

**Indecent Representation  
(Objectification) of Women in media  
and its effect on the society.**

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Submitted by:

**MINAL KARANWAL**

Educational Institute

**ST. STEPHEN'S COLLEGE,  
DELHI**

Mentored by:

**Shri Nikhil Gupta**

**Designation and Affiliation:  
DIG, Deputy Director and  
Faculty, Sardar Vallabhbhai Patel  
Nat'l Police Academy, Hyderabad**

## Preface

Rakshak Foundation, a name that reflects innumerable perspectives. From creating awareness about one's own laws and policies to formulating them, it is doing exceptional work.

Rakshak Foundation is a 501(c)(3) non-profit organization, which researches different public policy issues and creates awareness about them. It works towards strengthening the moral, social and civic foundations of India by educating, equipping and mobilizing Indians to address barriers to justice and equality. Rakshak, a non-profit organization, was founded by a group of concerned Indian citizens positioned globally, comprising of a team of intellectuals and socially responsible people.

In this endeavour, Rakshak started with its internship programme and has been continuously sharing its research work with appropriate government and public forums.

In its endeavour to highlight these critical and relevant issues, Rakshak Foundation has been invited by and has made depositions to various Government Committees, Organizations and key officials.

The reason why I joined Rakshaks internship programme may be answered in one word- compassion, something that Rakshak Foundation and I have in common. Citizen awareness in policy issues is lacking and this is what is giving undue advantage to the politicians to exploit each and every possible situation. This is what has led the youth to abstain themselves from politics, not realising that it will help their nation. Rakshak has made me realise this. Rather than joining any other organisation that has confined itself to helping at the lower level, I joined Rakshak, which involves itself in policy making that will act as a protecting umbrella for all those. I have started with my research project, and now having realised the immense potential my work has, I feel lucky to have been associated with this foundation.

## Acknowledgements

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I would also like to thank Mr. Rohit Aggarwal, the program Director, the one who chose me for this internship. This gratitude is unexplainable in simple words.

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Also a big thanks to my parents Mr. Umesh Karanwal and Mrs. Simmi Karanwal for agreeing to send me here and work with Rakshak Foundation. Thanks to my elder brother Vishesh Karanwal, whom I am deeply indebted for providing help even in the most trivial of situations related to my project.

Last but surely not the least, a sincere vote of thanks to my co-interns, the fruitful discussions without whom would have been impossible and would have made this two month journey both hectic and impossible.

## Contents

TABLE OF FIGURES.....	5
LIST OF ABBREVIATIONS.....	6
EXECUTIVE SUMMARY .....	7
<b>1. INTRODUCTION.....</b>	<b>10</b>
1.1 BACKGROUND INFORMATION .....	10
1.2 MAIN PROBLEMS, THEIR SCOPE AND IMPACT ON THE SOCIETY .....	10
1.2.1 Films- .....	11
1.2.2 Television Programmes.....	13
1.2.3 Advertisements.....	15
1.2.4 News Channels.....	17
1.2.5 Magazines .....	18
1.3 GOALS AND OBJECTIVES .....	18
<b>2. METHODOLOGY .....</b>	<b>20</b>
2.1 LITERATURE SEARCH .....	20
2.1 FIELD VISITS.....	21
2.3 SURVEYS.....	21
2.3.1 Why the Survey?.....	21
2.4 MEETINGS AND INTERVIEWS .....	23
<b>3. CURRENT NGO AND GOVERNMENT EFFORTS .....</b>	<b>26</b>
3.1 LAWS ENACTED BY THE GOVERNMENT OF INDIA .....	26
3.1.1 Indecent Representation of Women Act, 1986.....	26
3.1.2 Cable Television (Networks) Regulation Act, 1995 .....	29
3.1.3 Information Technology Act, 2000 .....	30
3.1.4 Section 292 of the IPC.....	31
3.1.5 Section 293 of the IPC.....	32
3.1.6 The Cinematograph Act, 1952 .....	33
3.2 NATIONAL COMMISSION FOR WOMEN AND THE OTHER STATE RUN WOMEN COMMISSIONS .....	34
3.3 BEIJING PLATFORM FOR ACTION (BPFA).....	34
3.4 MANUSHI.....	35
3.5 STREEBAL .....	35
<b>4. RESULTS AND DISCUSSIONS .....</b>	<b>36</b>
4.1 FINDINGS FROM THE LITERATURE.....	36
4.1.1 The growing indecency in media and its direct relation with the increase in crime:.....	36
4.1.2 The Indecent Representation of Women Act, 1986 .....	36
4.1.3 Cable Television Networks (Regulation) Act, 1995 .....	40
4.1.4 The Information Technology Act, 2000.....	41
4.1.5 Section 292 of the IPC.....	42
4.1.6 Section 293 of the IPC.....	42
4.1.7 The Cinematograph Act, 1952 .....	42
4.1.8 The Advertising Standards Council of India is an inefficient Body: .....	43
4.1.9 Broadcasting Contents Complain Council:.....	45
4.1.10 Complaint Mechanisms: .....	46
4.2 FINDING FROM THE FIELDS AND IMPACT ON THE THEORETICAL FOCUS OF THE PROJECT .....	48
<b>5. RECOMMENDATIONS: SCOPE AND STRATEGY FOR IMPLEMENTATION.....</b>	<b>50</b>
5.1 RECOMMENDATION & SCOPE.....	50

5.1.1 Recommendations to the IRWA, 1986.....	50
5.1.2 Recommendations to Cable Television (Networks) Regulation Act, 1995 .....	52
5.1.3 Recommendations to the Information Technology Act, 2000 .....	54
5.1.4 Recommendations to Section 292 of the IPC.....	56
5.1.5 Recommendations to Section 293 of the IPC.....	56
5.1.6 Recommendations to the Cinematograph Act, 1952.....	57
5.1.7 A new Co-regulatory body for monitoring advertisements: .....	58
5.1.8 Broadcasting Contents Complain Council:.....	62
5.2 FLOWCHART (STRATEGY) FOR IMPLEMENTATION .....	63
5.2.1 Regarding the laws:.....	63
5.2.2 Regarding the functioning of ASCI:.....	63
<b>6. FUTURE WORK.....</b>	<b>64</b>
6.1 FORMAL TRAINING SESSION FOR THE MEDIA PEOPLE.....	64
<b>7. REFERENCES .....</b>	<b>65</b>
COMMITTEE REPORTS: .....	65
ARTICLES: .....	65
INTERNET: .....	66
<b>APPENDIX A .....</b>	<b>67</b>
<i>MENTOR DISCUSSIONS</i> .....	67
<b>APPENDIX B.....</b>	<b>71</b>

## Table of Figures

Figure 1: Damsel in Distress.....	11
Figure 2: Item Song, Chikni Chameli .....	12
Figure 3: Moral Objectification.....	14
Figure 4: Professional Vamp .....	15
Figure 5: Use of women out of context.....	16
Figure 6: Gender Stereotyping .....	16
Figure 7: Indecent for Khap Panchayats.....	37
Figure 8: Indecent for an urban individual.....	37
Figure 9: Women Body Parts in a Biology Text Book.....	38
Figure 10: Book of 'Artistic Importance' .....	39
Figure 11: Slut walk .....	51
Figure 12: Item song.....	51
Figure 13: Out of context usage of Women's Body.....	54

## **List of Abbreviations**

**IRWA-** Indecent Representations of Women Act

**ASCI-** Advertising Standards Council of India

**CBFC-** Central Board for Film Certification

**BCCC-** Broadcasting Contents Complain Council

**BPFA-** Beijing Platform for Action

**NCW-** National Commission of Women

**IT Act-** Information Technology Act

## Executive Summary

Capitalism has a very innate relation with patriarchy. If we see that the Barbie Doll industry or the toy gun making industry is a billion dollar industry. Patriarchy, more than being oppressive has been clever enough to use the established stereotypes (that too by itself) to its advantage. The same is the case with media. women are being depicted in a way that is derogatory both sexually and morally. Why? To earn more money, more fame.

Media has a role in forcing the already established negative stereotypes in the society. Patriarchy has taken 2000 years to establish itself and is now maintained and perpetuated through various tools, media being one of them. Since the time when media got activated, whether in the forms of movies or advertisements or newspapers, women have been objectified.

To talk about movies, all of them are male oriented. Women's skill, capabilities, intellect have been completely ignored in media. they are mostly portrayed as damsels in distress or as prizes to be won either by the hero or the villain.

Item songs have further added to the denigrating of the woman's image. A bunch of sexually hungry men wooing a girl, just short of gang raping her. What does this indicate? And what does the society, especially the youth learn from this?

Television Programmes have been nowhere behind. Daily soaps are busy perpetuating the submissive and passive qualities of women and thus maintaining the established gendered stereotypes in the society. It cannot be disagreed that women are not being portrayed in leadership roles, but the relative portrayal remains disgusting.

Advertisements are also part of the same culture. They show how the best use of a woman's body (parts) can be made to attract customers towards their objects. The usage of women and her body (parts) is out of context. Also, according to the advertisements, a woman's only role is to make her husband's shirt 'whiter than white', to wash utensils so that they shine like mirror, to cook delicious food for her kids, again emphasising the passive submissive qualities

There are 'laws' to regulate this indecent representation of women in media. The Indecent Representation of Women Act, 1986 lays down that women should not be depicted in an indecent manner such that it appeals to the prurient interest of an individual. The vagueness that the term indecency carries, is undisputable. It has different connotations for example for the Khap Panchayats and a modern urban individual. The sections don't define the context under which the appellant may be booked. Moreover the law gives power to a police inspector at the level of an inspector to search and seize any indecent material. There are no provisions to define his competency. He may take undue advantages of this power and may then demand bribes.

The Advertising Standards Council of India is a self-regulatory body that is monitoring content of advertisements, both in print and electronic media. But the body has proved highly inefficient. The board members consist only of media advertising agencies. It is not mandatory to either associate with the body or abide by its decisions. There is no legal action taken or penalty charged.

The Central Board for Film Certification (CBFC) has no proper grievance redressal mechanism. There is a grievance redressal officer but it isn't functioning properly.

The Broadcasting Contents Complain Council (BCCC) is a monitoring body for television programmes. Though the composition of the body is ideal, yet the complaint mechanism needs improvement. It doesn't take suo motu cognizance of the complaints and the complaint is to be necessarily filed within one week of the broadcasting of the programme that too either in Hindi or English. This has led many people abstaining from filing complaints.

The methodology of research included a lot of literature search. Besides, some innovative ideas by the Shri Nikhil Gupta helped. Field visits to NGOs working for women emancipation and to eradicate crimes against women, the NCW helped a great deal.

Thus, after a lot of literature research and field visits, it has been proved that due to the highly ambiguous laws and inefficient bodies, indecent representation of women is growing and the media is proudly banking on the loop holes. Hence

stricter laws and regulations and their efficient implementation will make a difference.

Key findings:

- The IRWA is a highly inefficient act that needs changes.
- The ASCI is a completely self-regulated body and is not functioning efficiently.
- The BCCC does not take suo motu cognizance of violations of its codes.
- When a contract with the international servers is made, it is not made mandatory for them to set up a server in India or give the required information during investigation.

Recommendations:

- The IRWA needs to define indecent, the context, and give the power of search and seizure to the IG and not the police inspector.
- The ASCI needs to consist of both the media and the government representatives. It should be necessary for the media advertising agencies to be a member of the ASCI.
- The BCCC needs to take suo motu cognizance of complaints and give the provision of filing a complaint in any language.
- India needs to be clear on rules with international servers.

## 1. Introduction

### 1.1 Background Information

- Objectification of women is nothing new. From the times of Sita to the present times, women's skill, capabilities have been clearly ignored. Women were always considered to be as objects, to be used whenever one wants to and then to be thrown away when wants new. The difference is that with the advent of media this objectification was perpetuated. Since the time movies have been started to be shot, women have been used as an object to attract the audience. Or rather their body (parts) have been used as tools.
- The question arises that was the portrayal of women the same since the advent of media? The answer may be given in this way- Objectification has always existed but its levels have been different and still it remains in a state of flux.
- When we see the daily soaps like 'Hum Log' and 'Mungeri Lal Ke Haseen Sapne', the focus is not on entirely depicting women in passive submissive roles but instead showing that they can be as important as the male in the family. Even today, soaps like 'Jhansi Ki Raani' aim to show women in a progressive light. But at the same time we have soaps like 'Kasauti zindagi ki' and 'Kyunki Saas Bhi Kabhi Bahu Thi' started in the 90s that crossed all lines in portraying women in submissive roles. Hence objectification still exists, but there have been some rectifications.

### 1.2 Main Problems, their scope and impact on the society

- Gender and media is the most frequently discussed topic today. Media has acted both as a perpetrator and as a protagonist, perpetrator in the sense of promoting the stereotypical sensational image of a woman and protagonist in the sense of exposing acts of gender bias. But today media's purpose has come out more flamboyantly in the former sense.

- The objectification of women according to female scholars and feminists is ignoring her intellectual, personal capabilities and abilities, looking down upon them as a mere object of sexual pleasure that she can produce in the mind of others. Objectification of women via media is taking place through the sexually oriented depictions of women in advertising and films (men evaluating or judging women sexually or aesthetically in public spaces), women being portrayed as weak or submissive through pornography and daily television soaps, images in more mainstream media such as art.
- Objectification is all over mainstream media, whether it be films, tv programmes, advertisements, news channels, women are more or less being used to attract the audience, sell products.

Henceforth, the increasing content of vulgarity in films, advertisements, television programmes, magazines and news channels will be discussed.

### 1.2.1 Films-

- Do we ever wonder why women are typically viewed in society as second to men? Wonder why it seems women never get the approval they want? Maybe this trend stems from movies we watch all the time? Maybe we need to understand exactly what we're watching in movies? Perhaps, take for example the movies that always seem to portray women as sex objects, prizes, and damsels in distress. Mary Jane being rescued by Peter Parker in Spiderman is just one such example.



Figure 1: Damsel in Distress

- Nowadays rather than celebrating a woman's sensuality, they are portrayed as prize objects for the hero or the villain. She is shown as a product that is being endorsed by films.
- In many Bollywood movies, the hero enters in a debonair form, teases the heroine, if she shows attitude- he slaps her, assaults her. But the girl still falls in love with the hero (Govinda's Dulhe Raja being an apt example). This sends a very dangerous message to the audience out there, that the girl's 'no' actually means a 'yes', they just have to keep on pestering girls until they say yes. This has seen an increase in a lot of crimes like sexual assaults, acid attacks, etc. A very recent example can be seen from Akshay Kumar's movie 'Rowdy Rathore' wherein he is shown pinching the heroine on her waist. This is what a kid sees and thinks is right and such scenes are never under the scanner of the censor board.
- Item songs have been a new addition to Bollywood. They seem to completely degrade a woman's image. From songs like 'Choli ke peeche kya hai' to 'chipkaale saiyaan fevicol se' have been portraying women as sexual objects. A group of people stalking and wooing a girl, just short of gang raping her, staring, salivating, at her. Is this called entertainment by the film makers? Sadly, yes.



Figure 2: Item Song, Chikni Chameli

- It won't be wrong to say that if people follow every fashion statement of their favourite film star, won't he follow the misogynistic messages portrayed by them. Hence, it won't even be surprising that the youngest of the culprits of the 23 year old Nirbhaya was a 16 year old teen. Sincerely speaking there is more to a woman than just her beauty, sex appeal that the film-makers of yester years failed to realise and those of today have to realise.

### **1.2.2 Television Programmes**

- Television has a huge reach to the masses. Hence, its impact has been tremendous. Television creates a world which seems very real and viewers are unable to differentiate between the virtual world and the real one. Impact of television is more on the young children and adolescents, who sit in front of the television, and for hours, succession of pictures is watched by eyes that are only just opening onto the world and it becomes imprinted on minds that are still impressionable. It's also a known fact that children's gender development occurs through observation and imitation of gender behaviour. Since gender roles socially constructed, most of the behaviour associated with gender is learned rather than innate.<sup>1</sup>
- The image of a woman as depicted by the television serials is that of a super woman. The achievements of women are gauged by showing how well they can manage the household, settle in matrimonial bliss, bring up children as some 'ideal' human beings. This 'superwoman' has multifarious qualities - loyalty, compassion and devotion. It cannot be disagreed that yes women are being shown in leadership roles in serials like 'Jhansi ki Raani', but again the comparative portrayal remains disgusting.

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<sup>1</sup> Meenu Anand, Women in Television: Depictions and Distortions, Pg 1&2



Figure 3: Moral Objectification

- On the hand is the villain, typically known as the vamp. She is usually heavily dressed and is working. She is a manipulator, house breaker. This is again perpetuating this message that those women who do not confine themselves to the four walls of their house will turn into vamps that are socially not acceptable.



**Figure 4: Professional Vamp**

- The man only comes into play when there has to be a decision making between the protagonist and the anti-thesis.
- This image of the Indian woman has dominated the Indian ideology for a long time and it has led to the creation of the notion of the 'Pativrata' woman. Whether it be Tulsi, Parvati, Prerna, all are prototypes of this 'Pativrata' woman. This stereotyped idealization of the womanhood leads to serious emotional pressure on the woman to achieve a highly utopian and romanticized goal, which is practically impossible. Thus, this is not sexual objectification but rather moral objectification.
- To further talk about some programs aired on 'Star World', 'comedy central' (mostly western). Example, Two and a Half Men, where vulgarity has reached its heights. Sex has become a common display. Charlie is seen dating a new girl in every new episode. The vulgarity of word usage for women has also reached a zenith. The main problem lies in the fact that these shows are aired in India without a proper check on the content (censorship lacking). They thus have led to a lot of problems.

### **1.2.3 Advertisements**

- Advertisements also form an inevitable part of the mainstream media today. It has proved a powerful tool to mould people's opinions in the favour of the product they use. Thus, it forms an important way of changing and influencing people's opinions. Its role in enforcing the gender stereotypes in the society has been tremendous.
- Women are not only part of those advertisements that endorse womanly products like face creams. They are also portrayed in those advertisements that have no specific relation to a woman's body (parts), example that of soft drinks, shoes, cars, men's perfumes or men's underwear. In the advertisement of axe (as the next figure shows), a young male puts the axe perfume and young girls, half naked, run to him to have sex. This is how axe is popularised among the youth and this is what is objectification of women.

many policy makers also contend that using the image of a beautiful young lady on the advertisement of either cyber based crimes or any other awareness campaign that has no specific relation to a woman's body will attract viewers. This is again objectification of women.

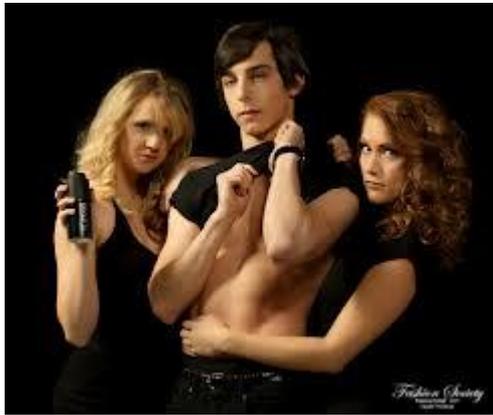


Figure 5: Use of women out of context

- Also, they are usually associated with the advertisements of washing powder (making husband's shirt whiter than white), washing utensils or cooking food, again emphasising their passive, submissive qualities. Hence advertisements have enforced the sexual division of labour.



Figure 6: Gender Stereotyping

- Advertisements are everywhere. Hoardings, magazines, pamphlets and none is behind in using women as an object to attract audience.
- The negative stereotypes have been completely enforced by the advertisements. Men are mostly shown advertising cars or products like laptops (Compaq, Acer), job websites (naukri.com, monster.com), smartphones. For the advertising world, a woman dressed in sari, with all the symbols of a typical Indian women, fetches an emotionally driven audience. Women are mostly shown advertising domestic products, whether it be MDH Masala, any washing powder, Hawkins Pressure Cooker, etc. The advertisements also project women as the torch bearers of cultural heritage as advertisers have long been enamoured with women and culture. Advertisements of ICICI Prudential life Insurance picture the transformation of the sindoor of woman into the company's logo. Most of LIC advertisements picture the women left all alone, helpless, susceptible to advertisements seem to promote the idea of insurance as more important for women than the men.<sup>2</sup>
- To be really true, advertisements thrive on the commodification of women. They exploit her sexually by fragmenting her body parts hair, face, legs, breasts, etc. Women are shown wearing revealing clothes, leaning in inappropriate postures, these being signs of incompleteness and lack of security. Women and their body parts sell everything- food, clothing, cars, computers, men's shaving lotions and underwear. There is a huge out of context usage of women.
- Also, the lingerie mannequins should be banned as they depict women indecently. In Mumbai, the Brihanmumbai Municipal Corporation has proposed to ban lingerie mannequins as they perpetuate rape. This proposal gives power to the civic officials to regulate this indecent display.<sup>2</sup>

#### **1.2.4 News Channels**

- News channels, instead of spreading awareness about the indecent representation of women, have been themselves sensationalising the news

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of sexual assaults and rape case. Various indecent sting operations are shown that have joined hands with other forms of media in objectifying women.

### **1.2.5 Magazines**

- Magazines like Playboy, Femina, Cosmopolitan are again doing nothing but objectifying women. the cover pages, that are so much in news depict scantily clad or in fact nude women. Reason? No prizes to guess. To attract more and more male customers. The impact is so hard that even women fail to realise the harm and are continuing to buy these magazines. It is the dream of every teenage girl in U. S. A. to appear on the cover page of the highly indecent Playboy.

The above analysis proves but one thing- Objectification of Women is a big problem having lot of negative impacts on the society. It needs immediate and active solution.

### **1.3 Goals and Objectives**

1. Make a survey on the increasing content of vulgarity in media with crime against women.
2. Make a study of the existing rules and the possible loop holes which the media is banking on to objectify women.
3. Find correlation of the increase in vulgarity in media and crime rate on how they could affect the male society in India.
4. Make study of some specific examples of recent crime in India to support your argument.
5. List down some specific recent movies and shows in India and make a field study on the opinion of how these shows are effecting their daily life and also opinion on how these could be counteracted.

6. Identify the bodies responsible to censor the content of media and meet them to discuss on their current activities to tackle this situation.
7. Propose on how the present rules and regulations can be modified in order to maintain a strict regulation keeping the respective board in loop.
8. Make a final report with the current scenario, the specific examples and also the proposed suggestions.
9. Make a short film (5-10 minute) during field study highlighting this issue.

## 2. Methodology

### 2.1 Literature Search

1. To survey the increased vulgarity in media, the prime research paper was that by Ms. Meenu Anand, Women in media: Depictions and Distortions. It discussed in detail the sexual and moral stereotyping in media.
2. For the purpose of studying laws, the source was the internet: prsindia.org and lawzonline.com.
3. Also, the following research paper shows a completely different perspective- women are being portrayed in leadership roles in advertisements: Dr Sumi Khare, Faculty Member, Jaipuria Institute of Management, Lucknow Neha Srivastava, Res. Scholar, Deptt of Sociology, UP Rajarshi Tondon Open Univ., Allahabad Dr Sankalp Srivastava, Assistant Director, Institute of Productivity & Management, Lucknow, International Journal of Transformations in Business Management, CHANGING ROLE OF WOMEN IN INDIAN ADVERTISING, January-March 2011
4. The research was also supported by a number of judgements given by the supreme court and the High court. This paper proved helpful: Siddharth Narain, InfoChange News & Features, Obscenity under the Law: A review of Significant cases, June 2009.
5. The Autobiography of Ms. Rami Chhabra, Breaking new Ground, Journey in Media in and out.
6. The Dispute Redressal Code of the News Broadcast Association
7. A research paper of Anthony Osa Brown, Argument for Self Regulation in Media.
8. Meena M. Shivdas, Alternative Assessment of Women and Media based on NGO Reviews of Section J, Beijing Platform for Action, coordinated by Isis International- Manila on behalf of WomenAction 2000.
9. The Media Self-Regulation Guide Book, Organisation for Security and Co-operation in Europe, Vienna, 2008.

10. Rami PremKumar, Law Media and Advertisements, 18th April 2008.

## **2.1 Field Visits**

1. A field visit to the IIT Delhi, Kailash Hostel for interviewing the workers to gauge the social opinions at the lowest social level. Questions posed to them were related to the kind of movies they like to watch, the movies of which actresses do they watch the most, etc, so that the effect on the society of this indecent representation of women could be gauged.

2. A meeting with the coordinator of the research and study cell of the National Commission for Women, Ms. Kalpana Pant. She exposed the supply demand problem in the society. The reason why media is supplying indecent material is because there is a heavy demand on part of the society. This can be solved by a formal training session of the people of media organizations.

3. A meeting with Ms. Rami Chhabra, who is the founding President of the NGO Streebal, n Delhi. She has been working in the field of media and women since the past thirty years. Her points and suggestions opened up several new dimensions of the project.

## **2.3 Surveys**

### **2.3.1 Why the Survey?**

While doing the literature overview, I came across many laws that prohibit the indecent representation of women in media. But I did not come across any law that said that indecent representation of women if carried out to bring out a stark social reality will be allowed. To know if people have a knack of this, I conducted a survey among my co-interns to have a case study of comparison between the film MURDER and the film BANDIT QUEEN. The questions of the questionnaire can be seen in Appendix B. the following trends were observed:

- When asked the question of whether banning the controversial scenes in the film MURDER will lead to tampering with the freedom of speech and expression, 50% of them answered that the controversial scenes shouldn't have been removed as it would have led to the violation of the freedom of speech and expression. This shows that they do not understand that such controversial scenes had no relation to the theme of the movie and represented the mere trivial interest of the director and hence should be removed.
- Rest 50% believed that only the controversial scenes should have been removed. Without these scenes the movie will be practically nothing and hence it will attract no audience. This again drives home the fact that such scenes are unnecessarily added to attract the audience, and are in turn leading to the objectification of women.
- In the case of BANDIT QUEEN, 68.75% of the people believed that the censorship would lead to the tampering with the freedom of speech and expression. This again shows that the controversial scenes were meant to drive a message back home and hence they should not come within the ambit of censorship.
- 26% of the people believed that the controversial scenes should have been removed. This shows that they are still lacking in their understanding of the difference between what is required and what is not. This movie would have actually become meaningless if the controversial scenes wouldn't have been shown.
- The next question asked was about who should decide the censorship of such scenes in the movies. 60% of them answered that the censor board is doing its job and should be left to do it. But in my opinion, it should also be freed from the regulation by the government and should come in play only when there is a violence resulting out of the depiction of the movie.
- 26% of the people wanted a committee of women drawn from every class of the society to regulate the films. But this in my opinion will be too biased a regulation.

- One interesting answer that was received was that the film should be viewed in every community and hence censored accordingly according to the morals prevalent in each one. This will lead to moral policing as indecency is a highly subjective term that has different connotations in different communities. Take for example the khap panchayats and a modern urban individual.
- The next question asked them their definition of indecency. 85.5% people replied that it is obscene representation that has nothing to do with the theme of the movie. This again proves my point that films like MURDER are merely using women as 'sexual objects' to attract audience and in turn 'money'.
- Thus, from the survey I could conclude that the law should necessarily have a differentiation between fiction and non-fiction so that at least those movies that want to drive a message back home are free from the the yardstick of censorship.

## 2.4 Meetings and Interviews

*With Shri Nikhil Gupta\*:*

- 3<sup>rd</sup> June via phone: To first carry out a survey of the increased vulgarity in media and then study the laws regulating it.
- 7<sup>th</sup> June via phone: To identify the laws regulating indecent representation of women, weigh their provisions, identify loop holes and propose suitable recommendations.
- 12<sup>th</sup> June via phone: augmenting to my idea of a documentary making, he advised me to go and meet members of NCW and NHRC and also some NGO's.

- 24<sup>th</sup> June via mail: Gave me the contacts of some police officials so that I could get their opinions.
- 30<sup>th</sup> June via mail: Gave me the contact of cyber expert to take opinions on the IT Act, 2000.
- 6<sup>th</sup> July via mail: Suggestions on the co-regulatory body being proposed.

*With Others:*

DATE	NAME	DESIGNATION	INSTITUTION	TOPIC OF DISCUSSION
18 <sup>th</sup> June, 2013	Ms. Kalpana Pant	Co-ordinator, Research and Study Cell.	National Commission for Women	One reality that it is not just the media in the picture but the audience as well who is continuously demanding indecent material. <b>This heavy demand is being met with a heavy supply.</b>
26 <sup>th</sup> June, 2013	Mms. Rami Chhabra	President	NGO Streebal	The answer to the supply-demand problem. According to the amendment

				<p>being proposed to the <b>Immoral Traffic (Prevention) Act, 1956, the prostitute will be decriminalised and the client will be criminalised.</b> This will help in cutting the demand.</p>
				<p>The <b>complaint mechanism of the media regulatory bodies needs to be simplified.</b></p> <p>The rules need to be <b>stricter for the international servers</b> who refuse to abide by the Indian laws.</p>

**Please refer Appendix A for details\***

### 3. Current NGO and Government efforts

Indecent Representation of women has been a topic of hot debate. Ranging from films, advertisements, television programmes to news channels, the producers have been portraying women as a sexual object and have been using her as a tool to attract audiences. There have been a lot of government and NGO efforts in this field that I will be listing henceforth.

#### 3.1 Laws enacted by the Government of India<sup>3</sup>

##### 3.1.1 Indecent Representation of Women Act, 1986

An Act to prohibit indecent representation of women through advertisements or in publications, writings, paintings, figures or in any other manner and for matters connected therewith or incidental thereto.

The act in its present form deals only with print media. Since the act was enacted way back in 1986, it does not deal with new forms of communication like internet, cable television, mobile messaging, etc. Therefore to widen the purview of the act, new amendments were introduced that proposed to bring the audio-visual media within its domain. In the year 2010, 2011, 2012 the National Crimes Bureau recorded 845, 895, 453 violations of the above mentioned act, which made it all the more necessary to amend the bill in its present form.

- **Section 2(c)**- In the present form the bill defines indecent representation as the depiction in any manner of the figure of a woman; her form or body or any part thereof in such way as to have the effect of being indecent, or derogatory to, or denigrating women, or is likely to deprave, corrupt or injure the public morality.

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<sup>3</sup> <http://lawzonline.com/>

In October 18, 2012, the Indian Union Cabinet approved an amendment to the IRWA, 1986 that **adds to the definition of indecency-**

- sexual object or which is lascivious or appeals to the prurient interest.

- **Section 3-**

**Prohibition of advertisements containing indecent representation of Women.-** No person shall publish, or cause to be published, or arrange or take part in the publication or exhibition of, any advertisement which contains indecent representation of women in any form.

- **Section 4-**

**Prohibition of publication or sending by post of books, pamphlets, etc; containing indecent representation of women.-** No person shall produce or cause to be produced, sell, let to hire, distribute, circulate or send by post any book, pamphlet, paper, slide, film writing, drawing, painting, photograph, representation or figure which contains indecent representation of women in any form:

**Provided that** nothing in this section shall apply to-

(a) any book, pamphlet, paper, slide, film, writing, drawing, painting, photograph, representation or figure –

(i) the publication of which is proved to be justified as being for the public good on the ground that such book, pamphlet, paper, slide, film, writing, drawing, painting, photography, representation or figure is in the interest of science, literature, art, or learning, art, or learning or other objects of general concern; or

(ii) which is kept or used bona fide for religious purpose; any representation sculptured, engraved, painted or otherwise represented on or in –

(i) any ancient monument within the meaning of the Ancient Monument and Archaeological Sites and Remains Act, 1958 (24 of 1958); or

(ii) any temple, or on any car used or the conveyance of idols, or kept or used for any religious purpose; any film in respect of which the provisions of Part II of the Cinematograph Act, 1952 (37 of 1952), will be applicable.

- **Section 5-**

**Powers to enter and search.-** (1) Subject to such rules as may be prescribed, any Gazetted Officer authorized by the State Government may, within the local limits of the area for which he is so authorized:-

Enter and search at all reasonable times, with such assistance, if any, as he considers necessary, any place in which he has reason to believe that an offence under this Act has been or is being committed;

Seize any advertisement or any book, pamphlet, paper, slide, film, writing, drawing, painting, photograph, representation or figure which he has reason to believe contravenes any of the provisions of this Act;

Examine any record, register, document or any other material object found in any place mentioned in Cl.(a) and seize the same if he has reason to believe that it may furnish evidence of the commission of an offence punishable under this Act.

**Provided that** no entry under this sub-section shall be made into a private dwelling-house without a warrant:

**Provided further that** the power of seizure under this sub-section may be exercised in respect of any document, article or thing which contains any such advertisement, including the contents, if any, of such document, article or thing if the advertisement cannot be separated by reason of its being embossed or otherwise from such document, article or thing without affecting the integrity, utility or saleable value thereof.

(2)The provisions of the Code of Criminal Procedure, 1973(2 of 1974), shall, so far as may be, apply to any search or seizure made under the authority of a warrant issued under Sec.94 of the said Code.

(3) where any person seizes anything under Cl.(b) or Cl.(c) of sub section (1), he shall, as soon as may be, inform the nearest Magistrate and take his orders as to the custody thereof.

- **Section 6-**

**Penalty-** Any person who contravenes the provisions of Sec 3 or Sec 4 shall be punishable on first conviction with imprisonment of either description for a term which may extend to two years, and with fine which may extend to two thousand rupees, and in the event of a second or subsequent conviction with imprisonment for term of not less than six months but which may extend to five years and also with a fine not less than ten thousand rupees but which may extend to one lakh rupees.

The proposed amendment increases it-

maximum of three years of imprisonment and fine to Rs 50,000 to Rs.1,00,000 for first conviction, and imprisonment of not less than two years, but which may extend to seven years, and a fine between Rs.1,00,000 to Rs.5,00,000 for second conviction.

- **Section 9-**

**Protection of action taken in good faith.-** No suit, prosecution or other legal proceeding shall lie against the Central Government or any State Government or any officer of the Central Government or any State Government for anything which is in good faith done or intended to be done under this Act.

### **3.1.2 Cable Television (Networks) Regulation Act, 1995**

This act has a separate Programme code and Advertisement code that regulates the content of the programmes and ad's aired on television.

- **Programme code-**(with respect to portrayal of women): No programme should be carried on in the cable service-
  - (a) offends against good taste or decency;
  - (b) denigrates women through the depiction in any manner of 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 women, or is likely to deprave, corrupt or injure the public morality or morals;
  - (c) The cable operator should strive to carry programmes in his cable service which project women in a positive, leadership role of sobriety, moral and character building qualities.
  
- **Advertisement code-** No advertisement will be permitted which in its depiction of women violates the Constitutional guarantees to all citizens. In particular, no advertisement shall be permitted which projects a derogatory image of women. Women must not be portrayed in a manner that emphasises passive, submissive qualities and encourages them to play a subordinate, secondary role in the family and society. The cable operator shall ensure that the portrayal of the female form, in the programmes carried in his cable service is tasteful and aesthetic, and is within the well-established norms of good taste and decency.

### 3.1.3 Information Technology Act, 2000

- **Section 67- Punishment for publishing or transmitting obscene material in electronic form.-** Whoever publishes or transmits or causes to be published in the electronic form, any material which is lascivious or appeals to the prurient interest or if its effect is such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it, shall be punished on first conviction with imprisonment of either description for a term which may extend to two three years and with fine

which may extend to five lakh rupees and in the event of a second or subsequent conviction with imprisonment of either description for a term which may extend to five years and also with fine which may extend to ten lakh rupees.

- **Section 69- Power to issue directions for blocking for public access of any information through any computer resource.-**

(1) Where the Central Government or any of its officer specially authorized by it in this behalf is satisfied that it is necessary or expedient so to do in the interest of sovereignty and integrity of India, defense of India, security of the State, friendly relations with foreign states or public order or for preventing incitement to the commission of any cognizable offence relating to above, it may subject to the provisions of sub-sections (2) for reasons to be recorded in writing, by order direct any agency of the Government or intermediary to block access by the public or cause to be blocked for access by public any information generated, transmitted, received, stored or hosted in any computer resource.

**(2)** The procedure and safeguards subject to which such blocking for access by the public may be carried out shall be such as may be prescribed.

### 3.1.4 Section 292 of the IPC

**Sale, etc., of obscene books, etc-** (1) For the purposes of sub-section (2), a book, pamphlet, paper, writing, drawing, painting, representation, figure or any other object, shall be deemed to be obscene if it is lascivious or appeals to the prurient interest or if its effect, or (where it comprises two or more distinct items) the effect of any one of its items, is, if taken as a whole, such as to tend to deprave and corrupt person, who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it.

(2) Whoever-

(a) sells, lets to hire, distributes, publicly exhibits or in any manner puts into circulation, or for purposes of sale, hire, distribution, public exhibition or circulation, makes, produces or has in his possession any obscene book, pamphlet, paper, drawing, painting, representation or figure or any other obscene object whatsoever, or

(b) imports, exports or conveys any obscene object for any of the purposes aforesaid, or knowing or having reason to believe that such object will be sold, let to hire, distributed or publicly exhibited or in any manner put into circulation, or

(c) takes part in or receives profits from any business in the course of which he knows or has reason to believe that any such obscene objects are for any of the purposes aforesaid, made, produced, purchased, kept, imported, exported, conveyed, publicly exhibited or in any manner put into circulation, or

(d) advertises or makes known by any means whatsoever that any person is engaged or is ready to engage in any act which is an offence under this section, or that any such obscene object can be procured from or through any person, or

(e) offers or attempts to do any act which is an offence under this section, shall be punished on first conviction with imprisonment of either description for a term which may extend to two years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to five years, and also with fine which may extend to five thousand rupees.

### **3.1.5 Section 293 of the IPC**

Sale, etc., of obscene objects to young person.-- Whoever sells, lets to hire, distributes, exhibits or circulates to any person under the age of twenty years any such obscene object as is referred to in the last preceding section,

or offers or attempts so to do, shall be punished 1[ on first conviction with imprisonment of either description for a term which may extend to three years, and with fine which may extend to two thousand rupees, and, in the event of a second or subsequent conviction, with imprisonment of either description for a term which may extend to seven years, and also with fine which may extend to five thousand rupees.

### 3.1.6 The Cinematograph Act, 1952

- **Section 5-A.** (1) If, after examining a film or having it examined in the prescribed manner, the Board considers that –

(a) The film is suitable for unrestricted public exhibition, or, as the case may be, for unrestricted public exhibition with an endorsement of the nature mentioned in the proviso to clause (I) of sub-section (1) of Section 4, it shall grant to the person applying for a certificate in respect of the film a "U" certificate or, as the case may be, a "UA" certificate; or

(b) The film is not suitable for unrestricted public exhibition, but is suitable for public exhibition restricted to adults or, as the case may be, is suitable for public exhibition restricted to members of any profession or any class of persons, it shall grant to the person applying for a certificate in respect of the film an "A" certificate or, as the case may be, a "S" certificate; and cause the film to be so marked in the prescribed manner:

- **Section 5-B.** Principles for guidance in certifying films. – (1) A film shall not be certified for public exhibition if, in the opinion of the authority competent to grant the certificate, the film or any part of it is against the interests of [(Ins. by Act 49 of 1981 (w.e.f. 1-6-1983) the sovereignty and integrity of India] the security of the State, friendly relations with foreign States, public order, decency or morality, or involves defamation or contempt of court or is likely to incite the commission of any offence.

- **Section 5E-** (1) Notwithstanding anything contained in sub section (2) of Section 6, the Central Government may, by notification in the Official Gazette, suspend a certificate granted under this Part, for such period as it thinks fit or may revoke such certificate if it is satisfied that-
  - (i) The film in respect of which the certificate was granted, was being exhibited in a form other than the one in which it was certified.

### **3.2 National Commission for Women and the other state run women Commissions**

The NCW was set up by the Government of India under the provisions of the Indian Constitution in the year 1992. Its objective is to represent the rights of women of India and to voice their issues and concerns. Recently, the NCW deposited its proposals for the amendment of the IRWA, 1986 to the Parliament. Also, it has continuously been raising concerns over the usage of women as objects.

### **3.3 Beijing Platform For Action (BPFA)**

- The Beijing Platform for Action (BPfA) was the resulting document of the Fourth World Conference on Women in Beijing, China in 1995 adopted in consensus by the United Nations (UN). It is during this Conference the governments and the UN agreed to promote gender mainstreaming as a strategy to ensure that a gender perspective is reflected in all policies and programmes at the national, regional and international levels.
- Women and Media were discussed under Section J and the recommendations to governments, NGOs and media organisations are made under two specific strategic objectives: 1) increase the participation and access of women to expression and decision making in and through the

media and new technologies of communication; 2) promote a balanced and non-stereotyped portrayal of women in the media.

### **3.4 Manushi**

It is an NGO that has worked towards the rights of minorities, child welfare and also the rights of women. Madhu Purnima Kishwar, who is one of the most known faces of this NGO and its journal Manushi, has written many a number of times about the indecent representation of women in media.

### **3.5 Streebal**

It's an NGO run by the famous journalist Ms. Rami Chhabra in Delhi that has fought a number of battles with women and for women. As a journalist and feminist Ms. Rami Chhabra has worked thoroughly on Women and Media. Streebal has been part to her efforts to remove this menace from the society.

## 4. Results and Discussions

### 4.1 Findings from the literature

#### 4.1.1 The growing indecency in media and its direct relation with the increase in crime:

As has been already discussed above in the introduction section that there is a growing vulgarity in media whether it be in films, advertisements, daily soaps, magazines, etc. this also has a very intricate relationship with crime. Pornography is also a source of sexual crimes like rapes and molestations since a person who watches porn may fantasise about any random women and then go and commit crime against one he finds on the street. The usage of women and her body parts out of context in advertisements has led to serious problems. The front page magazine covers of nude and scantily dressed women have attracted a lot of buyers and also this is one reason of increased crime.

#### 4.1.2 The Indecent Representation of Women Act, 1986

##### Section 2 (c)

- The act in its present form does not clearly define what 'indecency' or 'public morality' is. These are subjective terms that have different connotations for different people. This fact was also accepted by the Williams Committee during the passing of the English Act in 1980. They recommended the phrase 'offensive to reasonable people' in the place of 'indecency'.



**Figure 7: Indecent for Khap Panchayats**



**Figure 8: Indecent for an urban individual**

- Also, it may lead to the exploitation of the freedom to speech and expression because what is considered indecent by one may not be indecent for another. For example- the definition of indecency for the Khap Panchayats and that for the modern urban people can be way different.
- Moreover, the act specifically deals with the portrayal of women as a 'sexual object' and does not dwell on the aspect of 'morality'. For example, in daily soaps, women are portrayed in such a manner so as to reinforce the gender

stereotypes present in the Indian society. They play a weak and submissive role in the family, secondary to that of men. This is the ‘indecent moral’ representation of women that the act does not take into consideration.

### Section 3-

- Again, here the connotation of the term ‘indecent’ is not clear. There may be vague interpretations to the term ‘indecent’, which might be used in the interest of those who are seeking to exploit the law.

### Section 4-

- No clarity with respect to the term ‘indecent’ will create confusion on the production, distribution, circulation level as to what is indecent.
- The act exempts those materials that are meant for public good and are in the interest of science, literature and art, material that is meant for religious purpose. This has led to the creation of wide lacunae’s which may be exploited by interest groups. For example, any book, film, painting would be of artistic or religious value but then it may be representing women indecently.

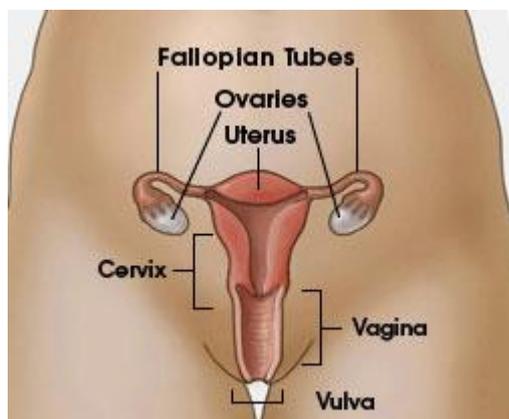


Figure 9: Women Body Parts in a Biology Text Book

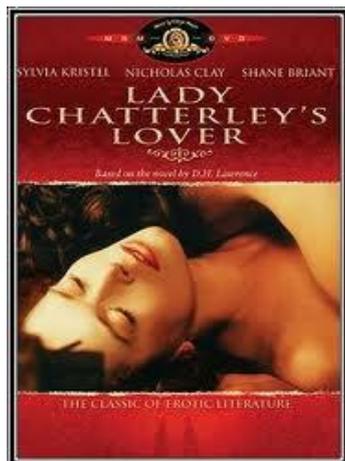


Figure 10: Book of 'Artistic Importance'

- Ranjit D. Udeshi vs State Of Maharashtra on 19 August, 1964 (AIR 1965 SC 881) – The appellant was booked under s.292 of the IPC for selling the obscene book 'Lady Chatterly's Lover' and was prosecuted along with three other partners. The Hon'ble Supreme Court of India Judgement read-

*"In judging a work, stress should not be laid upon a word here and a word there, or a passage here and a passage there. Though the work as a whole must be considered, the obscene matter must be considered by itself and separately to find out whether it is so gross and its obscenity so decided that it is likely to deprave and corrupt those whose minds are open to influences of this sort. In this connection the interests of contemporary society and particularly the influence of the impugned book on it must not be overlooked. Where, obscenity and art are mixed, art must so preponderate as to throw the obscenity into a shadow or the obscenity so trivial and insignificant that it can have no effect and may be overlooked. It is necessary that a balance should be maintained between "freedom of speech and expression" and "public decency or morality"; but when the latter is substantially transgressed the former must give way. In other cases obscenity may be overlooked if it has a preponderating social purpose or profit."*

### Section 5-

- The police officer may use own definition of indecency to decide whether the material he has to confiscate is indecent or not. Infact, he may not be competent enough to decide on the basis of his own will.
- The proposed bill is giving unfettered powers to an official at the rank of a police officer who may misuse it at his own disposal.
- The police official may use the power of individual judgement at his own behest and this may lead to an increase in corruption. The official may demand bribes in order to acquit the culprit and if refused a bribe he may also prosecute an innocent person.
- Moreover, even a constable may act **smartly** with people unaware of the law and may confiscate some material (phone, book, painting) alleging that it contains indecent representation of women.

### Section 6-

- Merely increasing the penalty will serve no purpose. What matters the most is how the law is implemented and not how much penalty is charged.

### Section 9-

- This is again giving unfettered powers to the police officials to search and confiscate anything he considers to be indecent. The law must consider that the official may not always act in good faith.

## 4.1.3 Cable Television Networks (Regulation) Act, 1995

### Programme Code

- The law should clearly define terms like 'decent', 'good taste', because there are different accepted morals in the society and these terms will then be defined by the people according to their comfortability. It may also lead to exploitation of the law according to one's own interest..
- The term 'public morality' needs to be ascertained, because it has different connotations for different people. For example, the Khap Panchayats v/s an urban modern individual.

- The programme code specially mentions to portray women in a positive, leadership role. But we come across a completely different scenario in today's daily soaps for example where women are being portrayed in a submissive secondary role.

### **Advertisement Code**

- Again here we come across terms like 'good taste', 'decency', 'tasteful', 'aesthetic', that are subjective terms and have wider connotations, subject to different interpretations. The law needs to come clear on it.
- The law lacks on the prohibition of portrayal of women as a sexual object. It dwells more on the side of 'moral' indecent representation. This has given ample grey spaces to the advertisers who have been continuously portraying women as a sexual object to attract customers. Not only in advertisements that endorse women products but ad's like those of shoes, cars, men perfumes that have no relation to a women's body, depict her sexually. Hence the context is not checked.

#### **4.1.4 The Information Technology Act, 2000**

- The Internet Service Providers (ISPs) have been 36 hours to react to a complaint. But what if the material goes viral in that time. Hence the online posting needs to be checked.
- The ISPs are not accountable for their actions.
- There is no provision of coordination between the cybercrime branches and the media regulatory bodies (CBFC, ASCI and BCCC). This does not make their actions accountable to the watch-dog bodies.
- There is a problem with the usage of fake SIM cards. This makes it difficult for the police to catch the offenders.
- There is no strict guideline for the international servers like face book. Their servers are present in USA and they refuse to give the IPs of people when asked for. This makes the investigation difficult. This is because the agreement that is signed by them does not have any provision that makes it

mandatory for them to setup the servers in India or to give the IPs of the offenders when asked.

- A lot of colleges and schools use open proxies that are not being monitored. All the proxies are also unauthorised that can be easily be used by offenders and escape a punishment.
- The act in section 67B defines child pornography but not adult pornography.
- There is no provision for monitoring the usage of internet by cyber cafes. This unregulated usage has led to a lot of offenders operating from these cybercafés.
- According to section 80 of the IT Act, 2000 a police inspector has to register a complaint. But these officials are highly non-competitive and this ultimately results in less complaints registered and hence less regulation.
- Also, presently the IT Act, 2000 and the subsequent amendments in 2008 have a provision for punishing the porn transmitter but not the viewer.

#### **4.1.5 Section 292 of the IPC**

- The section mentions the term ‘obscene’ that is again a subjective term which can be interpreted variously by different people. Some interest groups may bank on this loop hole and defend themselves by saying that the material that they owe is not obscene according to their definition.

#### **4.1.6 Section 293 of the IPC**

- In India, individuals are declared adults at the age of 18. Hence the age specification of ‘20 years’ makes no sense here.
- It needs to come clear on the definition of ‘obscenity’. There may be some things that may be sexually obscene and some that are non-sexually obscene. Also there needs to be a differentiation between terms like indecent and obscene.

#### **4.1.7 The Cinematograph Act, 1952**

## Section 5A

- The law is mentioning broad terms like unrestricted public exhibition, or that which is suitable for public exhibition restricted to adults, rather than coming clear on the material that should be prohibited according to the age groups.

## Section 5 B

- The Act mentions the terms 'decency' and 'morality', which are again subjective terms that can have different connotations for different people and can be used by directors and producers to their benefit.
- The law does not implement properly the fact that films that have been given an 'A' certificate by the censor board should not be telecast on television. They still continue to be aired. Even if they are aired with the proper cuts, the time should be decided.

## Section 5E

- Implicit banning of the films through non-certification should be done away with. The Censor Board should take to censorship and the Government of India should come into play only when there is an offence committed after the exhibition of the film.
- Also, the complaint mechanism with the CBFC is not clearly defined. There is a Grievance Redressal Officer, but the functioning is not efficient. There is no such mechanism for filing complaints in writing or otherwise and then no such compulsion on part of the CBFC to reply within a stipulated time.

### 4.1.8 The Advertising Standards Council of India is an inefficient Body:

- The Advertising Standards Council of India (ASCI) is a self-regulatory model. It's registered as a non-for-profit company under section 25 of the India Consumer's Act. The members of ASCI are firms of considerable repute within industry in India and comprise of Advertisers, Media, Advertising Agencies, and other professional/ancillary services connected with advertising practice.

- How can one expect a body comprising completely of media people to be fair while regulating the media content. People from media are most vociferous about the right to freedom of speech and expression and taking into consideration the economic point of view, they will never be ready to regulate something (the indecent representation of women in this case) that fetches them more and more benefit.
- The second problem is that the media advertising agencies are under no compulsion to associate with the ASCI. If associated they are not under any compulsion to abide by the codes and the decisions of the ASCI. In the year 2012-2013, 20% of the advertisers did not confirm to the decisions made by the CCC of the ASCI. According to the tracking done by the ASCI, 5% of the ad"s against which the complaint was upheld had re-appeared.<sup>4</sup> The rest 95% had modified the ad"s 'appropriately' at their own disposal. Moreover, there is no penalty made and no legal action is taken against the offender. This gives them more power to act at their own disposal. This has amply given the media a lot of loop holes to bank on and the result is right in front of our eyes.
- The Consumer Complaints Committee (CCC) has a balanced proportion. 12 out of 21 members of the CCC are not related to the field of media.<sup>5</sup> But some of the decisions taken by the ASCI will prove that the CCC is not functioning properly and is completely dominated by the decision taken by the media people.
  - a) A case was filed against the Coca-Cola Company for endorsing its product Maaza. The complaint said that the expressions on the face of both the boy and the girl show cheapness of activity. "A girl can be 'won' by offering Maaza. Before the boy makes the offer, number of other boys are shown to make an attempt to win her heart." Voiceover in the background narrates such events. Expressions of the boys and girls show the „cheapness“ of the activity. The complaint was not upheld because the CCC

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<sup>4</sup> <http://www.ascionline.org/index.php/faqs.html#>

<sup>5</sup> [www.ascionline.org](http://www.ascionline.org)

thought that the ad was meant to be humorous and could not cause widespread and grave offence.

b) Another complaint was against the Timex Group India Ltd. The advertisement showed that the wearing the watch, one can kiss the man. The caption reads: Waste Time, Kiss every frog, find Prince charming. This ad seems to be vulgar at the outset but the CCC said that it wasn't vulgar and it couldn't cause any grave or widespread offence at the outset.

c) The last example would be related to the moral objectification. The complaint was filed against the Mother Dairy Fruit and Vegetable Pvt. Ltd. The advertisement shows that the father is the head of the house and the mother is relegated to a home maker. It reinforces the gender stereotypes in the society. The CCC did not uphold the complaint and said that the advertisement as a whole was not likely to cause "grave and widespread offence".<sup>6</sup>

#### **4.1.9 Broadcasting Contents Complain Council:**

- The Broadcasting Content Complain Council (BCCC) is a co-regulatory body set up for regulating the content of television programs. It receives complaints from viewers, NGO's, RWA's, Ministry of Information and Broadcasting, etc. There are certain problems with the functioning of the BCCC that need to be rectified.

(1) The consumer has to send a complaint to the Standard & Practices Department that has to be setup by every broadcaster channel. If the head of the S & P Department feels that the complaint is valid, he will take appropriate actions. But if in his view the complaint is prima facie, frivolous, vexatious, biased/motivated, he may dismiss it at his own disposal and reply to the complainant in an appropriate manner. But this is certainly a grey area. There is no review of the decisions taken by the S & P Department and they at their own disposal handle complaints. This is no less than self-regulation.

(2) The complaint can be filed only within one week of the telecast of the offending program.

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<sup>6</sup> ASCI report on complaints decided by their CCC

- (3) The complaint can be filed only in Hindi or English which is another loop hole. This makes it difficult for people from non-Hindi or non-English speaking background to report what they find offensive.
- (4) It is not mandatory for the broadcasters to be associated with the BCCC. Hence, those who don't associate are free to violate rules and codes.
- (5) The BCCC reacts only on the complaints. It does not take suo motu cognizance of the offensive programmes.

#### 4.1.10 Complaint Mechanisms:

- **The complaint system is elaborate and difficult:** The following are the complaint mechanisms for the news broadcasting council and those advertisements that are aired on television respectively:
  - a) Before completing this form please ensure that you have read the, Dispute Redressal Guide for viewers.
    - You must complete this form in full, in accordance with the regulations. - If you would like further help or advice, please contact the NBA Secretariat on the address provided in the guide book or by e-mail, [authority@nbanewdelhi.com](mailto:authority@nbanewdelhi.com)
    - Relevant portions of the Code of Ethics & Broadcasting Standards are available on NBA website.
    - Details of complaint: - Please complete these details in full. - Name of Broadcaster-
    - Programme Title / Broadcast Item-
    - Programme date: dd/mm/yr
    - Time of Broadcast-
    - Complainant(s): Please complete these details in full. - Surname - First Name - Mr. / Mrs. / Ms. Address
    - Daytime Phone No: - Mobile No: - Email (if applicable) - Fax Number (if applicable)
    - All complaints decided by the Authority may be made publicly available by the Authority, including the name of the complainant. However, in the event

a complainant has valid concerns relating to privacy issues in making a complaint, the Authority may in its absolute discretion consider requests from the complainant for anonymity / confidentiality.

- Has a complaint already been made to the Broadcaster? Yes No
- If you have answered yes, please give details: -
- Here state the substance of the complaint, with all relevant and material facts:
- Any correspondence and reply relating to this complaint should be attached to this form.
- **Is the matter complained of the subject of any proceedings in a court of law or other Tribunal or Statutory Authority? Yes No**
- Declaration to be given as per Regulation 8.4
- The facts stated in the complaint are true and correct to the best of my/our knowledge and belief.
- I/we have placed all relevant facts before the Authority and have not concealed any material facts;
- I/we confirm that no proceedings are pending in any Court of law or other Tribunal or Statutory Authority in respect of the subject matter complained of before the Authority;
- I /we shall inform the Authority forthwith if during the pendency of the inquiry before the Authority the matter alleged in the complaint becomes the subject- matter of any proceedings in a Court of law or other Tribunal or Statutory Authority.

Signature(s):

Date: 7

b) The complaint to the Ministry of I & B should include the following details:

- 1) Name of the channel exhibiting the offensive advertisement.
- 2) Name and contact details of your cable distributor or operator.
- 3) Name of the product advertisement.

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<sup>7</sup> <http://www.nbanewdelhi.com/download-complainf-Form.asp>

- 4) The celebrities and the characters used a brief narration of the storyline (about 200 words).
  - 5) The exact rule or rules being violated by the Government.
  - 6) Argue in about a hundred words how the advertisement is violating the rules.
- Also, this complaint mechanism is not completely effective. If the advertisement is not completely withdrawn, it has to be followed up with an RTI addressed to the Public Information Officer (PIO) of the Ministry of I & B.

#### **4.2 Finding from the fields and impact on the theoretical focus of the project**

- Most of the workers agreed on the fact that today's movies are showing women on a bad picture. They are shown in scantily clad clothes that have a bad impact on the society. It also has a direct relation to the increased crime against women.
- The watchman indirectly referred to the Delhi Gang Rape Case and said that today's youth is learning whatever is being shown in films. He said that all the indecent representations in movies should be completely banned proving the fact that the vulgarity in media is now becoming unacceptable.
- The shopkeeper agreed that this is happening because the directors want to earn as much money as possible. Proves the economic focus of the media that is proving harmful.
- The warden was of the view that it is not something new. This is being happening since the time when she was young. Boys used to pick up lines from the vulgar item songs and then eve-tease them: A co-relation of vulgarity with crime that has continued for long.
- Another warden also raised concern about her children since they are learning bad things from the movies and advertisements.

- One thing that can be concluded is that these people are not at all thinking at the level of censorship. They want a complete ban which is not a feasible option in this era of free speech.
- Also, when asked to the wardens that whether the portrayal of women in TV serials is derogatory, they said NO. It clearly indicates that the directors have taken an undue advantage of the so called Indian Culture and instead of guiding the audience in a new direction, they are reinforcing the already established gender stereotypes.
- A meeting with Ms. Kalpana Pant: to focus on a solution that reduces the supply and the demand. To try introduce a formal training session for the people associated with media and regulatory organisations telling them that values matter more than economics.
- A meeting with Ms. Rami Chhabra: currently only the porn possessor is penalised and not the viewer. Hence on lines of the Immoral Traffic Act, 1956, the viewer should also be punished and this will help reducing the demand.

(b) The complaint mechanism of the media regulatory bodies needs to be simplified so that a common individual can easily file a complaint without any hesitation.

(c) while making agreements with international servers, it should be made mandatory for them to either setup their servers in India or give the IPs of the offenders when asked for.

(d) India should take to banning such international sites as well as porn if the rules are not complied with. If China and Saudi Arabia can take to a strict ban, why not India?

## 5. Recommendations: Scope and Strategy for Implementation

### 5.1 Recommendation & Scope

#### 5.1.1 Recommendations to the IRWA, 1986

- The law should come clear on the definition of indecency which may prevent vague interpretations. The definition of 'indecency should be such that it caters to the intellectual domain of each individual in the society. For example in the movie Bandit Queen, frontal nudity and other gravely indecent scenes have been portrayed. But they have a meaning behind it and hence censorship does not seem to be appropriate in this case.

In the Samaresh Bose v/s Amal Mitra case(AIR 1986 SC 967, (1985) 4 SCC 289) where the latter was booked for publishing his novel 'Prajapati' that has obscene passages, the Hon'ble Supreme Court of India gave its judgement-

*“Therefore, including the question of obscenity, the Judge in the first place should try to place himself in the position of the author and from the view point of the author the Judge should try to understand what is it that the author seeks to convey and whether what the author convey has any literary and artistic value. The Judge should, thereafter, place himself in the position of a reader of every age group in whose hands the book is likely to fall and should try to appreciate what kind of possible influence the book is likely to have in the minds of the readers. A Judge, should thereafter, apply his judicial mind dispassionately to decide whether the book in question can be said to be obscene within the meaning of section 292 I.P.C. by an objective assessment of the book as a whole and also of the passages complained of as obscene separately.”*

- The context of booking something under the act needs to be defined. Following are two newspaper clippings, one reporting a slut walk and the other an item song. The latter may give the example of the former saying

that it being more 'nude' must be booked. But truly the first can be justified whereas the latter cannot.



Figure 11: Slut walk



Figure 12: Item song

- In the case of material having high artistic or religious value, or are of great importance from the science and literature point of view, the

publisher must be notified that such material must not land into the hands of the minors whose morality may get depraved or corrupt.

- The officials should be given proper training so as to decide what is indecent.
- Full immunity must not be given to any police inspector. Instead he must be made accountable to a higher police official. Also, if some discrepancies are found, then the official should be legally tried.
- He should also justify (in writing), the reason to enter some premise and search for indecent material.
- Also, the law nowhere talks about 'moral indecency', which is one of the greater issues of today. It is only the Cable Television Networks (Regulations) Act, 1995 that bans the portrayal of women in a passive, submissive role.
- Further, the term indecency requires a clearer definition because it will give a great deal of power to the moral policing organisations to regard indecent anything that is sexual. Khap Panchayats have come down with a heavy hand on girls wearing jeans or even using a mobile phone. This has resulted in an increase of crime against women and has further added fuel to the fire of patriarchy.
- The new provisions of the bill are already covered under the IT Act (will be discussed later). This will lead to confusion as to which law will prevail when there is a conflict.
- The law talks only about the Indecent Representation of women but not of men or trans-genders which makes it biased.
- While dealing with electronic media, the international boundaries must be looked after. Most of the material is put via international portals and is made available to the Indian public. Thus the ISP should be made more active as well as accountable.

### **5.1.2 Recommendations to Cable Television (Networks) Regulation Act, 1995**

### **To the Programme Code:**

- The term indecency should be clearly defined so that the cable operators don't bank on this unspecified mention and take undue advantage of exploiting the law to their personal benefit. (as mentioned in the recommendations to the IRWA, 1986)
- The law broadly mentions that the cable operator should try to air programmes that portray women in a positive role and does not give any strict guidelines to the cable operator to prevent the airing of any such programme where women is shown in submissive, secondary role. The problem is not in displaying women in the household atmosphere but in comparative portrayal where men are usually shown in the working professional atmosphere. This has to be checked.
- The internet is more or less unregulated. Most of the news channels pick up vulgar material from facebook, youtube or twitter and display it. They are also protected under the copyright provisions to enjoy rights of fair use, to carry copyrighted content without any permission from the authority. This material is also picked up by cable channel operators under the same copyright provisions. Thus, it must be made necessary for the cable operators to gain authenticated licenses from the ISP before airing any such material. The same accountability should be made to the BCCC.

### **To the Advertisement Code**

- The clear definition of the term 'indecency'.
- The implementation of the law is not stringent as advertisements continue to show women associated with vegetable oils, washing powders, etc, that promotes submissiveness. Again the emphasis is not on the portrayal of women in the household atmosphere but the comparative portrayal.
- Also, there has been an increased depiction of women's body (parts) in a derogatory manner that has led to her objectification, using her as an object to attract customers. The focus here is not nudity, but the portrayal

of women out of context. This context needs to be dealt with. The ASCI should take a suo motu cognizance of such ads.



Figure 13: Out of context usage of Women's Body

### 5.1.3 Recommendations to the Information Technology Act, 2000

- The Internet Service Provider (ISP) must be competent enough to decide on his behalf what is fit for display or what is not.
- He should be made accountable on his actions by specifying it in writing of why or why didn't he blocked the access of the particular material to public.
- Moreover the law does not specify any stipulated period of time that should be provided to the ISP for blocking access to the said material. Only a period of 36 hours is given to him to start action. Meanwhile the material will go viral online and this will serve the purpose of the distributor. Hence a regular monitoring should take place. For example, Chinese authorities have decided to take a drive to monitor content online in the year 2013 during the summer vacations between June and August.<sup>8</sup> They plan to survey online games, advertisements, websites, forums, columns, etc and

<sup>8</sup> [China%20to%20crack%20down%20on%20pornography%20-%20Firstpost.htm](#)

then shut down those that are found to have pornographic information. The Government agencies would also carry out checks on shops selling electronic or audio-visual products and Internet bars to eradicate the spread of pornography. The cybercrime branches in India can also take to similar kinds of monitoring.

- As happens in China, there should be regular monitoring of the online websites and blocking of those that are violating the norms.
- Also in China, the Internet users need to get themselves registered with the local police and the regime will arrest anyone who distributes or accesses indecent material online.
- The cyber cafes need to be monitored on a weekly basis because they are currently not regulated.
- While making an agreement with the international sites, there should be a provision that makes it mandatory for them to setup their servers in our country or if it's not possible, then they should give the IPs of the offenders and help in investigation.
- The police officials dealing with cyber security need to be properly trained. There needs to be a special course in the IIT's and other technological institutions that trains students to handle cyber complaints.
- The law needs to also punish the porn viewer, only then will the demand be checked.
- Section 67B of the IT Act, 2000 talks about the regulation of child pornography. But strangely there is no provision for regulation of adult pornography. A specific detailed clause should be added that restricts adult pornography the same way as child pornography.
- Also, there should be a separate clause in the IT Act that deals with the co-ordination between the cybercrime branches and the media regulatory bodies. Currently the complaint of a consumer can be either filed with the ISP or the cybercrime branch. But a review mechanism of the decision does not exist. What should be done is that the ISP should have a content auditor that monitors content online. The complaint should be filed in the cybercrime branch. A copy of the same complaint should be sent to the

respective media regulatory body (CBFC, BCCC, ASCI). The cybercrime branch should demand accountability from the ISP if they find that the complaint is not frivolous or vexatious. If the complaint is upheld, the same should be notified to the media regulatory body. If not, then the same should again be notified to the media regulatory body and then it should take a review of it.

- For this system to work well, an easy complaint mechanism is required. A toll free number to be set up with the cybercrime branches and also a simple email and posting mechanism to function. This will not cause lethargy on the part of the consumer to file a complaint. A simplified complaint mechanism will be discussed later.
- Since its provisions overlap with the recent amendments of IRWA, 1986, it should come clear on the fact that which law should prevail when there is a conflict in the area of obscenity via electronic media.

#### **5.1.4 Recommendations to Section 292 of the IPC**

- A clearer definition of obscene is required.
- The section in clause 1 mentions specifically the term 'writing', but clause 2, sub-clause (a) does not mention it. Hence it would be appropriate to include it.<sup>9</sup>

#### **5.1.5 Recommendations to Section 293 of the IPC**

- F.C.C. v. Pacifica Foundation, (1978), 98 S.Ct. 3026: In this particular case, the Supreme Court of U.S.A. came clear on the meanings of the term 'indecent' and 'obscenity'. Mr. Justice Stevens said, "prurient appeal is an element of the obscene, but the normal definition of 'indecent' merely refers

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<sup>9</sup> Law Commission of India; 109<sup>th</sup> Report on Obscene and Indecent Advertisements and Displays; Section 292-293 IPC, chaired by Justice K.K. Matthew.

to non- conformance with accepted standards of morality.” Hence the above section should include both the terms ‘indecent’ and ‘obscene’.

- The section may not include material that is obscene for hyper-sensitive people. But that which affects the morals of reasonable people.

### **5.1.6 Recommendations to the Cinematograph Act, 1952**

#### **Section 5A**

- The law should come clear on what is unrestricted public exhibition and what material should be displayed only to the adult class of the audience.
- The censorship should also be justified on the basis of the changing levels of the definition of ‘indecent’ or ‘obscene’ in the society.

#### **Section 5B**

- Either the law should include definitions given in the aforesaid sections and law or it should give its own definitions.
- Also, item songs being a new addition to Bollywood, According to my opinion the vulgarity that is being portrayed through these item numbers, demands a separate section that will prohibit the commodification of women.
- Also, censorship should not be such that it prohibits the stark reality of social evils. That is there should be a difference between fictional and non-fictional movies. For example- Bobby Art International & Others v Om Pal Singh Hoon & Others (1996 AIR (SC) 1846): A writ petition was filed by the first respondent to quash the certificate of exhibition awarded to the film Bandit Queen. The first respondent was the President of the Gujjar Gaurav Sansthan. The court squashed his appeal saying that though frontal nudity, rape and violence were shown, yet the social evils have to be portrayed to generate consciousness. "We find that the (high court) judgment does not take due notice of the theme of the film and the fact that it condemns rape and degradation of violence upon women by showing their effect upon a village child, transforming her to a cruel dacoit obsessed with wreaking

vengeance upon a society that has caused her so much psychological and physical hurt, and that the scenes of nudity and rape and use of expletives, so far as the Tribunal had permitted them, were in aid of the theme and intended not to arouse prurient or lascivious thoughts but revulsions against the perpetrators and pity for the victim."

- A better implementation of the sections already present.

#### **5.1.7 A new Co-regulatory body for monitoring advertisements:**

- The co-regulatory body will be named as the Advertising Standards Council of India.

**(1) The body will be functioning within the ambit of the following laws** (with respect to the indecent representation of women):

- (a) Indecent Representation of Women Act, 1986.
- (b) Cable Television Networks (Regulation) Act, 1995.
- (c) Information Technology Act, 2000.
- (d) S. 292 and 293 of the Indian Penal Code.
- (e) Young Person's Harmful Publications Act, 1956.

#### **(2) Constitution of the ASCI:**

(a) The ASCI will be chaired by a retired judge of the Supreme Court or the High Court. The nominations will be made by the Ministry of Information & Broadcasting and the selection will be by a majority voting by the members of the Indian Broadcasting Foundation.

(b) The committee will consist of 15 members:

- (i) The Additional Solicitor General of India.
- (ii) Two eminent Economists. (because it's a direct hit on the pocket of the media agencies)
- (iii) Four social activists (public representatives).

(iv) Four representatives of the Advertising Agencies.

(v) Four representatives of the National level Statutory Commissions.

(c) The Economists and social activists will be nominated and selected by the IBF.

(d) The representatives of the National level Statutory Commission may either be the chairperson itself or a member nominated by him.

Provided that one member will be from the National Commission for Women, one from the National Human Rights Commission, one from the National Commission for Minorities and one from the National Commission for Protection of Child Rights.

(e) The representatives of the Advertising agencies will be selected by the Advertising Agencies Association India in their annual meeting.

### **(3) Tenure of the members**

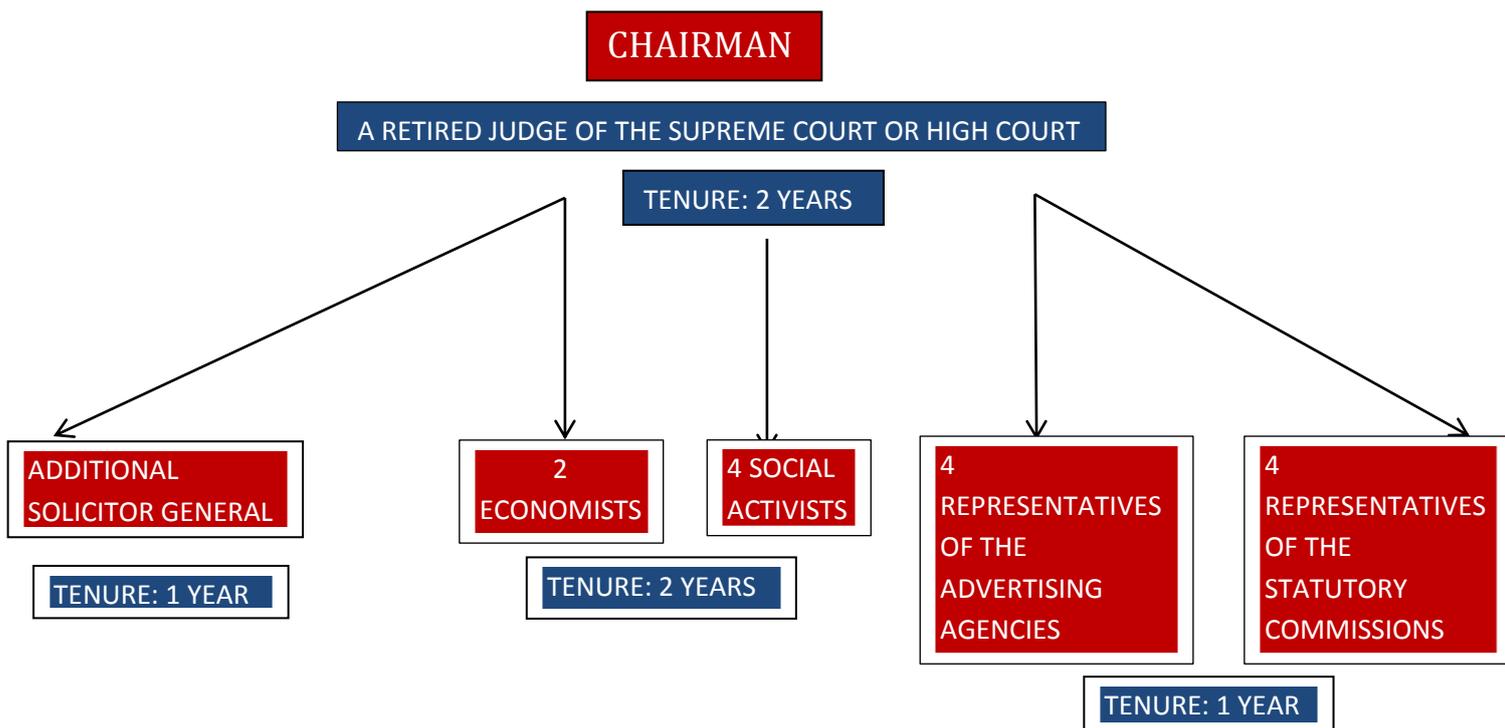
(a) The Chairperson will have a tenure of five years.

(b) The economists and the social activists will be selected every two years.

(c) The members of the advertising agencies will also have a tenure of two years.

(d) The representatives of the state level statutory agencies will have a tenure of one year.

(e) The economists and social activists are not eligible for re-election. Nor will be the representatives of the advertising agencies.



#### (4) Procedure of filing a Complaint

There will be a content auditor with every advertising agency who will monitor the content of the advertisements. When a complaint is made by anyone, then a copy of it will be sent to the content auditor of the respective advertising agency and the ASCI. If the content auditor feels that the complaint is not frivolous and has a valid point, he may order for the changes/ban. In this case the ASCI will be notified and the case won't be dealt with by the ASCI complaints committee. If the complaint is not upheld, then the ASCI will be notified of the same and it will then take cognizance of it.

(a) The NAMS (National Advertising Monitoring Service) that is an initiative of Adex India, a branch of the TAM India Research that monitors advertisements both in print and electronic media. It is currently working in association with ASCI (Advertising Standards Council of India). It monitors the content of the

advertisements and then forwards those that are violating the ASCI code to the ASCI'S CCC on a weekly basis. The CCC then takes suo motu cognizance of the violating and moves forward with the complaints. The same NAMS initiative will work for the above proposed co-regulatory body.

(b) There will be a toll-free number which can be used by the public to register complaints.

(c) A mechanism of mailing and posting will also exist that will be as simple as giving the complainants details and the details of the advertisements that he finds inappropriate.

(d) A complaint form should be provided both online and offline which should include the basic details of the complainant and the advertisement against which the complaint is being lodged. There should be no compulsion on the part of the complainant to find out whether there is any case going against the present advertisement in the court or not or if any judgement has been already given.

(e) There should be a mechanism of tracking the complaints that tells the complainant at what stage of processing is their complaint. For this purpose, a complaint number should be issued.

(f) The identity of the complainant should not be revealed unless the complaint is upheld.

#### **(5) Time for reply**

(a) Once a complaint has been made to the content auditor and the ASCI, the reply is bound to be given within one week of the filing of the complaint.

#### **(6) Functions of the ASCI**

(a) It will be mandatory for all the advertising agencies to associate with the ASCI. By this way, the monitoring would be efficient enough.

(b) The body will function like a civil court. On filing a complaint, summons will be issued to the defendant, he will be given a specific time to react and if he is found guilty, he has to pay compensation in terms of money to the body.

(c) (i) The ASCI will also coordinate with the cybercrime cells around the whole country. If a person files a complaint with any cybercrime branch relating to an indecent advertisement, then the same will be forwarded to the ASCI. If the cybercrime branch takes appropriate steps to address the complaint, then the same should be notified to the ASCI. If not, the ASCI should take cognizance of the same and then give appropriate directions to the cybercrime branch.

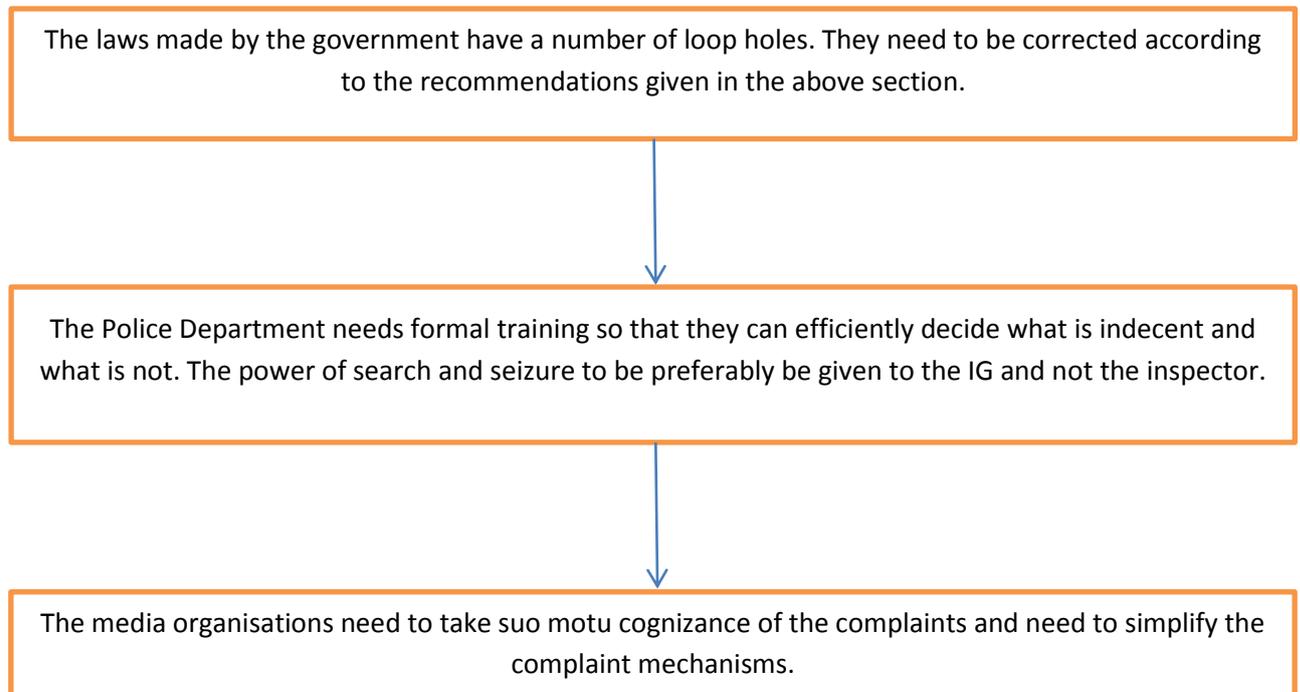
(ii) Apart from this, the NAMS will be continuously monitoring advertisements online and forwarding details to the ASCI on a weekly basis. If it finds any discrepancies in the monitoring of the advertisements online by the cybercrime branches, it can pull up the respective branch for accountability.

#### **5.1.8 Broadcasting Contents Complain Council:**

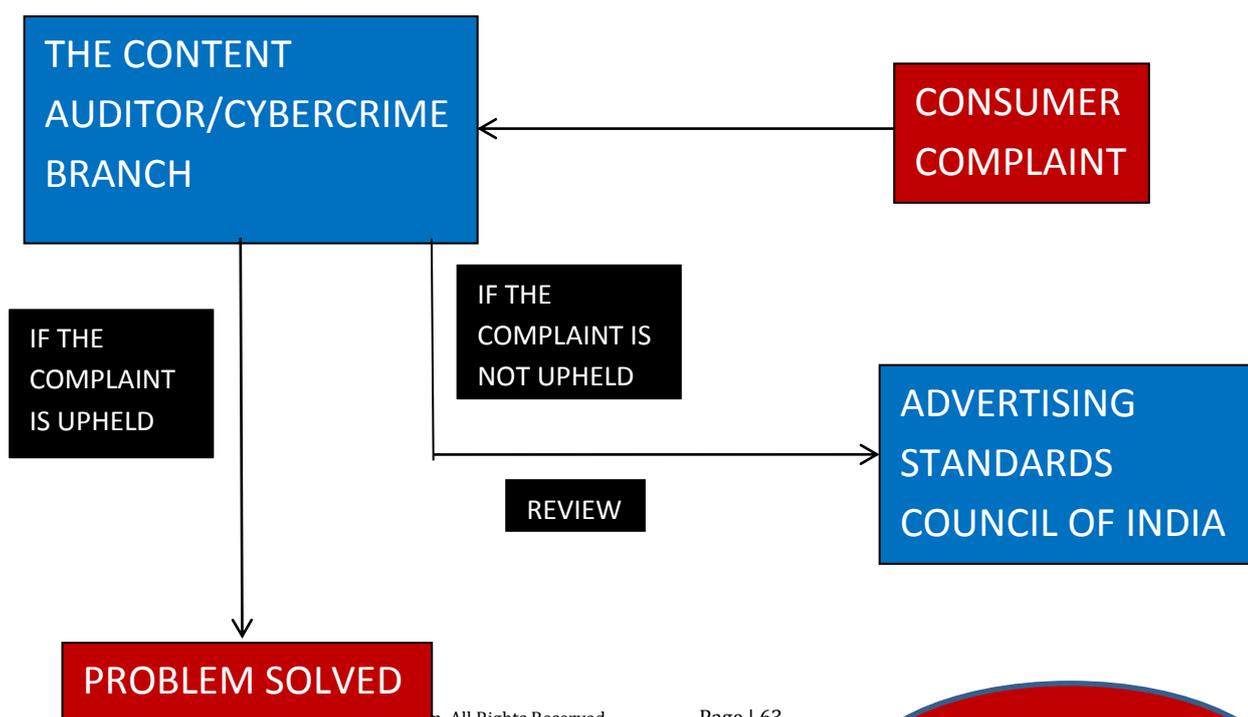
- A copy of the complaint should be sent to the BCCC Secretariat. If the complaint is not upheld, then the BCCC committee should give a final review.
- The time of filing a complaint should be extended. The complaint should be allowed to be made till the time the program is being aired on television.
- There should be a provision of translation with the BCCC.
- It should be mandatory for all the broadcasters to be part of the BCCC so that there is no scope of misuse of laws.
- It should also take suo motu cognizance of violations.

## 5.2 Flowchart (Strategy) for implementation

### 5.2.1 Regarding the laws:



### 5.2.2 Regarding the functioning of ASCI:



## 6. Future Work

### 6.1 Formal training session for the media people

- There is an argument put forward by many that since there is a demand by the society, the media supplies the indecent material (of course, there are economic reasons).
- Hence, in order to solve this problem, there can be a formal training session for the people associated with the media as well as those who are presiding in the media regulatory bodies.
- This formal training session need to be designed in consultation with the NGOs, what all do they need to sensitize media people.
- This is one aspect to be worked upon.

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## Appendix A

### MENTOR DISCUSSIONS

- **Date:** June 3, 2013

**Time:** 11:04 AM

**Duration of Discussion:** 3 minutes

**Discussion:**

1. Asked to take the survey of the increased vulgarity in media and then work on the laws.
2. He also asked me to watch an episode each of the serial HUM LOG and BADE ACHHE LAGTE HAI to analyse the changes that have taken so far.

**Action Items before next discussion:**

1. To take a detailed survey of the increased vulgarity in media including films, advertisements, news channels, television programmes and magazines and find a co-relation with crime. Hence divided my timeline accordingly.
2. Films (1 day)
3. Television Programmes (1 day)
4. Advertisements (1 day)
5. Magazines and news channels (1.5 days)

- **Date:** June 7, 2013

**Medium:** mail

**Discussion:**

1. To identify the laws regulating the indecent representation of women in media.
2. To weigh their provisions.
3. To identify the loop holes.
4. To propose suitable recommendations

5. To talk to some people related to the field of media and ask them that why is it that the media is selling more with a woman. Also, who should do more to solve the problem.

**Action plans before next Discussion:**

1. To study the laws:
  - i. IRWA, 1986 ( 1.5 days)
  - ii. Cable Television (Networks) Regulation Act, 1995 (1 day)
  - iii. Information Technology Act, 2000 (1 day)
  - iv. S. 292 and 293 of the IPC (4 hours)
  - v. Cinematograph Act, 1952 (1 day)

- **Date:** June 12, 2013

**Time:** 9:55 PM

**Duration:** 7 Minutes

**Discussion:**

1. Since most of my literature review has been done, I took guidelines from my mentor on how to conduct surveys. He gave me interesting and innovating ideas of visiting a lecture class of IIT Delhi, giving them a questionnaire and getting their feedback within 5-10 minutes.
2. I also plan to make a short documentary, wherein I will be taking interviews of people ranging from my hostel's sweeper, people from my own internship program to members of the National Commission of Women, National Human Rights Commission and different NGO's.
3. He also asked me to visit the Institute of Public Administration, where I can interview eminent faculty members and make that a part of my documentary.
4. He also advised me to visit the women cells of Police stations and enquire if some complaints are registered at the local level, which have relation with the indecent representation of women. He was generous enough in saying that he may give me some contacts of some female police officers here in Delhi.

**Action plan before next Discussion:**

1. Will start with the documentary making. Have already prepared 2-3 general questions to be asked.
2. Will be visiting the National Commission of Women and the National Human Rights Commission for interviewing some members.

- **Date:** 24<sup>th</sup> June

**Medium:** mail

**Discussion:**

1. The contacts of some police officials were needed as the IRWA, 1986 deals with the power given to the police officials.
2. He gave me the contact details of two police officials who could be contacted.

**Action plan before next discussion:**

1. To contact the referred people and ask them certain questions:
  - a. Should the police official at the rank of an inspector be given power of search and seizure?
  - b. If yes, then should there be a formal training session for them?
  - c. If no, then who should be given the above power?
  - d. Also, talk to them about the present situations?

- **Date:** 30<sup>th</sup> June

**Medium:** mail

**Discussion:**

1. The IT Act, 2000 was difficult to handle. Hence he gave the contact of a cyber-expert who could help interpret the relevant clauses of the act and also expose me to new ground level realities.

**Action plan before next discussion:**

1. To work on the clauses of the IT Act, 2000 along with relevant inputs from the contact given.
2. To also work on new recommendations that are urgently needed.

- **Date:** 6<sup>th</sup> July

**Medium:** mail

**Discussion:**

1. Took suggestions on the co-regulatory body being proposed for replacing the ASCI.
2. He gave the idea that it should be headed by a Retired Supreme Court or High Court Judge.
3. It should be like a civil court that issues summons and charges penalties when its codes are violated.

**Action plan before next Discussion:**

1. To study the models of various media regulatory bodies (especially the BCCC) and come up with a viable model under the name of ASCI.
2. To also meet some NGO's to decide upon the complaint mechanisms that the above body should have.
3. To meet Retd. Justice Markandey Katju as referred by my mentor.

## Appendix B

**This questionnaire is framed towards making case study-a comparison of two movies “Bandit**

Queen” and “Murder”. It is not necessary that the person answering the question should have

watched both the movies. A perception created through media reviews may even be enough.

1. Kindly rate the plot of both the movies on a scale of 1 to 5:

Key: 1: Insignificant and senseless; 2: Fine 3: Good 4: Very Good 5: Excellent

Bandit Queen:

Murder:

2. Do you feel the controversial scenes in both the movies were necessary to drive the message home that the movie intended to convey?

a.) Yes

b.) No, the movie’s message has no relation to the scenes, c.) No, the movie had no message at all

Bandit Queen:

Murder:

3. How much, do you think, these movies should have been regulated by law?

a.) The movies should have been completely banned

b.) Only the controversial scenes should have been removed

c.) The movie should have been left uncensored because tampering would have been unfair to the theme of the movie.

Bandit Queen:

Murder:

4. Does it mean that erotic scenes which represent a woman indecently should be completely removed from movies as a matter of rule?

a.) Yes, this is fine

b.) No, only those scenes which are not related to the theme of the movie must be deleted.

5. Who will decide the censorship of such scenes in the movies?

a.) The Censor Board in India: it already performs this work

b.) A committee of women belonging to all levels of the society

c.) There is no need for such censorship; it is against the freedom of speech and expression.

d.) Other, please specify.....

6. What do you think should 'indecent representation of women' mean, in relation to movies?

a.) Something which is not decent even if it relates to the theme of the movie

b.) Something which portrays women in a derogatory manner and is not related to the theme of the movie

c.) All kinds of erotic scenes

d.) Other, please specify.....

7. If a movie is found to be representing women indecently, what type of penalty do you suggest?

- a.) Hefty fine + total ban on movie
- b.) Hefty fine and imprisonment+ total ban on movie
- c.) Other, please specify.....

“The highest measure of democracy is neither the ‘extent of freedom’ nor the ‘extent of equality’ but rather the highest measure of participation.”

- A.D. Benoist

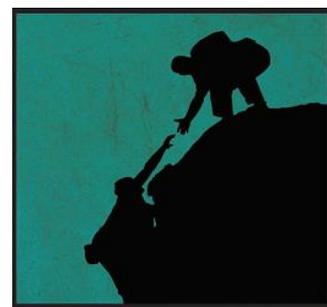
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Contact:

Email: [secretary@rakshakfoundation.org](mailto:secretary@rakshakfoundation.org)

Website: [www.rakshakfoundation.org](http://www.rakshakfoundation.org)

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