

REGULATION LITE: THE HINDU EDITORIAL ON SELF-REGULATION CODE FOR OTT CHANNELS

Relevant for: Science & Technology | Topic: IT, Internet and Communications

India's Internet-based Over-The-Top (OTT) streaming services have [operationalised a code of self-regulation](#) from February 10, soon after the [I&B Ministry announced](#) that it had prepared a set of guidelines and directives for the industry. The inexorable growth of OTT channels has infused creative talent into film-making, aided by the absence of overbearing censors and vested interests, although it might be argued that it also has a small minority pursuing crass commercialism. [COVID-19 buoyed subscription revenues](#) from home-bound viewers for OTT ventures streaming films, reality shows, serials and documentaries, and with cinemas closed, even broke the industry taboo against online-first film releases. Yet, the urgency of this code arises not from any challenge to law and order or morality posed by films, but the gauntlet of police and court cases that film-makers and the channels are now having to run. Governments are also lending tacit support to the view that creative expression may be becoming too influential to be left free. The [FIRs in U.P. against the Amazon Prime Video series, Tandav](#), invoking legal provisions on cyber terrorism, obscenity, promoting social enmity and defiling places of worship, on the ground that its portrayal of god was derogatory, and a plea in M.P. on the same series seeking a court direction to bring OTT channels under censorship laws indicate the growing oppressive environment. It is time the Centre took a firm stand against displays of manufactured outrage and let newer channels of creativity flourish.

The collective initiative of the OTT services under the aegis of the Internet and Mobile Association of India, which places emphasis on abiding by the IPC, laws on women's and children's rights, copyright and age-appropriate certification and parental control, while upholding Constitutional provisions on free speech, should be given an opportunity to work. Such a voluntary code is consistent with the [recommendations of the I&B Ministry's Expert Committee on film certification](#) chaired by Shyam Benegal in 2016. The panel upheld creative expression and full ownership of any visual production, leaving viewing decisions to audiences, more accurately classifying films by viewer age, and ensuring transparency in the way reviewing bodies are constituted. The idea that films must be pre-censored and arbitrary cuts made by government-appointed nominees, mostly out of prejudice, is antiquated and repugnant to liberal societies. Clearly, a plethora of laws are available to assess, based on complaints, whether there has been an egregious violation of law, and this determination ought to be made by unimpeachable bodies representing a wide spectrum of civil society. A policed approach to films and media can only grow a monoculture of propaganda.

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