goods or trustworthiness of statement made by others.
22. Testimonials of any kind from experts etc. other than Government recognized standardization agencies shall not be permitted.
23. No advertisement shall be permitted to contain any claim so exaggerated as to lead inevitably to disappointment in the minds of the public.

24. Methods of advertising designated to create confusion in the mind of the consumer as between goods by one maker and another maker are unfair and shall not be used. Such methods may consist in:
- The imitation of the trademark of the name of competition or packaging or labeling of goods.
  - The imitation of advertising devices, copy, layout or slogans.
25. Indecent, vulgar, suggestive, repulsive or offensive themes or treatment shall be avoided in all advertisements. This also applies to advertisements which themselves are not objectionable as defined above, but which advertise objectionable books, photographs or other matter and thereby lead to their sale and circulation.





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