

CONSUMER PROTECTION ASSOCIATION

HIMMATNAGAR

DIST. : SABARKANTHA

GUJARAT



Comments

On

Issues related to Community Radio Stations

Introduction :

Community Radio Stations are considered as one of the most vibrant and dynamic means of participatory communication among the Indian communities. These radio stations have a critical role in strengthening the democratic fabric of a country by ensuring community engagement at all levels of governance. It is simple to set up and at the same time requires little expense to get oneself informed through the medium. For the community radio is broadcasted in local-intelligible language, it requires no formal education on the part of the audience thereby minimizing the gap between the educated and the illiterate masses.

However, the Indian community radio stations rather make the medium complex to its extreme. From its reluctance in giving airwaves free to public, it added tiers and levels of regulation and restrictions for any group of individuals to use the service. The process in acquiring the right to set up airing stations become so complex that it has not fulfilled its intended concept, goal and mission of the project itself. Compared to other countries of the west or its neighbors like Bhutan, Sri Lanka, Bangladesh or Philippine, CRS structure in India is still exhibit colonial censorship.

Indigenous community radio stations around the globe serve an important role in delivering relevant information to communities in Indigenous languages that directly impacts their livelihoods. They are constantly adapting to technological challenges, such as going from AM to FM, and from analogue to digital. Many are also accessing the information superhighway that is the internet, although often with limitations. Internet access is an issue that radio stations continue to discuss and demand. Despite economic limitations, lack of infrastructure, low and poor quality connectivity, dominant language media content competition, the community radio stations that have been able to access the internet, are now expanding their coverage and engaging with a broader audience and enlarging their reach.

Many radio stations use and take advantage of various mobile applications which enable the public to access their programming and interact with the radio. This is especially advantageous for community members who have migrated to other cities or countries and want to remain informed about local issues and stay connected with their people. Many radio programs are now being uploaded to various digital platforms, creating archived information which can be accessed

without time limits. Likewise, the internet has increased the reach of radio stations, ultimately expanding beyond by the borders surrounding the station where the transmitter signal arrives. Cell phones have also become a powerful tool that has increased access for Indigenous Peoples to listen to community radio and its programming.

Community radio not only continues to be a medium for the transmission and revitalization of Indigenous languages, cultures and worldviews, it also continues to be a primary medium to inform and communicate issues that affect and interest the constituency it serves, especially for rural communities where reliable internet access is lacking. The relatively low costs of setting up a physical radio station for immediate use makes radio advantageous over digital radio. In addition, broadcast radio serves as one of the main means for accessing audiences who do not have internet access.

A change in government policy of channel spacing and formulating comprehensive community radio guidelines, including reserving spectrum will help make it attractive for additional players to come forward.

Issue for consultation:

Q 1. Should the not-for-profit companies, registered under section 8 of the Companies Act 2013, be permitted to establish Community Radio Stations (CRS)? Should the existing terms and conditions for establishment of Community Radio Stations and Government's supporting scheme be made applicable to such not-for-profit companies? Please provide justification for your response.

Comments : **With cautions and restrictions.**

1. As per Section 8(1a, 1b, 1c) of the new Companies Act, 2013, a person can establish Section 8 company for “**promotion of** commerce, art, science, sports, education, research, social welfare, religion, charity, protection of environment or any such other object”, provided it “intends to apply its profits, if any, or other income in **promoting** its objects” and “**intends to prohibit the payment of any dividend to its members.**”.
2. Some time the Contents are often closely tied to the programmatic agendas of NGOs, and the imperative of putting together a ‘fixed-point-chart’ of more and more hours of daily broadcast forces many stations to a stultifying adoption of standardized genres and formats.
3. Different types of business structures have different implications for the business. There are several key difference between the two business entities :
 - (i) Non Profit and
 - (ii) Not-for-Profitfrom profits that stem from doing good in the community to paychecks that come from fund raising.
4. The phrases ‘Non Profit ‘ and ‘ Not-for-Profit ‘ easy to assume the same things. However, nonprofits and not-for-profit are business structures with different tax implications, governance and functions.

- Not-for-profit are not required to operate for the benefit of the public good. A not-for-profit can simply serve the goals of its members. A good example is a sport club, the purpose of the club is to exists for its members' enjoyment.

There are five key differences between a nonprofit and a not-for-profit:

	Nonprofit Organization	Not-for-Profit organization (NFPO)
1.	Nonprofits are formed explicitly to benefit the public good.	Not-for-profits exist to fulfill an owner's organizational objectives.
2.	Nonprofits can have a separate legal entity.	Not-for-profits cannot have a separate legal entity.
3.	Nonprofits run like a business and try to earn a profit, which does not support any single member.	Not-for-profits are considered "recreational organizations" that do not operate with the business goal of earning revenue.
4.	Nonprofits may have employees who are paid, but their paychecks do not come through fundraising.	Not-for-profits are run by volunteers.
5.	Nonprofits are granted 501(c)(3) status by the IRS.	NFPOs are also governed by IRS tax code section 501(c), but depending on their purpose they could fall under a different section, like section 501(c)(7).

Q 2. What should be the prescribed license period for CRS in the Guidelines?

Comments : **Five years.**

Some businesses start as one type of legal entity and later decide to convert to another.

Q 3. What should be the period of extension/renewal on the expiry of the initial permission?

Comments : **Five Years.**

Q 4. What should be the terms & conditions for renewal/ extension of license period? Please provide list of compliances to be submitted by the organization operating a CRS for making an application of renewal.

Comments :

First time Extension for 5 years :

Grant of Permission Agreement can be extended for a period of five (5) years at a time. First extension can be granted on the basis of :

- (i) An application and verification of adherence to the terms and conditions of the permission.
- (ii) Previous three years brief activity report should be submitted.
- (iii) Previous three years Audited Report should be submitted.
- (iv) The application for extension shall be submitted in the fourth year of operation

Second Time Extension for 5 years :

1. For second extension i.e extension beyond ten (10) years, the continuous operation of CRS by the permission holder for 10 years should be treated as ground for extension.
2. CRS should submit their application for extension of permission one year before end of the permission period.
3. Other Terms and Conditions should be as per the mentioned above.

Q 5. Should the existing limit of 7 minutes per hour on duration of advertisement on CRS need to be revised? If yes, please suggest the limit on duration of advertisement on CRS with justification.

Comments : **No.**

1. C R Stations are getting financial Assistance from the Government from time to time and in different situations.
 2. Sufficient revenue of CRS is mainly generated by advertisements and programs sponsored by the central and state Governments and other organizations to broadcast public interest information.
 3. Apart from this they are getting advertisements from industries and businesses.
- Q 6. Should the not-for-profit organizations, operating in multiple districts, may be allowed to setup multiple CRS in their area of operation? If yes, should there be any additional terms and conditions governing such**

permissions? Should there be any cap on number of permissions granted to such not- for-profit organizations?

Comments : Yes.

There is need to evolve location specific model for each segment, considering the cultural, social, traditional, economical, geographical, political and environmental issues of the people in mind. Community radio has immense potential to address these differences as it is highly location and cultural specific in terms of its ownership and operation.

If yes, should there be any additional terms and conditions governing such permissions? Should there be any cap on number of permissions granted to such not- for-profit organizations?

Comments : Yes.

Q 7. What are the factors responsible for slow growth of CRS in India? Whether the current scheme for 'Supporting Community Radio Movement in India' is adequate to promote the CRS in India? What other measures can be undertaken to promote faster growth of CRS in India?

Comments :

1. Unnecessary and Complicated process in acquiring license :

One main reason for the slow growth of community radio stations in the country is the lengthy and complex process in the granting of licenses.

The criteria laid down by the government have added the burden. Permission to set up CRS is to be granted only when mandatory clearances from Ministry of Home Affairs, Ministry of Defense and Wireless Planning and Coordination Wing of Ministry of Communications & Information Technology are obtained. Clearances should also be obtained from Ministry of Human Resource Development in case of Educational Institutions and Ministry of Agriculture in case of State Agriculture Institutions, Indian Council of Agricultural Research (ICAR) institutions and Krishi Vigyan Kendras. All these clearances are mandatory.

In one study, Government has received 689 applications for setting up of CRS in the country. Of these 41.3% applications were either returned or rejected, 38.17% of the applications were referred back to applicants, 9.4% were referred to the concerned ministries and letter of intent (LOI) was issued for only 11% of those applications. It is therefore not surprising that there are just 200 operational CRS in the country in 2016.

2. Technical limitations of the strength of signals :

After getting the permit to operate community radio stations, another important factor to be considered is the several technical limitations the government imposed on the stations. As per the guidelines mentioned in the modification, signals for broadcasting shall be limited to 25 kilometers. However, in reality the transmission equipment provided by the agencies sometimes reach only 7 kilometers radius. The technical and equipment inefficiency has left many radio stations limited to a small locality. Local towns and villages with greater than 7 kilometers radius of its

settlement find it inconvenient. The reach and coverage of a particular signal can hence be enhanced by providing better equipments and more importantly revamping the guidelines laid down by the ministry. This will ensure that a particular station serves more people and also act as a strategy to minimize the insignificant presence community radio stations in the country.

3. Limitations imposed on content :

The concept of community radio varies from countries to countries. Countries in Europe and the Americas largely let stations function independently on the selection of content and program, thus granting more autonomy to the community. However, community radio stations in India functions with 'reasonable restrictions' on the content selection to be aired too. In India, CRS are largely use to communicate development policies. It encourages broadcasters on the educational, developmental, social and cultural needs of the community. It however restricts the airing of news, views and opinions of the people; with exception to the translated version of news broadcasted in the All India Radio without any distortion. The restrictions imposed on the contents of the media in turn lowers the attractiveness of the audience towards the media. In the fast changing virtual world where media acts as a sharing platform, the absence of news and information content in community radio stations makes itself redundant and dull. The slow growth of community radio stations could also be attributed to the several guidelines and content restriction imposed by the government to the community broadcasters. CRS policy of India is

largely a one-way communication process considering the development centric content. Community Radio stations will bear desired results only when the voices of the people are taken into account through the adoption of two-way or multidimensional communication principles.

4. Organizational and managerial challenges :

One of the challenges CRS faced in its functioning is the organizational modalities of the stations. As stations are owned and managed by societies, the well functioning requires time, human resources and financing. For a struggling society, the maintenance of CRS is a cumbersome. As it does not permit any commercial interest, the society has to get financial assistance from any individuals and societies, which is unlikely to be responded positively to the project. As such, the longevity and survival of stations depends largely on the sacrifice the society made over.

In the light of such difficulties, it can be assumed that lack of support, inefficient organizational structure and regulations imposed upon have made CRS difficult to be started by NGOs. According to the data provided, 38% of the stations are run by NGOs. However, it is rather surprising to the fact that several of CRS run and managed by NGOs has footprints of the politicians, corporate leader, etc. According to the report of Anushi Agarwal and Devi Leena Bose, CRS in the country is largely financed and funded by politicians, corporate houses or institutes to gain mileage indirectly or indirectly. (Ref. Agarwal A. and Bose D.L. (2016). Community Radio—where is the community? Part II. Available at <http://www.thehoot.org/media->

watch/communitymedia/community-radio-where-is-the-community-part-ii-9819.)

5. economic limitations, lack of infrastructure, low and poor quality connectivity, dominant language media content competition are the factor for slow growth.
6. The policy of utilizing community radio in disturbed areas of the country to reach out to local inhabitants also needs to be reviewed in an effort to negate miscommunication and project development programs of the government.
7. The broadcast content of community radios is extremely localized. The time has come to debate whether the regulatory process needs to be decentralized and the States be empowered to further popularize this important medium of communication with the people. A suitable mechanism can be evolved through a central regulatory authority with adequate checks and balances.
8. The legal framework discourages local innovators from making affordable transmitters, antennae etc..
9. The law requires that the applicants buy equipment only from "authorized dealers".
10. The other constraint is the limited indigenous knowledge of radio technologies.
11. The restrictions imposed on the content of CRS lacks reasoning. In a country where all forms of media thrive with editorial independence, the special restriction it imposed on the Community Radio Stations is perplexing and discriminatory. When all forms of media thrive together and

acted as a sharing platform besides news and information, limiting the editorial autonomy and independence of CRS lacks logical argument.

12. In the era where media are either owned and managed with huge commercial interests, the denial of right to broadcast content of its own by CRS with the fear of being misused for political or economic purpose shows the colonial system of granting the license to publication house which have favor one group of media over the other. Media available to the rural masses has to be taken care of. This will ensure better participation of the community in the decision making process of the country.
13. The bottom-up approach to development programs which every government profess to promote will continue to remain unattended or least benefit the public until and unless the voice of the community is taken into consideration. All development initiatives should be preceded by a careful and balanced planning involving the mass at the grass root level. Community radio and its allied media should be a game changer in the process.

Q 8. Stakeholders may also provide their comments on any other issue relevant to the present consultation.

Comments : No Comments.

Heartily Thanks.

Yours' faithfully,

(Dr. Kashyapnath)

President

Member Organization : TRAI