

# Ministry of I&B to meet again with industry to debate online video content regulation

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By Megha Mandavia ET Bureau Nov 08, 2019, 10.56 AM IST



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BENGALURU: The information and broadcasting (I&B) ministry will hold a second round of consultation on the issue of regulating online video content in Chennai next week, even as the industry pushes back on possible censorship.

All top online curated content providers (OCCPs), including Netflix, Amazon and Hotstar, have been invited through industry association, the Internet and Mobile Association of India (IAMAI). The first round of consultations happened in Mumbai in October.

Sources familiar with the matter said the industry believes there are enough laws, including the Information Technology Act, to regulate online content and seek legal recourse. They argued that streaming platforms are meant for private viewing, unlike traditional mediums such as television and cinema, which are broadcast publicly.

**"We should publish a list of all the laws that apply to OCCP platforms so that there is no perception that OCCPs are not regulated," said Gowree Gokhale, head of Telecom, Media and Technology practice at Nishith Desai Associates, which is part of the consultation process. "Basically, we have to decide the best way forward, because what are we going to reply to all those PILs?"**

Many in the industry are pushing for pre-certification, warnings and parental control instead of new legislation.

"We need to make sure the title has age rating, content description, and the platform has age gating (parental control) to protect children. This will protect citizens and vulnerable groups like children," a company executive, who did not want to be named, said. "In an attempt to bring parity with broadcast, let's not introduce new laws."

Despite the industry formulating a voluntary self-regulatory code that disallowed certain kinds of content earlier this year, many public interest litigations have been filed in various courts of law demanding stricter control of content available on these platforms.

The Rashtriya Swayamsevak Sangh (RSS), the ruling BJP's ideological parent, wants streaming companies to restrict 'anti national' and 'anti-Hindu' content on shows.

Hotstar and Amazon did not respond to ET's email seeking comment. Netflix declined to comment.

MX Player said it believes any additional legislation or regulations are unnecessary.

"The discussion on 'need for the Government to enforce regulations versus self-regulation by the industry players, is still contentious and being heavily debated," said Karan Bedi, CEO, MX Player, which is owned by Times Internet.

Times Internet is part of the Times Group, which also publishes this newspaper.

The self-regulatory code has not proven strong enough to assuage the concerns of lawmakers.

Amazon Prime video, one of the top streaming platforms in India, is not part of the voluntary code, whose participants are struggling to move forward as some players such as Hotstar are advocating for an adjudicatory process to rule on content that violates the code.

"There is already an IT Act which prohibits certain kinds of content. Why succumb to public pressure and do a repeat legislation? Most industry players want self-regulation or no regulation. I believe there are practical difficulties in implementing an adjudicatory process because every platform has different political sensitivities," said Tanya Sadana, senior associate at Ikigai Law.