BRIEFING DOCUMENT---COMMUNITY RADIO IN INDIA
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Chapters

Chapter 1: Community Radio

a.   The concept

Universal declaration of Human Rights: Article 19: Right of Information

" Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

" Community Radio is a social process or event in which members of the community associate together to design programmes and produce and air them, thus taking on the primary role of actors in their own destiny, whether this be for something as common as mending fences in the neighbourhood, or a community-wide campaign on how to use clean water and keep it clean, or agitation for the election of new leaders.

The emphasis is on the ownership of democratic and development efforts by the members of the community themselves and the use of the media, in this case radio, to achieve it. In every sense, this is participatory communication (not programmes made about them by somebody else!). it is above all a process, not a technology, not merely a means, because the people are part of that means, and so is the message and the audience.

Community radio is most relevant to a group of people who live and act as a community, and this could be several families, several neighbourhoods, or even several villages or communities, but the important thing is that they interact. " (*Carlos A. Arnaldo: Unesco Community Radio Handbook*)

A Theoretical View of the Indian Context

Dr.Vinod Pavarala is Associate Professor of Communication at the University of Hyderabad and has been a consistent supporter of community radio. He was a key figure at the Hyderabad meet, 2000, that give a major fillip to the national campaign for legalising community radio in India. This meet was marked by the launch of an active Internet-based networking model that brought campaigners across the country in closer touch, to fight for the issue.
The professor puts the issue in its theoretical context:

I think the idea of community radio has taken a natural course of time in India. Historically, radio has been used by the state within the context of an older paradigm of community development as early as the 1950s. That whole approach was top-down, elitist, pedagogical, and treated people as only passive consumers of information.

Today 'community radio' means (as it must) a non-state, non-market venture, owned and managed by a particular community, (defined as a territorially bound group with

some commonality of interests) that idea could not have emerged until recently. This idea is being articulated against the backdrop of the rise of new social movements and non-governmental organizations. These movements and NGOs appeared on the Indian socio-economic canvas in the post-Emergency years, as the state suffered from a severe crisis of legitimacy, giving rise to a civic ferment. These organizations have now, after two decades of grassroots work, reached a level of maturity, redefining politics and development in the country. After years of focusing on issues of livelihood, capacity-building and mobilization, some of these organizations have now turned their attention to deploying media technologies for empowerment of marginalized communities.

The kind of policy models I have been suggesting for community radio in India are available in liberal-democracies such as the United States, Canada, Australia, Ireland, and South Africa. All of these countries have constitutional guarantees for freedom of the press/statement. The reasonable regulations formulated for the establishment and functioning of community radio stations have not come in the way of upholding the wider right to free speech and statement.

It is the responsibility of all of us -- media practitioners and activists, academics, and civil society organizations -- to ensure that we keep up sustained pressure on the government to yield to the democratic aspirations of the voiceless for a 'right to communicate'. Already, the government's attempt to accommodate the demand is visible in its offer of time on All India Radio outlets for community programming. The Kutch and Daltongunj efforts came out of this policy. I am not antagonistic to exploiting whatever spaces are available for articulating community voices over mainstream media channels. However, one should be extremely cautious about the government's long-term strategy of converting these offers into cooptation and appropriation, precluding the need for a genuinely autonomous community space for broadcasting.

I also think universities must play a role. The opening up of a third sector of broadcasting in India for purposes of education and development would provide exciting opportunities for campus radio stations. Already IGNOU's Gyanvani (the Indira Gandhi National Open University's steps to set up a string of educational radio stations across India) is all set to exploit the medium's potential for offering distance education. However, I am sceptical of universities trying to get on the community bandwagon by suggesting that they would provide space for communities to broadcast content relevant to them. These are never going to be participatory efforts by local communities and will likely be reduced to tokenism. I am apprehensive that moves like these would only give the government further reasons for postponing the inevitable -- the freeing of airwaves from both state and market control. Universities could help in conducting research (comparative policy research as well as case studies) and provide intellectual support and rationale for community broadcasting in

the country. They could also facilitate the emergence of an autonomous community radio by enabling communities to learn the art and skill of radio broadcasting.

*The full text of the interview of Dr. Vinod Parvala conducted by Frederick Noronha is available in **Appendix 1** of the document. Dr. Parvala can be contacted at the mail address:* vinodp@satyam.net.in

b.   Overview of Issues in The Indian Context

The Background:
As early as in 1935, Principal of the Agricultural Institute in Allahabad and later in the 60s Pantnagar Agricultural University had been granted permission to set up experimental radio stations using low power mw transmitters which would cover the range of the campus. Both these experiments were warmly greeted but both folded up after a few years, partly due to financial constraints and partly due to a waning of the initial enthusiasm, as the duties associated with these radio programmes became additional non-remunerative activities for all concerned.

In 1956, with support from UNESCO, a project had been taken up from AIR, Poona, then a small 1kw mw station, to educate farmers. The farm radio, as it was termed, came on air twice a week for 30mts and soon became extremely popular. The evaluation of the report by Mr. Paul Neurath, a UN expert showed that the project was a very successful experimentation in breaking down the distance between the listener and the participant in a radio programme and can be replicated across the country. From the '70s AIR began setting up small 1-6kw FM radio stations (Local Radio Stations termed LRS), which had the potential to become community mouth-piece as well as serve the union government's needs of information dissemination. This expansion, was designed after the 'commune radios in Vietnam' and the extremely successful Australian multi-tier broadcasting policy.

The LRS should have become the focal point for what is now a popular term "community radio" but AIR had not developed a separate personnel policy to run these stations and no special effort had been made to link the stations with the local community aspirations. However it must be put on record that some of these Local Radio Stations have served the communities extremely well as for example AIR Hospet in Karnataka, and Coimbatore in Tamil Nadu. In all such cases, the personal enthusiasm rather than any guided policy has been the reason for the successful impact.

The Present Scenario:

1. Indian radio broadcasting is right now shifting from being a government monopoly to commercialised broadcasting. In the year 2000 FM broadcasting was opened up to the private sector for the first time, by charging prohibitively expensive broadcasting fees. In July 2001, India's very first privately owned broadcasting station went on air in Bangalore. It is owned by none other that Rupert Murdoch's Star. The government is also actively considering leasing out some of its existing radio transmitters to private parties.

2. Community-owned radio broadcasting is being overlooked by the Government. Even nearby countries like Nepal allows for community broadcasting by not-for-profit groups. Radio could be a potent medium if used for educational purposes by universities or even colleges. Low-powered transmitters are inexpensive to build, and FM (frequency modulation) allows for hundreds or thousands of radio stations to be set up in different parts of the country without the problem of clogging of the airwaves.

3. Why is the government so nervous about opening up a medium that has powerful development potential? Are media groups who have acquired licenses for the FM stations more benevolent than development groups?

4. So far, the official response has been one of undiluted fear about opening up radio to the people. Officials argue that AIR's low- powered stations in semi-rural areas -- some 89 already exist -- could offer one-hour time slots to panchayats or "bonafide" representatives of the communities. They raise the question of how should they ascertain which non-profit or voluntary organisation is a "true representative of the community". They voice the fear that the medium could be hijacked by separatist groups in the country, in Kashmir and in the North East for instance, to spread disaffection against the Indian state.

5. In 1995, the Supreme Court directed the government to open up broadcasting. In doing so it gave a rationale for community ownership of the airwaves. ."Use of the airwaves, which is public property, must be regulated for its optimum use for public good for the greatest number.... Broadcasting is a means of communication and, therefore, a medium of speech and statement. Hence in a democratic polity, neither any private individual, institution or organisation nor any Government ... can claim exclusive right over it. Our Constitution also forbids monopoly either in the print, or electronic media...." -- Judges Sawant and Mohan, AIR 1995 Supreme Court 1236

6. In consonance with this judgement the Government has to open up radio broadcasting in India to the public, not just the private sector. India could well benefit from the creation of a three-tier system of broadcasting in the country: a state-owned public service network (existing framework); commercial private broadcasting; and non-profit, people-owned and managed community radio stations.

7. Non-profit and development organisations have been lobbying for more than five years to get permission to broadcast information that could help the "information poor" to get an understanding of issues critical to their lives. Recently, neighbouring countries like Nepal and Sri Lanka edged past India by allowing non-profit community radios to be set up. Asian countries like the Philippines have already shown the beneficial impact of such locally-managed, non-profit initiatives taken up by citizens themselves.

8. Community radio would have three key aspects: non-profit making, community ownership and management, and community participation. Community radio is distinguished by its limited local reach, low-power transmission, and programming content that reflects the educational, developmental and cultural needs of the specific community it serves.

9. Permission for low-cost community radio has long been on the cards. But while dozens of FM (frequency modulation) radio stations are currently being set up by the private sector, the rules for setting up non-profit stations are yet to be framed.

10. Some universities and NGOs have applied for licences to run low-powered radio stations (with a range of a few kms), for educational or developmental purposes. Among these reportedly are Santiniketan of West Bengal, Satyajit Ray Film Institute in Kolkata, National Law School of India University of Bangalore, Jamia Milia, Deccan Development Society of Andhra Pradesh, Voices from Bangalore. Only IGNOU has been granted license to run Low Power Radio Stations on FM in the 40 cities where commercial FM channels were auctioned two years ago.

11. On FM, the bandwidth permits a very large number of low-powered radio transmitters. There can be up to 5,000 FM stations, roughly the same number as tehsils (district sub-divisions) in India, according to T.H. Chowdary, advisor to Andhra Pradesh Chief Minister Nara Chandrababu Naidu on technology matters.

The Andhra Pradesh government has already started thinking of using the media for education in remote areas. The Chief Minister Chandrababu Naidu in a written reply stated that the programme is intended for distance education, development information and disaster alerts. It is proposed to take up 1000 schools and other centers on a pilot basis. The Andhra Pradesh Government has already requested Prasar Bharati and the Ministry of I&B for time-sharing to broadcast distance education content, development information etc. However, they have not yet received any reply from Prasar Bharati. The Andhra Pradesh Government is also exploring the possibility of time slots in the World Space Radio. This option is currently being considered over FM Radio and even Prasar Bharati. The advantages of transmission over World Space satellite Radio are that the transmission is via satellite and therefore its footprint covers the entire country. Sound quality is far superior to what is experienced over medium wave or short wave transmission. There is no signal attenuation in the case of World Space. Secondly, text and images also can be

uploaded and downloaded as the transmission is digital. Particularly, Internet content can be downloaded offline. This cannot be done on AM or FM Radio.

*The full text of the interview with Sri Chandra babu Naidu by Sevanti Ninan is available in **Appendix 2** of the document.*

What the country needs now is to dedicate frequencies specifically for the creation, maintenance and expansion of community broadcasting in the country. This should be seen as a priority by setting up a Communications Commission.

Chapter 2: India's Experiments with Community Participatory Broadcasting

a.   State Sponsored Projects

India's first experiment using satellite for community participatory development was the Satellite Instructional Television Education (SITE) project started in 1975 which had brought the television into 24,00 homes in some of the least developed areas in rural India. It had showed the way for a new approach to communication technology for the development of human and professional skills among the uneducated and the marginalised. Its boldness and vision and its potential for offering education and development had presented exciting possibilities for transfer of skills in the latest communication technologies.

India's political wisdom had recognized as early as the 1950s, the role radio can play in empowerment of the communities, for creating awareness on issues of social concern and for speeding up the process of unification of a conglomeration of states distinct in language and cultural traits, into a single socio-political identity. Next came the awareness that radio can be used directly for development. The first Radio Farm Project planned in collaboration with UNESCO started from AIR Pune, in February 1956. Its success led to mandatory Radio Rural Forums in all stations of AIR from 1959. Indira Gandhi who encouraged in the late sixties, a separate channel for the youth community, to be managed by young people as they wish. Inaugurating the first Yuva Vani channel in Delhi, she had remarked: "Young people everywhere have a feeling of unrest. They have a feeling that something is wanting. They are groping for it. I welcome this groping. Sometimes it takes strange directions, strange forms which we who are older do not understand. But that does not give us the right to reject these forms. ……Radio can give young people the feeling that they are not a 'problem' but participants in the country's decisions."

Between the third and the fourth five year plans a number of low power radio stations, ranging from 1kw to 5kwt transmission strength came up in small towns and cultural centers in different states, aiming to bring the listener and the broadcaster closer and make radio more participatory and relevant to the average listener. From the '70s AIR began setting up small 1-6kw FM radio stations (Local Radio Stations termed LRS), which had the potential to become community mouth-piece as well as serve the union government's needs of information dissemination. Many of these local radio stations (LRS) have successfully interacted with the local communities and inspired communities to look at radio as a tool for social change.

Yesudhasan Thomas Jayaprakash, a scholar currently based in Australia, is currently completing a doctorate thesis on 'Community Radio, Development and Remote Audiences' and is tutoring at Edith Cowan University in Australia. His research was titled 'Remote Audiences Beyond 2000: Radio, Everyday Life and Development in South India'. His experience at the Local Radio Stations in Tamil Nadu is:

Talk local! That's the message emerging from his research which analyses how tribal audiences use the neighbouring low-power state-funded radio stations. Thomas' fieldwork was conducted among remote indigenous audiences in two districts of southern India's Tamil Nadu state: Kanyakumari and the Nilgiris. In Kanyakumari,

Kannikaran tribal audiences who live in the hill areas of Pechiparai were studied. Nilgiris, which means 'blue hills', is an area of five indigenous communities: Todas, Kotas, Kurumbas, Paniyas and Irulas. The Badagas have also migrated in. His thesis critically analyses how tribal audiences use the neighbouring low power radio stations, Nagercoil Radio Station (NRS) and Ooty Radio Station (ORS), of state-funded All India Radio. It also explores how these stations ensure audience participation.

"I lived in both Nilgiris and Nagercoil for six months. I interviewed and interacted with tribal audiences mostly in their homes (to cultivate a rapport) and occasionally in the fields during their lunch break" This also gave him an opportunity to observe where the radio was kept in the home and how it was moved to other places at different times of the day. "I also enquired what programmes they listen to, with whom, and who in the family decided to tune into which station or programme. This was in order to analyse the gender differences in choices," he added. Another prime area of investigation was how the listening pattern differ with different age groups -- from six to eighty years -- and sometimes at tribal schools too. Also explored was the 'space and time' of 'radio listening'.

ORS, or the Ooty Radio Station, functions "like a community radio" among the indigenous audiences of the Nilgiris district. It is an "exception to the standard regional broadcasting" in South India. ORS sounds distinctive when compared to other regional stations, including Nagarcoil. This, says Thomas, is thanks to its well-planned combination of programmes, which are largely field based and innovative in style. ORS attempts to empower indigenous audiences through it programming. Programmes serve a variety of audiences from youth and teenagers ('Ilayaragam', 'Kalangaraivilakkam') and children ('Siruvar Poonga'), to whole families ('Iniya Illam'). There are programmes for upcoming local talents ('Valarkalai Arangam'), sports ('Vilayattarangam'), local issues ('Valarum Malayagam'), village profiles ('Engal Giramam'), local news ('Neelamalai Kathir'), agriculture ('Thottamum Thozhilum'), tribal songs ('Malai Aruvi'), folk songs ('Mannin Manam'), topical discussions ('Palingu Mandabam') and feed back ('Karuthu Madal') to mention a few. ORS broadcasts programmes in the regional Tamil language and reserves a twenty minute slot for a tribal songs programme ('Malai Aruvi') in which indigenous audiences present programmes in their own tribal dialect. Unlike the major regional radio stations in Tamil Nadu, which broadcast programmes from morning to late night with few breaks, ORS only broadcasts between 5.30 p.m. and 9.30 p.m.

Since ORS broadcasts a range of programmes on local culture, the indigenous audiences tune to this station. "My research suggests that the audiences of this region prefer ORS because they feel it is relevant to their everyday life," says Thomas. Toda men, who are shifting over from pastoralism to agriculture, prefer listening to the agricultural programmes from ORS because they are specifically related to practices in the Nilgiris. Information transmitted through other regional radio stations are not of

much relevance to them. Before the introduction of ORS, remote audiences in the Nilgiris used to listen mostly to regional radio stations in Tamil Nadu in the medium band. They also tuned to hear broadcasts in Tamil from foreign radio stations such as BBC (World Service), Singapore and Malaysia in the short wave band. Now they tune to these stations for entertainment but rely on ORS for agricultural information and locally produced field-based programmes like 'Yengal Giramam' ('Our Village') and 'Malai Aruvi' (Tribal Songs Programme).

"It is not the lack of agricultural programmes in the neighbouring regional radio station broadcasts (Coimbatore), but the suitability and relevance to the conditions specific to the Nilgiris that prompts the remote audiences of Todas to listen to local information programmes. Nowadays radio personnel in India encourage people to visit radio stations unlike until the 80's where there was a strict procedure for admission. Programme officers are beginning to come out of the air-conditioned studios to meet people and produce more relevant programmes than before. But, of course, this shift in broadcasting style cannot be considered as an alternative to 'community radio' in India." Thomas says.

He adds: "As a tool for development, radio continues to remain unsurpassed because of its easy accessibility, cost effectiveness and localness of the medium. Since television is being driven, more and more, by advertising and market forces, the objective of using it as a tool for development has long been too sideways." Radio, the researcher argues, is relatively a more useful medium for the remote and rural audiences because of its low cost and portability. Another main advantage is that audiences' in remote and rural areas often experience power cuts.

*The full text of the interview of conducted Thomas Jayprakash by Frederick Noronha is available in **Appendix 3** of the document. Yesudhasan Thomas Jayaprakash can be contacted by mail at***:**

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Jo Tacchi, Research Scholar who has been studying community radio laws and regulations in different countries feel:
Community radio as a sector succeed can in India, once it is legislated for. There will be a huge variety of different forms of community radio once it is established, serving many different communities in many different ways. India is the perfect setting for community radio, and community radio is the perfect medium for India. I cannot judge whether the tide is towards legalizing it in the region -- I would hope so but governments tend to fear allowing 'ordinary people' access to broadcast media, as is also evident in the UK. Recent world events may serve to make governments even more fearful of this, especially in India. This is to my mind nonsensical, but a sign that

governments tacitly appreciate the power of radio, even though they do not quite understand it, and they fail to recognize how that power might be harnessed for good purposes.

Q: Which countries should a country like India look to for model legislation to set up CR?

A: No one country. India is unique. It must try to learn from the experiences of others and avoid the mistakes they make. More than anything, India, because of the nature of the diversity in the country, should try to develop a model that allows for a lot of room to manoeuvre.

b.   Civil Society initiatives

1.**KUNJAL PACHAEE KUTCH JI**
Community radio project by KMVS

2. **CHALA HO GAON MEIN**
Pilot Project on Community Radio by National foundation

3. **NAMMA DHWANI**
Community radio project by Voices in Bangalore

4. **WOMEN SPEAK TO WOMEN**
DDS Community Radio

KUNJAL PACHAEE KUTCH JI
Community radio project by KMVS

BASIC FACTS_____
Place: Kutch District of Gujerat
Target Group: women in Kutch villages
Partners: Kutch Mahila Vikas Sangathan and Drishti Media Collective
Focus: Empowerment of Women for Panchayat Functions
Media: : AIR MW station at Bhuj

THE REGION_____
150 villages of Kutch district.

THE PROJECT_____

India lags behind the rest of the free world in promoting community radio. Its broadcast laws do not permit it. But when the occasional window of opportunity presents itself, and a community seizes it, the result is grassroots media that is robust, resonant with local voices, and truly representative of local problems and initiatives. The latest such manifestation comes from Kutch, where the state-owned All India Radio, has leased weekly air-time to an NGO working with rural women. They produce a 30 -minute serial every Thursday at 8 pm. It began with 20 minutes but was increased to 30 after the first three months after AIR lowered its royalty rates. It completed a year of broadcast, and then recently, in the post-earthquake scenario, a fresh series is readying to go on air.

It is easy to romanticise rural communication: poor illiterate women, handling mikes and recorders, broadcasting their development priorities to the world. How heart warming, what a wonderful idea. But how much of a ripple does it create in the pond of rural reality? The experience of the Kutch Mahila Vikas Sangathan is that if you get your focus and dialect right, underwrite your effort with a partnership between rural and urban, neo-literate and professional writer, and bolster its success with properly done audience feedback, then rural communication has a good chance of making a difference in the everyday life of the rural people.

This radio programme entitled "Kunjal Paanje Kutch Ji" (Sarus Crane of Our Kutch) is the outcome of a partnership between several groups and individuals. The producer of the programme is the Ujjas Unit of Kutch Mahila Vikas Sangathan , an NGO working with rural women on their concerns in 150 villages of Kutch district. Drishti Media Collective, a media NGO based in Ahmedabad, is handling the direction of the radio programme and Paresh Naik is involved as a writer. The Centre for Alternatives in Education, which is a part of the Indian Institute of Management in Ahmedabad is helping with the feedback surveys to ascertain the ground-level impact of the programme.

The Sarus Crane is the sutradhar or narrator, keeping a beady eye on a mythical village called Ujjas. (meaning light). Shabnam Virmani, who directs this radio serial describes the bird's role: " She is both insider and outsider to the story of Ujjas. She is poised at a distance, as raconteur of the saga of Ujjas village, offering us a bird's eye view of the happenings, alternatively eavesdropping, recounting, questioning and philosophising. At the same time she flies off her perch and enters the story at will, playing agent provocateur, forming her own relationship with the characters of Ujjas, lending a sympathetic ear to their hopes, fears, frustrations, sometimes offering counsel on the dilemmas of the human condition, as perhaps only a bird can, being as she is, part of another world, separate from ours."

The programme was devised with a clear gender focus, however it was consciously decided that culturally this programme would locate itself in Kutch. As the makers of the programme put it, the regional identity of Kutch within Gujarat is distinct and well defined, and is an notional identification point for most Kutchis. The Kutchi dialect today has no written form and the spaces for cultural statement the Kutchi language are few and shrinking further. Despite having a local Bhuj radio station there are relatively few programmes in Kutchi language as compared with Gujarati. The only Kutchi programme that the station was broadcasting was very popular

THE METHODOLOGY_____

The KMVS did a preliminary village-based survey to assess the media habits of rural Kutchis. It showed a clear felt need for programmes in their own language. The central focus of the serial is the participation of women in political processes, specifically panchayats at the village level, which is explored through the character of Rani, the woman sarpanch of Ujjas village. There are three women characters of three generations: Parma Dadi the oldest, Raniben Sarpanch, and her teenaged daughter Kesar. In the first year the following specific gender related issues were raised in the serial:

• women's leadership and governance
• a girl's right to education,
• female foeticide,
• harassment of brides for dowry,
• unnatural deaths and suicides of women at their in-laws,
• pressure on women to produce boys,
• maternal mortality and disregard of mother's health

These issues are located in the context of a degraded natural environment, cyclical drought and the lack of water resources.

Within the serial there is a 6 to 7 minute documentary module featuring interviews with a range of people in Kutch. This is called Kutch Kochhanto. The producers and directors say that this module ensures a committed space to the voices of people from Kutch. The interviews, whether in the field or in the studio, are recorded by a team of 12 reporters, all village-based men and women, educated on an average till the 7th or 8th standard. KMVS organised a series of trainings for this team. Those interviewed for this module are village women and men, sarpanches and panchayat members, village opinion leaders, religious heads, government officials, village midwives and so on. The programme has also tracked down members of the audience who have written eloquent post cards in response to the serial.

After the broadcast of the first twelve episodes in March 2000, the first village level audience response survey was conducted by the reporters' team. It surveyed 316 respondents and found that about 20.5 per cent of the respondents had listened to half the telecast episodes. In addition to this postcards coming from listeners are analysed. Of about 1000 initially received, 70 per cent were written by men, and 16.5 per cent by women. Postcards came from 20.1 per cent of the total of 950 villages in Kutch. And the quality of transmission was positively co-related with the number of postcards-more postcards came from the talukas which got clear reception. Audiences responded positively to the language of the programme, its reflection of Kutchiyat, or Kutch identity, and the critique of social evils.

Says one of the postcards, "When we hear this radio serial, it doesn't seem like theatre, it seems like our own lives, very real."

The United Nations Development Programme provided funding to this project for two years, and its costs come to about Rs 25,000 an episode after spreading costs over the period of broadcasting. Says one of the directors of the programme, "just because

it is for a rural audience, it should not be lacking in quality." However, to be a replicable community radio model it will have to be a lot more affordable.

WORK AHEAD_____

Kutch Mahila Vikas Sangathan has from the very onset of this project tried to match the programme content with grass-root level work. For instance, an episode on the ill effects of liquor consumption was linked to women's rallies organized by KMVS is Bhuj and some of the smaller towns in Kutch. Excerpts of a interview with the local police authorities was taken from a interactive session with the district police and law enforcing authorities to bring to their notice some or the common and recurring problems faced by women. Response to this kind of matching of radio broadcast with ground level work was to be very effective in building awareness about the issues concerned and KMVS plans to make this into a regular feature so that the Ujjas team's work is becomes a part of the coordinated effort of KMVS towards integrated development of Kutch both as a region and as a cultural identity.

CHALA HO GAON MEIN

BASIC FACTS_____

Place: Palamau District of Jharkhand

Target Group: 45 villages from Lesliegunj and Panki divisions
Partners: Alternative for India Development (Lesliegunj Section) and Manthan Media Collective

Focus: Empowerment of the Communities with special emphasis on women

Media: Local AIR FM station at Daltongunj

THE REGION_____

Palamau district of the newly formed state of Jharkhand, carved out of southern Bihar, is one of the most neglected part of northern India. The population is a mixture of tribal groups and non-tribal rural communities. They earn their livelihood out of minor forest produces and grow basic crops like paddy, wheat and lentils. Rampant deforestation has lead to ecological changes which adversely affect both the natural wealth of the region and the lifestyles of the communities. Most live on the edge of poverty with more than 70% of women illiterate and a sizable number of men dependent on migratory-labour-opportunities to earn their living. Poverty, however, has not hampered their natural aptitude for song-writing, musical compositions, folk theatre and information dissemination in non-formal styles.

Developmental infrastructure in Palamau needs drastic improvement: roads are in poor condition; electricity supply is erratic; the public distribution system is irregular;

hand-pumps are the only source of water both for agriculture and household usage. But the district headquarter at Daltongunj has a FM station that can broadcast upto a radius of about 50km.

Alternative for India Development (AID) has been working here for almost a decade now, concentrating mostly on education, micro-credit for women and health issues. Their community outreach is wide, extending beyond the borders of Palamau. The organization has more than 200 local community workers and activists. AID had been toying with the idea of using community radio to maximize the impact of their social awareness programmes and felt Palamau would be ideal for a pilot intervention.

THE PROJECT_____

National Foundation for India (NFI) has always recognized the importance of media in social development and community empowerment. The media fellowships instituted by NFI were the first major initiative to integrate social work with media. Support to media action groups like "Charkha" brought into focus genuine work done by individuals and groups at the grass-root level. But these initiatives lacked direct participation of the communities in the programmes.

Our research and perceptions suggested that community interactive radio has great potential for reaching out to marginalized communities to develop social consciousness. In most developing countries across the world, radio has been the most acceptable tool for participatory communication and development. But in our country the broadcasting laws do not allow direct ownership of radio by communities even for developmental activities. Therefore our only way was to avail the state controlled infrastructure and show how radio, generally perceived as a marginalized medium of communication, can be imaginatively used for social development and empowerment of communities.

The project started as a gender programme initiative, but both NFI and AID had decided that the issues to be highlighted in the community radio programmes should be decided by the community.

To initiate the project in Daltongunj, a two-day workshop was held at the Lesliegunj center of AID. A media activist group from Ranchi, Manthan, was invited to attend the workshop as a possible technical support group to the project. AID gathered community representatives from villages across Lesliegunj and Panki divisions to gauge local response to the initiative. From these representatives, 18 community volunteers were selected to form the core team of the project. At the end of the workshop 45 villages were identified as target area for the first phase. Manthan also identified their own technical team comprising of some local and a few Ranchi based persons who would help train the community volunteers and participate in production until the community representatives develop into regular broadcasters. The workshop laid out certain basic norms for the project:

1. The project would be conducted through regular interaction with village communities.

2. Decision-making would be with the communities so that they learn to develop indigenous ideas about integrated development of the region and strengthen an internal democratic process.

3. Programmes will be in the local Maghi-Nagpuri dialect using local styles of communication.

4. The programmes will help define the real and felt needs of the people and facilitate the process of dialogue and participation in the developmental planning for the region.

5. It will be a process for raising consciousness and understanding about social reality, problems and solutions

THE METHODOLOGY_____

The first task for the volunteers was selection of a suitable title for the programme and they suggested CHALA HO GAON MEIN. This title was finalized after interactions with the communities during field recording.

The core issues identified by the community volunteers were: adult illiteracy, education for the girl child, practice of dowry and related domestic violence, health and hygiene issues and information on rural development and livelihood schemes. The NFI team was delighted to see that gender issues formed a major part of the local concern without any prompting.

AID selected one project coordinator and each community volunteer was asked to identify 3 villages they could represent keeping in mind geographic proximity to their native villages. The 18 volunteers were then divided into four groups according to their selection of villages. Each group asked to choose one central issue that would be the focus of the programme their group would develop.

NFI presented four sets of portable cassette recording units to the four groups and Manthan provided the initial operational training for field recording. Each group was given two C-90 cassettes to complete their recordings. These field recordings would be used as basic study material at the week-long training workshop to be conducted by Manthan.

At the Manthan workshop the volunteers were acquainted with the techniques of audio presentation and production. The aptitude of the volunteers was assessed so that they could be selected for specialized aspects of programming. The field recordings of the four groups and studio exercises conducted at the workshop formed the basic raw material for the first set of four 30'programmes of the project. The radio dramas developed by the community volunteers and the content of the field recordings amazed even the resource persons at the workshop!

AID organized to take these four programmes to selected villages to assess their acceptability, test the impact on local communities and begin advance publicity for the community radio initiative. This phase, termed as 'narrowcasting', set the project on track.

After a month of narrowcasting, another two-day workshop was held in Lesliegunj, to integrate the community radio initiative with the ground level work of AID. All the AID project coordinators along with the community volunteers and Manthan team attended the workshop and the entire project was strategised for optimum impact. The project coordinators suggested that the period of narrowcasting be limited to three months as the novelty of the initiative lies in actually hearing known voices on radio. Title music for the programme was composed by some of the villagers who came to see the progress of the project at the workshop. During the various narrowcasting sessions in the villages, many villagers expressed desire to participate in the community radio initiative and utilize it for social education. The villagers also came up with a definite time slot for the programme: 8pm in the evening on Sundays.

Initially, the plan was to first empower the community to produce quality radio programmes and then demand free airtime because the radio station at Daltongunj, being a local radio station of AIR, is supposed to serve the local community. But eagerness of the local communities, and the likely delay in getting a policy change of the I&B Ministry vis-à-vis right to airwaves of communities changed our stand. NFI therefore requested for a 30minutes slot on Sundays at 7.20pm on AIR Daltongunj to be allotted to AID on commercial terms for the community participatory programme Chala Ho Gaon Mein from August 2001, and the first community radio programme of Daltongunj went on air from August 9th. The assessment of this project will begin from January 2002, in collaboration with the department of communication studies, Ranchi University, when we expect some quantitative measure of the impact of the weekly programmes. The assessment report will also decide the course of the intervention in the second phase starting.

WORK AHEAD_____

In a region where the number of radio receivers in a village barely reaches double figures, where poverty largely determines lifestyle of the people, the impact of a community radio initiative has to be assessed carefully. Therefore the process of narrowcasting will continue simultaneously to get a direct measure of the impact. A separate feedback mechanism and audience research system will have to be developed in the next phase as the programme evolves focusing more closely on the core issues of concern, both for us and for the communities in the rural areas of Palamau.

NAMMA DHWANI

Community radio project by Voices

BASIC FACTS_____

Place: Kolar District of Karnataka

Target Group: Communities living in Budikote sector

Partners: Myrada and Voices with technical support from AIR

Focus: Generate awareness about the concept of audio as means of communication system

Media: AIR MW station at Bangalore

THE REGION_____

A survey on radio ownership covering 954 families in 6 villages was completed for VOICES by MYRADA a well known NGO in end 1999. It was found that 428 families (44.86%) owned radios, and of these, 70 families (16.3%) owned FM radios. The highest concentration of radios is in Budikote where 536 families or 56.18% own a radio. Boodikote is the proposed location for the Community Radio Project, which will cover 35 villages out of 45 in the Budikote Sector. In the Boodikote Sector, 1930 families (64.85%) are below the poverty line. Literacy levels are abysmally low, particularly among women (only 5.64% of a total population of 12806 are literate), and the main occupations are agriculture and coolie labour. In the villages covered by the pilot project, 57 Self-Help Groups with a total of 870 members are actively functioning (May 1999 figures). The development work of these Self Help Groups, with their focus on the empowerment of women, will be greatly benefited by the introduction of participatory audio programmes on topics relevant to them. There is no local radio station in the area that is primarily covered by AIR Bangalore which is situated 120 kms from Kolar. The area also receives peripheral transmission from AIR Kadappa and AIR Chennai. Transmissions are heard in three different languages.

THE PROJECT_____

The awareness as well as capacity building for making radio programmes was the first stage of the project. This was done through a series of workshops starting with a modest exploratory two day effort on 30th April to 1st of May 2000 at the TRAINING CENTRE OF MYRADA IN LAKKANHALI, KOLAR. There were about 15 participants in all. Half of them were staff and remaining was from localities from villages nearby. This was followed by another workshop on 31st May 2000 and a third on August 31ST 2000. These workshops apart from creating awareness and capacity building for community radio also brought into focus the issues that need to be addressed through community radio programme to sustain community interest and make the concept practically worthwhile for the village communities. An important point realized from these workshops was that in most of the villages women were really pressed for time and hence were unable to commit about their level of participation towards a community radio project. Also they said that they would have to discuss the idea with their community members and take a consensus on what they

all felt about the community radio concept. Initially they were under the impression that they would all have to individually take time-off from their work to make radio programs, however once was explained to them that it was a group effort where all members shared responsibility, they were more receptive to the idea. They however promised to address this in their next meeting with the SHG and arrive at a decision.

THE METHODOLOGY_____

Voices decided that a series of workshops serving the twin purpose of awareness building among the villagers on the utility of community radio while training selected members from the community for radio programme planning and production would be the most useful methodology for the project. Accordingly in collaboration with Myrada and funding from UNESCO, a series of training sessions were planned. The objectives in these camps were:

Workshop1: APRIL 30TH AND MAY 1ST 2000 at Kolar

Generate awareness about the concept of audio as means of communication system for narrow and broadcasting, prepare simple formats for audio program production, Scriptwriting- demystifying the technology, explain about microphone and audio recording and follow up with simple exercises on scripts and formats for audio programs.

Workshop 2: 31st MAY 2000, at Lakkennhali

The objectives of the workshop were to have a recap of the learning from the previous workshop, to review the exercises done by the participants, to solve any problems they may have, introduction to tape recorders, Knowledge of incorporating scripts into audio format.

Workshop3: 31ST 2000, at Bangalore Voices Office

The key objective of this workshop was to critique the programs produced in the field and suggest improvements there of. The trainers were explained the need to improve language by talking to others and also to practice voice training by closing the ears and reading out a newspaper loudly, importance of selecting the right interviewer and develop the art of communicating easily with the interviewee, crafts of editing, and how to assess the primary expectations of the people from radio programmes. This workshop threw up many issues that the people from different parts of the district expected to learn through radio:

Budhikote village: Health and hygiene; Self employment

Dhinnhalli village: Income generation group/self help group/reproductive child health/capital investment, Case study on community irrigation, Children related disability

Dhorlakki village: Animal husbandry and cattle rearing, Horticulture, running of cooperative and banking facilities.

Workshop 4: BANGALORE OCTOBER 21ST 2000, with Myrada

This workshop aimed to assess the quality of the radio programs produced by the participants on the basis of the training received. (In the previous workshop, it was agreed that the participants would prepare a set of programs as an exercise) The were enthused to see the growing confidence in handling equipment and making programs by the community representatives from Kolar.

The next stage was a series of field trips to different parts of Kolar, essentially to collect software for proposed radio programmes and also to help build awareness about the project. The response from the village communities, especially the women presented a strong case for a Community Radio. They showed awareness that radio programs can be used for the welfare of their families and their children. An important point realized through the field visits was that the women were really pressed for time and hence were unable to commit about their level of participation towards a community radio project. Also they said that they would have to discuss the idea with their community members and take a consensus on what they all felt about the community radio concept. Initially they were under the impression that they would all have to individually take time-off from their work to make radio programs, however once was explained to them that it was a group effort where all members shared responsibility, they were more receptive to the idea.

Workshop 5: February 2001, at Bangalore radio Station

To obtain hands on experience on handling and playing back spools and recording machines were the main activity inside the studio.

The community representatives trained through these workshops were then asked to train selected community members for radio production. In all 20 community representatives had been trained till October 2001 for community radio project in Kolar. MYRADA then organized an important one-day meeting with representative from various segment of the community to introduce the concept of CR. The outcome of the meeting is formation of committee temporarily called as Namma Dhwani Nirvahan Samithi. The members met again in second week of September to discuss a Vision Plan for Community Radio. Community Radio Project 'Namma Dhwani

Samudayik Doorsampark Matu Mahiti Kendra' in Budikote, Kolar was inaugurated on September 21st, 2001.

WORK AHEAD_____

The programme production center at Kolar has been set up and made operational. Programmes are now being produced on a regular basis for broadcast from AIR Bangalore. But the fight for community ownership of radio is still to begin in earnest. This would be the next phase once the capacity building for the community vis-avis radio production reaches an optimum level.

Voices is also involved in another community participatory radio project in collaboration with Saurabha:

- SOURABH - COMMUNITY BASED REHABILATION PROJECT OF SRMAB
- PROJECT HEADQUARTERS BANGALORE
- NUMBER OF VILLAGES COVERED 147 VILLAGES OF KANAKAPURA TALUKA
- TOTAL POPULATION 1,54,000
- NUMBER OF PERSONS WITH DISABILITY 1683
- INITIATION OF THE PROJECT JULY 1990

Voices have been actively participating in the project since one year through training workshops, program production and narrowcasting, and broadcasting over All India Radio*. We discovered that a mixed model (internet, narrowcasting, development communication has greater dividend because CR in India has not been legitimized by the government. Community produces CBR programmes for AIR. Bangalore. A series of program on community based rehabilitation have been planned and are expected to be produced by a core team headed by Mr. Ranganath for broadcast from AIR Bangalore.

WOMEN SPEAK FOR WOMEN
DDS Community FM Radio

BASIC FACTS_____
Place: Zaheerabad area in Medak District of Andhra Pradesh
Owners and Audiences: 100 Dalit women's groups (sangams) consisting of nearly 4000 members in 75 villages of Medak district
Partners: Women Speak to Women programme of UNESCO
Focus: Participatory development and empowerment of women
Media: FM station designed to work on the audiocassette technology. It has a 100 watts transmitter, which can reach a radius of 30 kms.

THE GEOGRAPHICAL SETTING_____

The Zaheerabad area in Medak District of Andhra Pradesh where the Deccan Development Society works falls in one of the least developed regions of the country, Telengana, and is contiguous with the least developed districts of North Karnataka. It is a semi-arid tract where the land is extremely degraded and offers limited livelihood opportunities in agriculture to people. Since most of the agriculture is rain-fed, very little institutional finance is available for investment in agriculture. There is hardly any industrialisation. Other capital inflows into this region are very slim. Therefore, there is a lot of seasonal out-migration to look for wage labour outside. Development schemes don't reach the targeted populations because of power relationships: between different castes within the villages, between the poorest social groups and the more affluent sections.

It is in this geo-political and developmental context that the Deccan Development Society's efforts are centred. The Society works with about 100 Dalit women's groups (sangams) consisting of nearly 4,000 members in 75 villages. These women form the poorest sections of the rural community with an average family income (mostly from farm labour work) ranging from Rs.600 to Rs.1, 200 per month. Wage levels in some places are still as low as Rs.10-Rs.15 for a 6 to 8 hours working day.

THE METHODOLOGY_____

Participatory development and empowerment of women :

Deccan Development Society (DDS) recognizes that people have more knowledge than we have credited them with, and more appropriate technologies than we can think of. Therefore the DDS programmes have evolved into three principles: gender justice environmental-soundness and people's knowledge.

DDS is a grassroots organization working with Sangams (village level groups) of poor women, most of who are Dalits. The Society has a vision of consolidating these village groups into vibrant organs of primary local governance and federate them into a strong pressure lobby for women, poor and Dalits. The Society facilitates a host of continuing dialogues and debates with the public, educational and training programmes to try to translate this vision into reality.

The Society is trying to reverse the historical process of degradation of the environment and people's livelihood system set in this area, through a variety of land-related activities like perma-culture, a system of ecological agriculture , community grain fund, community green fund, community gene fund, collective cultivation through land lease etc.

These activities, alongside ensuring earth-care, are also resulting in human care by giving the women a newfound dignity and profile in their village communities. Regeneration of land and rebuilding people's confidence is a slow process requiring continuous dialogue. Helping people acquire lands and working out strategies to regenerate them requires mobilization, problem identification, leadership building, funding, training and many other components.

Education at all levels was a very strong component in this string of efforts. Education, for DDS, encompasses a range of activities starting with balwadies to provide a creative learning environment for young children to Pachasaale, a unique school for working children which takes formal learning and life skills under one umbrella and redefines education into an area of relevance for rural children. Within this range are fitted intensive workshops for adult women, village night schools for out of school children etc.

Central to these attempts is the relocation of people's knowledge in the areas of health (through revitalizing the traditional healthcare systems), agriculture (understanding, documenting and promoting people's knowledge of farming systems and practices) etc.

When the commitment of an organization is to value people's knowledge and build its work on the confidence of the people, there is a need to explore various tools of statement with which people can communicate among themselves as well as with the outside world. The DDS has successfully adopted a participatory communication approach to strengthen its initiatives in the region. Over the last 15 years, the organization has used a wide range of horizontal communication techniques. These include:

• Sangam meetings
• Jathras
• Social audits
• Participatory Rural Appraisals (PRAs)
• Interface sessions with government agencies and other NGOs

These strategies have been essentially interpersonal in nature with all its inherent strengths and limitations. However, in the new environment of decentralization and optimal use of new information and communication technologies, DDS is exploring ways and means by which its communication potential can be enhanced.

For DDS, the possibility of providing video and audio technologies as a means of statement and an alternative to literacy for the disadvantaged rural women was an exciting idea. To crystallize this idea, DDS contemplated a Community Radio station.

THE PROJECT_____
The UNESCO recognized the presence and services rendered by the DDS in the region with regard to empowerment and education of the poorest of the poor women and facilitated funding for establishing a radio station in Machnoor village.
On October 2, 1996, Mr. James Bentley, Regional Communication Adviser (Asia), UNESCO had a consultation with about 35 women from the sangams of the Deccan Development Society. Most of these women were dalit agricultural labourers. The women had their reasons to want their own radio. Following are some excerpts from that discussion:

Sammamma a 35 year-old non-literate dalit organic farmer from Bidakanne village: "We are working on so many alternative issues. The dissemination of this message is

now the burden of a few women leaders who travel around, work till after midnight in sangam meetings, talk to their fellow women to try and convince them about the things we are talking. If we have our own radio, the issues we are talking about will have a much wider dissemination even outside the sangam circles and will reach a larger community of women."

Sidddamma, a 45-year old non-literate woman, from Matoor: "the mainstream radio disseminates some dominant values. We must fight these dominant values which are anti-poor and are against village people. Therefore we must have the control of the media."

Pushpalata, a 40 year old single woman from Pastapur, reacting to a suggestion, if it is very important for you to disseminate messages through radio why not invite mainstream radio to come and do the programmes: "Our language and their language are very different. We can't understand their language at all. They will never use our language. We are talking about Saama and Sajja (some minor millet). We are always talking about marginalised grains, marginalised people marginalised language and marginalised issues. This does not interest the mainstream radio. This is the reason we should have our own radio to allow us to discuss our issues."

Nagamma, a 45-year old non-literate dalit woman from Ranjole village, expressing her concern about people having to depend upon the mainstream radio for their information and knowledge: "Let us take farming. What will the mainstream radio tell us? They (the government) are the producers and sellers of chemical fertilizers and pesticides. They tell us to use it."

Their arguments are compelling and are unmatched for their logic. They have suggested that a radio of their own would provide more effectively a medium for articulating locally relevant issues, in their own language, and in their own time. For the women who are equipped with extraordinary oral narrative skills, radio is a natural medium. The rich cultural traditions of Telengana could be better sustained through a radio station that caters specially to the needs of the region.

Based on these felt needs and UNESCO's interest in women's development and democratization of communication media, DDS was identified as a suitable partner for UNESCO's "Women Speak to Women" project. It was proposed to operationalize a low-cost radio station, subject to issuance of a license by the Government of India. As part of this, DDS initiated necessary steps for establishing a radio station.

The DDS station which received part funding from UNESCO (about a million rupees) has cost a total of Rs.22 lakhs. This is for the building, acoustics treatment, all equipment including recorders, mixers, microphones, cables, installation etc. The building for the FM radio station, designed by Mr. Suresh Vaidya Rajan of New Delhi, has been constructed using the building-material available locally. It has dome-type roofing and three octagonal shaped blocks consisting of the studio, transmitting-cum-control room, the dubbing section, the director's cabin and the reception area.

The FM station is designed to work on the audiocassette technology. It has two FM transmitters and a 100-meter transmission tower, which has a capacity to broadcast to a radius of 30 kms, roughly, the coverage area of DDS. With this installation and the nominal amounts paid to community members who are compensated for the time they spend in the studio, the programme costs currently amount to about Rs.500 per hour. It is estimated that if and when the station goes on air, it may be able to operate at Rs.1000-Rs.1500 per hour.

Programming content of the station seeks to serve the information, education, and cultural needs of the region. Programmes would promote the following:

- Information specific to agricultural needs of semi-arid regions
- Education and literacy - both formal and non-formal
- Public health and hygiene
- Environmental and ecological issues
- Biodiversity and food security
- Gender justice
- Local/indigenous knowledge systems
- Local cultures, with emphasis on the narrative traditions of song and drama

DDS is currently being assisted by development and communication experts from universities in the region, such as the Acharya N.G. Ranga Agricultural University, the University of Hyderabad, Osmania University, the National Institute of Rural Development, and the B.R. Ambedkar Open University. Three women have been equipped with the capacities to manage and operate the radio station. Once the station is in operation, dalit women from 75 villages will bring their form and content into it and make it a tool for their horizontal communication with their communities as well as to reach out to the outside. In this manner, a major breakthrough would have been made in providing a low cost communication technology for the education of deprived rural communities

WORK AHEAD_____
The Pastapur Women's radio, in spite of its long time readiness to go on air, is still awaiting a community-broadcasting license as the Central government is still finalizing the regulations of the new broadcasting legislation. In the meantime, the studio facilities are being used to produce audiocassettes on issues related to women empowerment, agricultural needs of semi-arid regions, public health and hygiene, indigenous knowledge systems, biodiversity and food security and local song and drama. They already have over 200 hours of recorded programmes, some of which are being edited into one-hour magazine modules. These are then narrowcast in sangam meetings held periodically in all the project villages of DDS. Feedback from the sangams is recorded by field workers and brought back to the station. This feedback is used to improve upon and decide further programming. Local shops and tea-stalls have also shown a keen interest in playing these cassettes in their outlets. Once they get a license, the community radio team has plans for a short-duration broadcast initially, which will be expanded later.

DDS inaugurated its Community Media Centre on October 15 (the International Rural Women's Day) 2001. The facility has three edit suites, one dubbing booth, and a storage space alongside one rehearsal/discussion room and one computer room. The equipment installed in the Media Centre consists of eight video cameras (five of them mini-DV), five mini DV edit recorders (two GVD 900 and three GVD 300), one computer edit unit, one DH-1000 edit recorder and one eight track audio mixer. On the same day, a Community Media Trust has also been launched, formally transferring the ownership of the media facilities of the DDS to a body consisting of women members of the rural community.

Chapter 3: International Scenario in Community Radio

a. Experience of A Research Scholar

Dr Jo Tacchi is passionately involved with radio. This researcher now at the Queensland University of Technology at Brisbane has been closely following the community radio scenario in diverse pockets of the globe. She has seen the issues involved in South Asia from closer range than most international observers, having visited community radio projects in India, Sri Lanka, Nepal and South Africa.

The experiments within South Asia that have impressed her are Kothamale in Sri Lanka and Sagarmatha in Nepal. She has also been impressed with work of DDS in Pastapur, India. But she says the use of the word 'experiment' should perhaps be avoided because giving legislators and regulators the chance to view what is/has happened in the field of community radio as an experiment allows them to conclude that an experiment has either failed or succeeded.

Kothmale is often held up as an example of a very successful project. That is an example of a station that has a real community feel about it (and see below regarding ownership etc). I think that if that project could be properly evaluated, we would see a notable and positive impact on the communities it serves. Among the other projects the Pastapur project could not fail to impress anyone. Very different from Kothmale but incredible in what it has achieved. That is an example of a media initiative that is embedded not only in the community it serves, but also within a larger, holistic, development project.

Talking about experiences with community radio across the world she says: I have only visited community radio projects in India, Sri Lanka, Nepal and South Africa. Community radio experiences vary within nations as well as between nations. The beauty of community radio -- or any other form of community-based media – is that it is tailored to particular communities (geographical or of interest) and there is thus a huge variety and diversity.

Radio has been used for propaganda (eg. Rwanda and Angola, and currently in Afghanistan, courtesy of the US) . But 'hate radio' happens in war situations and is in no way dependent upon or linked in any way with community radio which is probably most likely to not be involved as communities served are small. (One could say) the State radio stations are more likely to be used for insurgency or propaganda.

Q: Strictly speaking, has Sri Lanka actually given licences to the community? Kothmale is not really the same thing?
A: No, Kothmale is a SLBC (Sri Lanka Broadcasting Corporation) the state-run network) station. However, do we want to get caught up with static definitions of community radio, or do we want to include stations that actually serve communities well? Generally I would say that community ownership of a station is a very

important feature of a community station -- but having visited Kothmale I think its important that we see that as a good example of radio that serves its community. I don't think Sri Lanka has a community-radio tier as such.

Q: To end, would you cite examples of community radio in developing countries that have been particularly successful?

A: Sagarmatha has been successful, so has Kothmale. I saw many stations in South Africa that I would also say are successful although the sector there is facing really big problems in terms of funding and achieving sustainability (as in most places, including the developed world). But all of these stations' levels of success can be measured on different scales... how do we measure success?

The full text of the interview of Dr. Jo Tacchi conducted by Fredrerick Noronha is available in **Appendix 4** *of the document. Dr. Tacchi can be contacted at the mail address* **j.tacchi@qut.com**

b. Some Salient Features of Community Radio in Different Countries

AUSTRALIA

Australia has a well-developed 'third tier' of broadcasting. Now over twenty years old, the community radio sector in Australia has gone through many developments and changes. In Australia the Public Service Broadcaster is the Australian Broadcasting Corporation (ABC). The ABC has 4 national network stations, an international service, 9 metropolitan and 48 regional stations. There are 241 commercial stations, 108 on AM, 133 on FM.

Public service and commercial radio have existed alongside one another since radio became a mass broadcasting medium in Australia. The ABC was influenced by the BBC whist the commercial sector took its lead from American commercial radio. The call for independent community radio in Australia began to be heard in the 1960s. It was in the mid 1970s that a third tier was finally created. This coincided with the introduction of radio broadcasting on the FM spectrum which community radio largely pioneered. The majority of the early community stations were generalist in nature and based in Universities. Today around 200 fully licensed community stations exist in Australia, and around 140 temporary stations run by aspirant community

broadcasters. Community radio services and local ABC services are likely to be the only ones available in the more remote regions of Australia.

Australia has an independent funding body for community broadcasting, the Community Broadcasting Foundation Ltd. (CBF). Established in 1984 the CBF is an independent, non-profit funding body whose primary aim is to act as the funding agency for the development of community broadcasting in Australia. The CBF receives an annual grant from the Department of Communications, Information Technology and the Arts plus a smaller grant from the Aboriginal and Torres Strait Islander Commission. It is independent from the Government and from the community broadcasting organisations that it funds. It includes on its Board and in its advisory committees people who have working experience of the sector. The Government determines the proportion of their annual grant that should be allocated to general community broadcasting and to the different sub-sectors of community broadcasting according to social justice and access and equality criteria. No funding is currently given to community television.

The CBF assesses applications for funds and distributes grants for development, programming and infrastructure support in 4 main categories:

1. Aboriginal community broadcasting

2. Ethnic community broadcasting

3. Radio for the print handicapped

4. General community broadcasting and CBF operations

The CBF also supports general sector co-ordination and policy development.

The Secretariat of the CBF consists of an Executive Director, a Grants Administrator and an Administrative Officer. Within the CBF are Grant Advisory Committees (GACs) whose members are elected by the community broadcasting sector's representative bodies. They meet twice yearly to assess applications for funding and make funding recommendations to the Board.

For 1999/2000 the Commonwealth Government funding to the CBF totalled $5.061 million (Australian dollars). Of this $4.191 million was for recurrent funding in support of Aboriginal, Ethnic, Radio for the Print Handicapped and general community broadcasting. For 2000/2001 funding is $5.4 million, of which $3.39 million is recurrent funding.

The CBF solicits and administers other grants for special projects as the Government introduces new policy initiatives. For example, it administers grants for the Australian

Ethnic Radio Training Project (AERTP) and for the Contemporary Music Initiative for community broadcasting.

CANADA

Canada has acknowledged the importance of community radio since the early 1970s and consequently has a well developed, if complex, model for community radio. The Canadian Government's Department of Canadian Heritage is responsible for national policies and programs relating to broadcasting, cultural industries, arts, heritage, official languages, Canadian identity, Canadian symbols, exchanges, multiculturalism and sport. The Department and its policies emphasise the desire to promote and strengthen a shared sense of identity, whilst also recognising and respecting Canada's multicultural and bi lingual status. Among the Department's priorities is the desire to make Canadian choices more diverse and accessible by ensuring that all forms of creative statement and story-telling reflect Canada and the breadth of the Canadian experience, and are accessible to all Canadians. Another priority is to connect Canadians to one another and help Canadians overcome differences and distances to better understand one another and increase appreciation of the values that Canadians share. It is within this general framework that community radio exists in multiple forms:

1. Community radio

2. Campus radio

3. Native radio

4. Ethnic radio

There are currently around 65 licensed community radio stations. The vast majority of these are French-language services, around half of these operating in Quebec. There are around 10 English language services and a small number of bilingual services. Community stations are operated by non-profit distributing organisations and rely heavily on volunteers for programming and other station operations. The Canadian Radio-Television and Telecommunications Commission (CRTC) regulates broadcasting in Canada and defines community radio as,

"A community radio station is owned and controlled by a not-for-profit organization, the structure of which provides for membership, management, operation and programming primarily by members of the community at large. Programming should reflect the diversity of the market that the station is licensed to serve."

There are two different types of community stations - type 'A' or 'B'.

Type A licences are for community stations that provide the only private radio service in English or French in a locality. In some cases, they will provide the only radio station in that market,

Type B licences are for community stations that operate in competition with other private radio services, where at least one other service operates in the same language.

There are some differences in the rules and regulations applying to these two types of licences, mainly in relation to programme content. Type A stations are expected to programme at least 15% spoken word in each broadcast week, with an emphasis on community-oriented spoken word. Type B stations are required to broadcast at least 25% spoken word in each week with an emphasis on community-oriented spoken word. Community stations, and in particular type B stations, are expected to offer music that is significantly different from commercial services. There are regulations concerning the amounts and types of music that these services must play.

SOUTH AFRICA

In apartheid South Africa there existed a tightly controlled broadcasting environment monopolised by the state controlled South African Broadcasting Corporation (SABC). Since the early 1990s, following the democratisation of the Republic of South Africa, the airwaves have been opened up in an unprecedented way. An Independent Broadcasting Authority Act was passed by Government in 1993 and established an Independent Broadcasting Authority (IBA). Included in this Act is a firm commitment to community broadcasting. Included in the mission of the Department of Communications is the desire to "…strive towards universal service to enable ordinary people to have access not only to traditional media but also the convenience of information technology…" Community radio has been introduced rapidly and is recognised as playing an important role in the development of civil society in South Africa, yet it is a struggling sector largely because of funding and skills shortages in many areas of the country.

From 1994 the Independent Broadcasting Authority (IBA) began issuing community stations with temporary12 month licences. The stations were largely centred on urban or semi urban populations. This urban concentration was largely due to lack of resources, expertise and necessary skills in other areas. Whilst community radio is spreading throughout the country, these limitations largely remain. Some temporary licences are still being renewed on a 12 monthly basis, whilst more permanent 4 year licences have also now been issued. There were around 86 stations on air, with 24 of these holding 4-year licences, at the end of 1999. According to the Independent Communications Authority of South Africa (ICASA) – the new regulatory body - there are 92 community services currently operational on FM frequencies, and 8 on AM frequencies.

In 1999 a Broadcasting Act was introduced. The object of the Broadcasting Act is to establish and develop a broadcasting policy in the Republic of South Africa in the public interest and is intended to 'contribute to democracy, development of society, gender equality, nation building, provision of education and strengthening the spiritual and moral fibre of society'. The Act encourages ownership and control of broadcasting services through participation by persons from historically disadvantaged groups through, amongst other things, providing a three tier system of public, commercial and community broadcasting services.

Community broadcasting services, as defined in the Broadcasting Act number 4 of 1999:

1. Are fully controlled by a non-profit entity and carried on for non-profitable purposes;

2. Serve a particular community;

3. Encourage members of the community served, or persons associated with or promoting the interests of such community, to participate in the selection and provision of programmes to be broadcast; and,

4. May be funded by donations, grants, sponsorships or advertising or membership fees, or by any combination of these.

There are two types of community radio services, those serving a geographical community and those serving a community of interest. The communities of interest may be defined as having a specific, ascertainable common interest - a common interest that makes such a group of persons or sector of the public an identifiable community. These may be institutional, religious or cultural communities.

The 1999 Broadcasting Act states that programming provided by a community broadcasting service must reflect the needs of the people in the community which must include amongst others cultural, religious, language and demographic needs and must:

1. Provide a distinct broadcasting service dealing specifically with community issues which are not normally dealt with by the broadcasting service covering the same area;

2. Be informational, educational and entertaining;

3.Focus on the provision of programmes that highlight grassroots community issues, including, but not limited to, developmental issues, health care, basic information and

general education, environmental affairs, local and international, and the reflection of local culture; and

5. Promote the development of a sense of common purpose with democracy and improve quality of life.

The National Community Radio Forum (NCRF) was launched on December 1993, in Orlando, Soweto, in order to lobby for the diversification of the airwaves
   in South Africa, and to foster a dynamic broadcasting enviroment in the country through the establishment of community radio stations. NCRF is a national, member-driven association of community radio stations and support service organisations. Radio station members are independent non-profit community based organisations.

The South African community radio movement is based on the belief that radio, as the most affordable, egalitarian and accessible communication technology the world has ever known, should be harnessed, at the community level, to carry forward the country's reconstruction and development. The South African community radio movement supports the definition of community broadcasting in the Windhoek Charter on Broadcasting in Africa (2001): "Community broadcasting is broadcasting which is for, by and about the community, and whose ownership and management is representative of the community, which pursues a social development agenda, and which is non-profit." (More on NCRF at : **http://www.ncrf.org.za/about.htm**

NEPAL

In Nepal, following the 1990 revolution, the first community radio – Radio Sagarmatha - was all set to begin broadcasting in 1995, but the station's license to broadcast was approved only in 1999. Sagarmatha -- literally meaning "forehead of the ocean" -- is the Nepali name for Mount Everest, the mightiest peak in the world standing 8,848 meters tall. Nepal Forum of Environmental Journalists (NEFEJ), the lead organisation implementing this project, has a plan to develop the Kathmandu station of Radio Sagarmatha as a prototype and a training and resources centre. But Radio Sagarmatha launched its own test transmissions early June 1998 only after a herculean effort to get the green signal and a license from the government. Following that, it meant Nepal had only two FM stations both operating from Kathmandu. Radio Sagarmatha's 500 watts transmitter has just joined the government-run FM Kathmandu. It covers the Kathmandu valley, an area of around four hundred sq.km.

Radio Sagarmatha is an unusual experiment in other ways too. Some of the country's best-known media organisations -- including the Nepal Forum for Environmental Journalists or NEFEJ, the Nepal Press Institute, publishers of an upcoming South Asian magazine Himal Association and Worldview Nepal -- have taken a lead in getting this project going.

UNESCO, the United Nation's Cultural, Educational and Scientific Organisation donated US$60,000 worth of equipment for setting up a recording-cum-air studio in Kathmandu, transmitters and some studio equipments.

Ian Pringle from BBC who had helped to translate the vision of Radio Sagarmatha into a community owned radio station feels:

The full text of the interview with Ian Pringle conducted by Fredrerick Noronha is available in **Appendix 5** *of the document. Ian Pringle can be contacted at the mail address*

Bharat Koirala, now the Head of Radio Sagarmatha says:

Out of the 22 independent radio stations now operating in Nepal, four can be called community stations. The others are referred to as commercial stations but most of them have strong public service contents in their programming. Nepal's National Broadcasting Act does not provide clear distinction between commercial and community stations. The community radio stations are identified by their ownership and the power of the transmitters they use. Since license fees are based on the transmitter's capacity, from Rs. 50,000 for using a 100 watt transmitter to Rs.200,000 for using a 500 watt transmitter, the communities prefer to use low power (100 to 200 watts) transmitters since they have very limited financial resources. All of the private stations are on the FM band since the law specifies that private groups can operate radio stations only on the FM band.

Of the four community radio stations one is located in Kathmandu and the other three are in western Nepal. Radio Sagarmatha was established as a community radio with a 100-watt transmitter. But since it has been providing its service to listeners in the whole Kathmandu Valley, along with six other commercial stations, its role has gradually changed from that of a community station to a popular public service station. It has been constantly expanding its programmes, in terms of time and diversity, and because of this expanded role it decided to increase its transmitter's power from 100 watts to 500 watts.

The other community radio stations are: 1. Radio Madanpokhara which is located in Palpa District of Western Nepal. It is is owned and operated by the Village Development Committee of Madapokhara. 2. Lumbini FM is located at Manigram which is close to the industrial and commercial town of Butwal, also in Western Nepal. It is owned and operated by a cooperative formed by local entrepreneurs and journalists. 3. Swargadwari FM is located in the town of Ghorai, the headquarters of Dang District in Western Nepal. It is the newest among the community stations and has just started its test transmissions.

Of the private commercial stations there six in Kathmandu, four in Pokhara (a tourist town in Western Nepal), one in Bharatpur (Synergy FM) to the South of Kathmandu, one in Hetauda (Radio Mankamana), one in Itahari (Saptakoshi FM) in Eastern Nepal, one in the industrial town of Biratnagar (Koshi FM) and the re-transmitting station of Kantipur FM at Bhedetar in Eastern Nepal. Metro FM owned and operated by the Kathmandu Municipality, the environmental station in the process of being wset up and owned by an environment NGO (SEF) and the Spiritual FM (also in the process of being established) are three stations which have definite target audiences and have a public service motive.There are at least 25 applications pending with the Government. No licenses have been issued in the past few months.

Four of the existing 22 stations are owned and managed by local communities. Radio Madanpokhara is owned by the Village Development Committee, the lowest rung of the government structure. Radio Lumbini and Swargadwari are owned by local cooperatives and Radio Sagarmatha is owned by Nepal Forum of Environmental Journalists. Among the 25 applications yet to be reviewed by the government many of them are for community stations. In most cases local individuals have set cooperatives and then applied for licenses. However, in all cases there are broad-based broadcasting committees that oversee the work of the stations and are involved in making policies and deciding on programming.

Bharat Koirala disagrees with the view that countries like India there is always fear of insurgents taking over a small unprotected radio station. He says,fear of misuse in insurgency is only an excuse for not granting licenses to operate community radio stations. In Latin America where there are thousands of community radio stations, there has not been cases of such stations being taken over or misused by insurgents. In the Philippines where there are many community radio stations, even in the area most affected by insurgencies, the radio stations continue to operate and serve their communities. Insurgents are not interested in local stations, they would rather capture government stations which are better endowed and have wider reach. Besides, insurgents are often members of communities that operate the stations and would, therefore, like to see the station continue to inform and entertain the community. In Nepal, none of the stations have become the targets of the Maoist insurgency even though the stations exist in some of the most sensitive areas. Frankly, the flow of information that local radio stations generate is the best safeguard against insurgency. Local stations are the most effective means of promoting democratic education.

It is true that unscrupulous politicians could try to hijack such stations with their own political agenda. But there are enough safeguards to prevent this from happening. First, the legal framework should provide the initial safeguards. In the case of Nepal, the National Broadcasting Act clearly states that private radio stations should not be used for a political purpose, rather it should be a medium for the education and entertainment of the people. Second, the broad-based broadcasting committee which the community appoints to oversee the work of the

station should be so balanced that no individual or party can hijack the station. Third, since the stations are on the FM band, they are able to reach only the members of the community who react promptly to any attempt by politicians to impose their agenda. There was a piece of news a few weeks ago which spoke about a Maoist radio station in the mid-western hills. It did not specify where exactly the station was and what it broadcast. There has not been any other information to corroborate the published news item.

The full text of the interview with Bharat Koirala conducted by Sevanti Ninan is available in ***Appendix 6*** *of the document. Bharat Koirala can be contacted at the mail address* bdkoirala@npi.wlink.com.np

SRI LANKA

In Sri Lanka the Mahaweli Community Radio, a branch of the national broadcasting system, has been broadcasting since 1981, but has always faced major budgetary problems - perhaps partly because it seems to have been set up without much thought about sustainability. Also in Sri Lanka, Guirandurukotte Community Radio has been running for nearly ten years.

Another Radio Station in the mountainous rural setting of Kotmale, is earning kudos from the rest of South Asia, for its unique experiment that showed how simple rural folk can connect upto the information superhighway using radio and the Internet.

Kotamale is some 150 kilometers from Colombo, and villagers there are logging onto the Internet via their local community radio station. "The Kotmale Community Radio (KCR) project may well revolutionize rural communications in South Asia, by showing just how information technology can become accessible to rural folks," reported the Inter-Press Service alternative international news outlet recently. "We have opened the doors to knowledge, understanding and entertainment through radio," KRC controller Sunil Wijesinghe was quoted saying. "This has motivated the community to participate and express themselves freely and receive information without censorship,"

This community radio project was set up in 1989 by the government-run Sri Lanka Broadcasting Corporation (SLBC). It was initially meant to be a low-powered community-based radio service carrying development messages to the rural people. Currently it is run by the community itself. Staff and volunteers are the well-educated sons and daughters of plantation workers and farmers from the surrounding areas, where literacy rates are over 90 percent. They take information off the Internet to produce programs for broadcast.

Funding from UNESCO, the United Nations Educational Social and Cultural Organisation, allowed Kotmale to become part of the world-wide-web. This project ended last October 2000.

Extracts from case study by W. Jayaweera, UNESCO adviser, of Kotmale commuity radio station in Sri Lanka

The Kothmale project was implemented with an initial funding of US $ 35,000, which included the project management, costs for connectivity, equipment purchases and installation, training, research (baseline and action research) and workshops for project partners. The existence of a well-equipped community radio in Kothmale reduced the project costs, as there was no need to incur expenditure on broadcasting production and transmission equipment. Moreover, the leased line connectivity was provided free of charge by the Sri Lanka Telecommunication Regulatory Authority, which took part in the project together with the Ministry of Information and Media and the state owned Sri Lanka Broadcasting corporation.

The mid-term assessment of the Kothmale project revealed that it helped shifting the community to a higher plane of awareness. In particular it contributed in generating:

a) Increased level of awareness on the benefits of ICTs;

b) New livelihood ideas and model projects;

c) High level of community participation and increased involvement of youth;

d) Enthusiasm of local political leadership and resurgence of their commitment to communities they
serve;

e) More animated discussions on knowledge and expansion of community's knowledge base.

Empowering marginalized people to expand their knowledge base is one of the most effective ways the Internet can contribute to support people in their efforts to alleviate poverty. The technical and market information available with the Internet sources, if provided in an assimilative manner, could contribute to increased productivity and commercialisation of local products. Also building up good information networks opens a window for greater participation in the management of day-to-day social services, which are essential for economic and social development.

The Government officials and local political leadership in Kothmale valley became more aware of the potential use of ICT for development. The local government bodies started contributing valuable information to the community database. The radio station was able to provide more specific information to listeners. A case in point is that radio provided location specific whether reports (for coming four days) by

reading real-time satellite pictures and whether forecast data from the Internet sites.

Community radio has the capability to mobilise intellectual, cultural and physical resources at grassroots levels to intensify social capital formation and good governance. With the Internet access as an added value and with radio browsing, community radio can effectively stimulate social networks from the local to the global level. In short, ICTs combined with community radio support poverty alleviation programmes particularly by facilitating the information needs of rural households, and by opening new windows of opportunities for rural youth in their efforts to be innovative and to become active partners of programme implementation. The demonstration project implemented in Kothmale, to large extent, proved this point.

IRELAND

Community Radio in Ireland has developed from an eighteen-month 'pilot project' established in 1994 by the Independent Radio and Television Commission (IRTC). During this period eleven stations were initially licensed to operate until the end of 1996. All of these stations were later granted a one-year extension on their licences. A Community Radio Officer was appointed by the IRTC in mid-1995, and a Community Radio Forum was subsequently established to provide an opportunity for inter-station communication and exchange. This forum produced a report – entitled "A Community Radio Model for Ireland" - which was one of the key information sources for the final policy document produced by the IRTC. During the period of the pilot project, and beyond, a Development Workshop Support Scheme was funded by the The Independent Radio and Television Commission (IRTC), to enable stations to apply for a grant to run workshops which sought to identify, explore and define key issues in the organisational development of the participating stations. The IRTC's view, after careful evaluation of the pilot project, is that community radio is a viable distinct strand in Irish broadcasting. The other two strands are public broadcasters, and commercial broadcasters.

For each community licence awarded a contract is drawn up on an individual basis, and throughout the duration of the licence the station is monitored. With regards to business, technical and programming aspects, the station is visited by a representative of the IRTC at least once a year, and these issues are discussed and inspected. The aim is for the regulator and the stations to work together on the basis of cooperation and consultation, rather than conflict.

The Independent Radio and Television Commission (IRTC) also issues temporary licences, up to a maximum of 14 days. Similar to the RSL scheme which operates in the UK, these licences tend to be used by educational users, or for cultural programmes.

Bruce Girard who has extensive experience in journalism, development

communication, research and education. He was one of the founders of the World Association of Community Radio Broadcasters, AMARC feels that South Asian **c**ommunication initiatives clearly show that there is a potential and a need for community media. The very few independent radio projects primarily in Nepal, are impressive mostly because of their existence. He is against too much emphasis on legislation because he feels that community radio as a concept must remain somewhat illusive for it to be effective at the grass-root level.

In Latin America the examples of Colombia, Ecuador and Chile are instructive. The government legalised community radio and then gave it a special status that limits its power (to 1 watt in Chile!), restricts its resources (no advertising revenue allowed), and adds hurdles that other radio stations don't need (in Ecuador the military had to give its formal approval before a licence was granted). In the Netherlands, stations receive direct government subsidies, but must maintain such a high level of local news and information programming that they quickly run out of local news (not to mention resources to gather it). In very few cases, notably France, community radio stations have negotiated conditions that enable them some financial security without having to give up their autonomy or accept onerous restrictions.

On the question of insurgency and its impact on community radio Girard insists that this is a red herring often put out by paranoid governments afraid of their own people. "I can think of examples where community radio stations have supported people's movements aimed at overcoming injustice. In Ecuador, for example, the military occupied Radio Latacunga when the station supported a peasant strike. They even went so far as to accuse station announcers of broadcasting in secret code. The 'code' was, in fact, Quichua, the majority language of rural residents of the region. A few community stations in Colombia were set up and supported with drug money. He feels that the regulations and systems set up by Ireland and Canada are good examples to study and follow in India. Community radio is often precarious, subject to dramatic change in a very brief period. The strongest tradition is in Latin America, but many of the new stations appearing in Africa are already having a significant impact on democratic and developmental processes in their communities.

The full text of the interview Bruce Girard conducted by Frederick Noronha is available in
Appendix 7 *of the document.*
Bruce Girard can be contacted via email at bgirard@comunica.org

THAILAND

Thailand has 480 radio stations. Many fall under the aegis of the governmental Public Relations Department which is
responsible for Radio Thailand, the official government broadcasting station, which transmits the local and international news
mandatorily broadcast by all Thai stations. Radio Thailand is also the official channel for government information.

Along with the Thai Television Company, Ltd., the Post and Telegraph Department, the Royal Thai Army, Navy, and Air
Force, the Police Department, Kasetsart and Chulalongkorn Universities, and the Ministry of Education all operate radio
stations. Except for the Education Ministry and Radio Thailand broadcasts, all other stations are commercial and rely heavily on
advertising revenue to cover operating costs. Programming tends to resemble the commercial format popular in other countries,
with music and talk shows the dominant fare.

Dr Boolert Supadhiloke, Inspector General in the Prime Minister's office, and formerly in the PR department which allocates radio frequencies, said in an interview to the Hoot that Thailand has now taken a decision in principle to allocate 20 per cent of all radio frequencies communities. The government was doing this because it needed revenue to run the department.

The Government of Thailand is in the process of setting up two bodies that will regulate broadcasting and telecom in the country, the National Broadcasting Commission and National Telecom Commission. It has passed a Broadcasting Frequency Allocation and Management Act. The Broadcasting commission will reallocate existing radio frequencies. Under this all existing frequencies will be allocated as follows: 40 per cent will be set aside for public broadcasting, 20 per cent for community broadcasting, and 40 per cent for commercial use.   There are now no free frequencies.

 Thailand has at present 20 community radio stations started by the P R Department with a one kilowatt transmitter each. It gives nine hours of airtime to local people. But these are not really community radios. In Thailand people now do community broadcasting by using loudspeakers on poles to extend taped broadcasts. Public health organisatons, local village chiefs, temples, all use this method. After the commissions are set up they can apply for frequencies. In the provinces, at present, the public relations department subcontracts frequencies, by leasing air time to commercial entities.

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Chapter 4: Community Radio: The Macro Issues

a. Finance

Most Community Radio programmes in the developing countries have been started with support from some outside donor – national or international. It is important to bear in mind that community radio needs sustained finance and is not a one-time expenditure with the project capable of self-sustenance. Options for raising finance therefore need to be integrated into the project from the stage of policy legislations by the state and programme planning by the community/NGO. The options are:

- Donations

- Memebership fees from Community

- Sponsorship of Programmes if the Legislation permits

- Local Advertisements

BOX NO 4: Community Radio Handbook

Basic Equipment for a UNESCO supported Community Radio Station

Bharat Koirala adds**:**

The first two community stations in Nepal, Radio Sagarmatha (set up in 1997) and Radio Madanpokhara (set up in 1999) were financed through IPDC (UNESCO) grants. They have since then been supporting themselves both through donor assistance for specific projects and through their own income from advertising and sponsored programms. Both are now largely self-supporting. Lumbini FM at Manigram was set up by a cooperative with an initial investment of US$10,000 raised from among the members of the cooperative. Since then they have expanded their facilities both through their own income from advertising and sponsorship and a grant from DANIDA to set up a second studio and to buy a new transmitter. Swargadwari FM in Dang, too was set up by a cooperative with their own money but DANIDA provided the initial expenses to buy transmitting and studio equipment. They seem confident they will be self-supporting once they go on the air with their regular programmes.

Finance has not been the main problem with the community radio movement in Nepal. Many communities that have applied for licenses plan to raise their own investment money, and in some cases, they have already done so. There are several donors who realize the value of community broadcasting in a country like Nepal and ready to offer assistance in setting up community stations. The real bottleneck is in the

licensing process. Even though the process is very clear in the National Broadcasting Act and the National Broadcasting Regulations, the government has failed to promptly review the applications and grant licenses where the pre-requisites have been met.

It is difficult to say exactly how much it costs to set up a community radio station since a lot depends on the local circumstances. From our own experience we have found that a station like Radio Sagarmatha which serves a population of over a million people requires more than US$30,000 to set up the station. The operating costs are also relatively high. A really rural station like Radio Madanpokhara was set up and fully equipped with less than US$20,000. Based on these experiences we figure it will cost US$15,000 to make a rural-based station fully operational while an urban-based station will cost about US$30,000.

But, it must be remembered that community radio can be set up and broadcast with much less since all it takes is a transmitter and a few microphones to go on the air with local programs. What is required is the motivation and enthusiasm of the local community to use the medium.

In all cases there has been some local financing. While some received initial funding from UNESCO or DANIDA, there were others that raised money locally both to set up and operate their stations. In the case oworried about financing. In tghe case of the Manigram station, they have so much advertising that they are no longer worried about financing. Radio Madanpokhara has saved enough money-to-money property and building a new structure to house a studio and offices. Swargadwari FM has raised enough money to operate the station; donor money was used to buy equipment. Madanpokhara holds period meetings of the community to discuss how more resources can be mobilized to make the station sustainable.

There is some advertising revenue in all cases. These stations, not being commercial, have a policy to broadcasting limited number of advertising messages and be more selective in the type of advertisements to be accepted by the station.

Sustainability is a topic that always comes up when there a is discussion on community radio stations. I found the same thing in the Philippines where there are many community radio stations that have been operating for a nunmber of years. The question of sustainability comes up because many such stations have been set up through grants by donors with the initial misgivings that the communities would not be able to manage the stations once the support is with drawn.

The very fact that most of the stations are running, many of them are doing very well and some have even saved enough to expand their facilities and services confirms our belief that community radio can become fully sustainable. But, to be able to do so, the community must be intimately involved in the planning, establishment and operation of the station. Once the people feel that it is their station, that they must run it, and that it must continue to serve the community, the station will become sustainable.

Any outside support should be limited to purchase of new equipment and training in techniques and management.

b. Technical Requirements:

In India at present there are very few technical experts who could be called upon for advice or assistance. Most of them had been associated with All India radio or have served the organization which still has a monopoly on technical installation for radio communication. Engineer-in-Chief of All India Radio, Dr. K.M.Paul, who was in the forefront of technical upgradation of AIR equipments for many years, has just started a new scheme where AIR engineers could be made available for consultancy and turnkey projects to private organizations setting up radio stations. On issues regarding the technical aspect of starting a small low power radio station, Dr. K.M.Paul :

- A 1 KW community station can comfortably reach up to 25 KM range andwill cost Rs 2 crores to construct. For 25 km range of reach, it is advisable to go for FM transmission. The cost will have many components like the Transmitter, building, land, technical equipments, installation charges, cost of power generation, etc. Within technical equipments the cost is split among Transmitter, tower, cable and antennas and power supply equipment, tower. All this is in addition to the cost of the land and civil constructions. If you go over 25 km range you need 5 KW. The range is a function of two things. Power of the transmitter and the height of the tower. For each range of power of the transmitter there is an optimum height for the tower.

- Transmission is a complex procedure where the software, that is the programme, is produced in the studio. After the transmitting signal is ready, it goes through the cable and gets into the antenna and gets readied. For FM you need to have tower of appropriate height for particular coverage, because FM has to be mounted on a height. So the tower cost comes in. For medium wave you do not require a tower. You require a mast type of antenna. That is also a costly device. The transmitter output goes into the mast antenna. Transmitter feeding system, the power supply system, these are the components of total cost.

- Technical aspects of a programme are split into two major components: the production environment and the transmission environment. Production means studio. Studio part can be digital, production, post production, everything. But the transmission signal will remain analogue because people have analogue receivers. Though digital transmission has started it is so far not widespread.

- The baseline technical know-how required for an NGO to set up and run a small radio station is at least a three-year diploma in electronic engineering. For operational matters like recording, conducting interviews or discussions, production of a programme, there is not much need for any technical expertise. These can be done by non-technical people. Technical support is need in the eventuality of a system failure and for maintenance. That requires minimum a three years diploma holder. Basically one graduate engineer is essential for smooth transmission especially for a radio station in a remote area. Alternatively this could be through a consultancy agency who will post their own technical hand. For production higher secondary or class ten would do, but should be ITI (industrial training institute) pass. Better if they are from an ITI.

- I have seen one suitcase transmitter but my experience says their performance is not particularly good. They are 50 or 100 watt transmitters with antenna mounted on the rooftop. You have to put the antenna at a height for FM, it gives coverage on a line of sight basis, provided adequate power is there. A 50 watt transmitter can go up to 5 km range. Without the height the signal will not reach. Whatever height you provide they can cover a corresponding area.

The full text of the interview of Dr. K.M.Paul conducted by Bandana Mukhopadhyay and Sevanti Ninan is available in **Appendix 8** *of the document.*

c. Training

While it is important to have a properly qualified person to handle the technical equipments it is equally important to have community volunteers suitably familiarised with the craft of programme production to run community broadcasts on a sustained basis. This requires two types of training:

> A. Training for handling the recording, dubbing and mixing equipments
> B. Training for content planning, programme management and community participation strategy

In attempting to build an alternative community communication system, it is important to keep in focus the codes and conventions of the dominant media because a very large section of the community is already attuned to those attitudes in programme presentation. The training therefore can be limited to imparting some basic knowledge of technical skills essential for the volunteer to become an effective operator of the media tools. A key component of community media training has to go beyond technical competence and must include development of the skills whereby the

volunteer can encourage as well as ensure participation of the community and its interaction around the focal issues which are central to programme planning. This requires:

- A clear theoretical understanding of content
- A knowledge of the needs within the community
- A knowledge of how the medium of radio works and can be used
- A set tangible goals vis-à-vis social outcome of the programmes
- Development of innovative ideas within limited technology for community participatory programmes

The most acceptable form of training is obviously the interactive, on-job format where learning is part of the participatory process. This adds to the sense of ownership and responsibility for the radio station while making the fullest use of the local or community knowledge and effectively reduces the dependence on profession or the outside expert. This is a process that is often referred to as "empowerment".

Some of the most important components of community radio training are:

1) Most of the training should take place within the community setting

2) Training curriculum must be clearly structured

3) Emphasis on problem solving and decision making

4) Encourage team work and open peer discussion

5) Importance given to development of skills for assessment of community reaction and consolidation of programme impact

All community radio training is essentially a two way process where the trainer also learns through the experience because each community is unique for its cultural values, development needs and social attitudes and it is dangerous and counter productive if the training attempts to standardise the complexities of a community.

The ultimate aim of all community training must be imparting the art and crafts for effective communication of ideas and interactions.

Leela Rao, Director, department of Communication at the Manipal Institute for Communication has been developing a manual for community radio training and she says:

1. Most universities offering courses in journalism/communication would have a unit on Radio. Mostly deals with the development of the medium and some understanding of the skills needed. A few institutes may have contact with local AIR to provide exposure to the practical aspects of program production to the students. To the best of my knowledge, no institute has the infrastructure to train students in radio exclusively other than Xavier Institute in Mumbai, which has a program in radio journalism. As part of infrastructure for training in media MIC has acquired facilities necessary to impart training in Radio. There are none specifically meant for CR as such.

2. In MIC radio is taught as one of the important media of communication. We offer both practical hands on training in digital system and conceptual areas like creative use of the medium. It is an integral part of the two- year Master's program in communication and has been offered since 1997, when the institute was established. It will also be offered as a separate module of two courses to the Undergraduate students from next year onwards. We have not yet planned any short- term courses on regular basis.

3. More emphasis is given to production technology and content. Students are taken through concept to scripting to production, post- production and feedback critique sessions with sufficient time for hands on training. Some understanding of technology of transmission is included, but details of AM/FM is not dealt with. MIC has a sound studio set up and the entire production system from field recording to studio based programmes to editing is digital format.

4. MIC has a project sponsored by Ford Foundation to develop training material in Radio with a community orientation. As part of the project, we organized a month long training program in content development for community during April-May 2001. The participants were mostly people who wanted to get into CR or were interested in CR. Some were already working as casual production staff with AIR, Mangalore. They felt they could be more effective in making community oriented programs for AIR.

The course had three parts:

i) The first was to understand the concept of CR. Many had no idea what CR was about. Along with this orientation about CR, they were also introduced to a community nearby as locale for content development.

ii) The second part dealt with skills of programme production. Our understanding is that media skills are the same whether it is for community or for an international audience. The same professional attitude, approach is applicable. However, in CR, the producer has to be sensitive to the community needs and some attitudinal shift in conventional thinking about Radio, or for that matter any media, is necessary.

iii) In the third segment the skills were put to practice in making a program for the community with their participation and co-operation. The programs were taken to the community for a narrow cast and feed back session.

Another voluntary organization TIDE from Mangalore has been interacting with us about training for their staff as also the fishing community they are working with nearby. MIC team went to the community to give them an orientation on CR and we are now trying to work out some kind of training schedule to suit the convenience of the community.

Generally we do not have any locally relevant teaching material that could be used in our training programmes, particularly in radio. I think this is true of most media training institutes in this country. Our initial interest was to generate training material, not necessarily meant for community. Given that Manipal is a university town in a predominantly rural locale, the idea of developing training material with community orientation was logical. Soon it was clear that the only way we could generate any authentic material for training would by providing training to small groups and documenting the experience. Also, if CR is to become a reality, it is necessary to begin with capacity building efforts at the community level.

The training manual we have planned is mainly to train the trainers and has several modules. There is a lot of literature and examples in areas that deal with skills, understanding the medium, some competency about the technology. There is no point in trying to re-write these basic concepts. As one of our resource persons has said, " we should not attempt to reinvent the wheel". What is important, however, is that the manual should indicate different approaches to training that might be adapted to suit the requirements of the users. So we are trying to introduce in each module, different ways of imparting training. Some of the modules have supportive illustration in video as also several audio clips for exercises. In addition we want to provide an overview of what is CR, how does one go about establishing a CR, some guidelines on ensuring the community involvement and participation and examples of successes and failures in CR. These aspects are still in thinking stage. .

Since starting work on this project what I have observed is that people are very enthusiastic about new ideas when they are presented with them. But sustaining this interest is more difficult. A lot of people are ready to support an initiative once it starts but may not be able to, or have the resources, to do anything on their own. At least for the time being, CR initiatives need a strong supportive organization to sustain the efforts and keep it operational for reasonable period of time.

The full text of the interview with Dr. Leela Rao conducted by Sevanti Ninan is available in **Appendix 9** *of the document. Dr. Leela Rao can be contacted by mail at*

Chapter 5: Broadcast Laws in India

a. Background

Main Factors for Planning Community Radio

- The Current Legal situation for setting up a non-profit Community Radio
- Terms for obtaining license and the necessary qualifications of the applicant
- Cost of the license and terms for financial aid for the project
- If community radio is not available within the legislative framework then what other avenues exist

In all the South Asian countries broadcasting is a central subject and national control extends from issue of licensing to programme policy for even the remotest radio station in the country. No provincial government in South Asia has the jurisdiction to issue license or decide any policy for content of any broadcast. In India, broadcasting has been controlled by the central government and the regulations framed in the 1885 Indian Telegraph Act had remained unchallenged until 1975. Following the blatant use of the electronic media by the congress government during the emergency period, the first sincere efforts to relax the hold of the ministry on radio and television began. A 11-member committee was set up under the chairmanship of B. G. Vergese to study the question of converting Akashvani and Doordarshan into autonomous bodies. The recommendations of this body led to the Broadcast Bill of 1991, which was finally made into an Act in 1997 and made operative through the formation of Prasar Bharati in 1997, thus ending a century long direct control of the state over both radio and television. Mr. B.G. Vergese, who has been a member of the Prasar bharati Board since its inception however feels that the actual functioning of Prasar Bharati needs to be more autonomous and people oriented and admits that the issue of community participation in programmes has not been adequately addressed by the board.

Regulations governing broadcasting in India can be broadly outlined with the following landmarks:

1. 1885 Indian Telegraph Act

2. **Cable Act 1995**
3. **Supreme court Judgement pertaining to the use of air-waves, 1995**
4. **Prasar Bharati Act 1997**
5. **Cabinet Approval for Commercial Ownership of FM Channels, 1998**

The first attempt to explore avenues for relaxing the government control on broadcasting was the Akhash Bharati report in 1978. Explaining the vision behind the Akash Bharati report, Mr. B.G. Vergese says, "This was in the pre-satellite era. Our Committee proposed an independent structure for a National Broadcasting Corporation (Akash Bharati) incorporating AIR and DD as an integrated national broadcast trust and public service broadcast provider. This was to be under a Board of Trustees, named by a statutory panel, funded through the exchequer and responsible to Parliament through the Government, which was given reserve powers and a place on the Board. Our scheme envisaged a two-tier structure: a policy-making Board of Trustees and a professional Board of Management headed by a Controller-General who would be Member-Secretary of the Board of Trustees. Autonomy was sought to be devolved downwards through regional and local kendras. At the base, we proposed franchising non-political/religions institutions (NGOs, universities, cooperative institutions like Amul, and cultural and other public service non-profit institutions) to utilise Akash-Bharati's infrastructure to operate autonomous low-power, low-budget community radio and TV stations to serve both rural and urban populations and niche audiences for instructional, developmental and cultural purposes on the SITE-Pij model. These were to be licensed by an independent Licensing Board for periods of up to three to five years at a time and run with broad-based community representation and audit. They would (at least initially) not broadcast news but merely relay Akash Bharati news bulletins but would be able to run their own local current affairs programmes. Implicit in this arrangement was the idea that these Franchise Stations might be encouraged to network upwards over time. A broadcast commission was to review the entire broadcast scene after seven years. While the growth of TV was envisaged, the continuing importance of radio was emphasised. The subsequent Prasar Bharati legislation enacted in 1990 and brought into force w.e.f 1998 is not fully operational. The Board remains to be fully constituted (though a new Chairperson and three new Members have been very recently appointed). There is yet no full CEO, Dir Personnel or Director Finance, all key top management personnel. The rules and regulations have only just been adopted and personnel and finance are still largely controlled by the Government. All this has handicapped the autonomous working of Prasar Bharati. Even otherwise, the legislation requires tidying up in view of past ordinances that could not be validated by Parliament on account of the dissolution of the Lok Sabha on two occasions. Hopefully all this will happen soon.

The electronic media, more especially a public service broadcaster, can be a powerful tool for social and cultural development for all the peoples of India, with its unique

diversity. This implies more "narrowcasting" to local audiences, especially the disadvantaged and deprived sections of the population in terms of literacy, incomes, gender, social status, rural and peripheral location and lack of access generally. It must also cater to special needs and interests and encourage interactive and participative broadcasting. It should not be afraid to experiment and pioneer, and set standards for the commercial channels. Autonomy would be best safeguarded by excellence."

Earlier The Cable Act in 1994 had eased some of the control by allowing private broadcasters to beam television programmes through cable carriage to viewers. The most important landmark in this process is the Supreme Court Judgement in 1995 declaring the air-waves to be public property.

In a ruling given in early 1995, India's Supreme Court declared the airwaves as 'public property', to be utilized for promoting public good and ventilating plurality of views, opinions and ideas. This judgment held that the 'freedom of speech and statement' guaranteed by Article 19(1)(a) of the Indian Constitution includes the right to acquire and disseminate information. And, in turn, the right to disseminate includes the right to communicate through any media -- print, electronic or audio-visual -- though restrictions were permissible on such rights. "The fundamental rights," said the judgment, "can be limited only by reasonable restrictions under a law made for the purpose ... The burden is on the authority to justify the restrictions. Public order is not the same thing as public safety and hence no restrictions can be placed on the right to freedom of speech and statement on the ground that public safety is endangered."

Some other points made in the judgement/s:

- "Broadcasting is a means of communication and, therefore, a medium of speech and statement. Hence in a democratic polity, neither any private individual, institution or organisation nor any Government or Government organisation can claim exclusive right over it. Our constitution also forbids monopoly either in the print, or electronic media

- "However, the monopoly in broadcasting and telecasting is often claimed by the Government to utilise the public resources in the form of the limited frequencies available for the benefit of society at large. It is justified by the Government to prevent the concentration of the frequencies in the hands of the rich few who can monopolise the dissemination of views and information to suit their interests and thus in fact to control and manipulate public opinion, in effect smothering the right to freedom of speech and statement and freedom of information to others.

- "The claim to monopoly made on this ground may however lose all its raison d'etre if either... section of the society is unreasonably denied access to broadcasting or the Governmental agency claims exclusive right to prepare and relay programmes."

- "The Government sometimes claims monopoly also on the ground that having regard to all pervasive presence and impact of the electronic media, it may be utilised for purposes not permitted by law and the damage done by private broadcasters may be irreparable. There is much to be said in favour of this view and it is for this reason that the regulatory provisions including those for granting licences to private broadcasters where it is permitted are enacted."

- "On the other hand, if the Government is vested with an unbridled discretion to grant or refuse to grant the license or access to the media, the reason for creating monopoly will lose its validity. For them it is the Government which will be enabled to effectively suppress the freedom of speech and statement instead of protecting it and utilising the licensing power strictly for the purpose for which it is conferred. It is for this reason that in most of the democratic countries an independent autonomous broadcasting authority is created to control all aspects of the operation of the electronic media. Such authority is representative of all sections of the society and is free from control of the political and administrative executive of the State. "It therefore, includes the right to propagate one's views through the print media or through any other communication channel e.g. the radio and television. Every citizen of this free country, therefore, has the right to air his or her views through the printing and/or the electronic media subject of course to permissible restrictions imposed under Article 19(2) of the Constitution. The print media, the radio and the tiny screen play the role of public educators, so vital to the growth of a healthy democracy."

The country is now awaiting the much talked about Convergence Bill expected to be tabled in the parliament in the forthcoming session which will take cogniscence of the technical innovations in communication as well as the interconnection among the various communication techniques and content providers.

*The full text of the interview with Mr. B.G. Verghese conducted by Sevanti Ninan is available in **Appendix 10** of the document. Mr. B.G. Verghese can be contacted by mail at*

*Excerpts of Supreme Court Judgement is available in **Appendix 11***

Cable Act : Appendix 12

b. Possibilities within the existing framework

The existing network of Local radio stations of All India Radio have been used in the absence of any other alternatives for social development communication by the NGOs. The KMVS project in Bhuj, The NFI supported project in Daltongunj are examples worth study. These are projects where time slots have been bought by the NGO at commercial terms from AIR for community participatory programmes made in collaboration with a communication activist group. Professor U.R. Rao, present Chairman of the Prasar Bharati Board admits, " For the local people local broadcasting is extremely important, and a social impact can be achieved through the local system, far more than any other system. Particularly in a country like India, where you have 50 per cent of people still in the rural areas, education and information dissemination is a priority. In fact the whole idea of empowerment of people comes only when people are informed and rightly informed. Apart from the experience of SITE, even now in tribal areas in Madhya Pradesh education programmes in story format provide messages. And I think both, programmes run by the state and by people, have a place. There are a number of areas where people have taken time. For example, Kutch Mahila Vikas Sangathan in Bhuj, and the Population Foundation of India in Bangalore are doing good work, and private NGOs have taken up some time, impacts are good. But when I say impacts are good I don't think we have done good research. Unlike SITE and other programmes where not only internally people were commissioned to do research but also people came from outside and did independent research. Fundamentally we have to use the public broadcasting system to educate the people. Better health, better family planning, better agricultural practices and so on. And when you do that you start improving. So that they can ask questions, they can ask what they want. Today most of them are ignorant. I know that in Hissar during a function a lady got up just in a village and said "We have to have programmes that are useful—we want to know how to save our apples. We are not interested in hearing just parliamentary news and so on. So why don't you provide us this type of information." She wasn't even very fluent, speaking Hindi mixed with Punjabi but she made an impact, saying look this is the type of programme I want. I don't think we have enough of this, and certainly we have very little research, except this particular for Tinka Tinka Sukh which was evaluated in the villages by people from outside the country. "

The full text of the interview with Prof. U.R. Rao conducted by Sevanti Ninan is available in ***Appendix 13*** *of the document. Prof. U.R. Rao can be contacted by mail at*

Union Minister for Law, Arun Jaitley was minister for information and broadcasting when the FM stations were auctioned to private parties. Now he is the law minister who will be piloting the Communications Convergence Bill when it is taken up in the next session of Parliament. Though not directly concerned with community radio, he describes the legal framework that could make it possible.

"A new law to regulate the entire electronic media is on the anvil. The procedure for sharing of airwaves, of spectrum, the procedure for what kind of services can be operated, has a considerable amount of flexibility as far as I remember the law. For instance newer technologies will come up, newer kind of services will come up, and therefore there is an omnibus specific provision in the act itself which is big enough to accommodate it. "

Giving his interpretation of the 1995 Supreme Court ruling, he says, "The 1995 ruling of the Supreme Court was given in a particular context. The context was that the Cricket Control Board and the Calcutta Cricket Club wanted to telecast the cricket match since they were the owners of the event. The government took an extreme position that allowing up-linking to a private party is detrimental to national security. And therefore inherently took up a position that it is only the state or those permitted by the state who can uplink. This essentially meant that in the matter of electronic media for direct telecast and uplink of events there would be a virtual monopoly of the state. Now holding that electronic media being an extension of print media and is therefore is a part of free statement, and freedom of statement and monopoly are strange bedfellows, they can't co-exist. And therefore in a free statement area the state can't say only the government will bring out a newspaper---only the government will run channels. Since this cannot be the position you will probably have to legislate, and when you legislate you will have to see that this is public property, it is meant for the benefit of the public, and therefore you can regulate but you cannot have a monopoly in favour of the state. But since the court was also conscious of the fact that technology will also have limitations-you can't have a thousand people wanting to operate channels out of the same sharing of the spectrum----so it said that will depend upon how you organize and regulate the sharing of the spectrum, so you will probably need a regulator through a legislation which is drafted in the process. That probably was a very logical judgement and all subsequent follow up which have taken place have in fact piecemeal given effect to the judgment. The first is that you allowed private channels to operate, you had a cable law which came into operation. Then you had the private channels being permitted uplinking. Next stage was opening up uplinking for any body foreign or Indian. And then there was an interim stage when you were planning a broadcasting law to give effect to the Supreme Court judgment. The draft of the broadcasting law was prepared and then suddenly you realize that that law has become anachronistic because of the development in technology convergence setting in, both the carriage system and also the transmission system and the receiving system in terms of instruments have converged into one and therefore you can't have separate licensing authorities separate regulatory authorities, separate license fee fixations, separate service providers. They all have to converge into one as far as possible. And therefore while finalizing the broadcast bill everyone realized that the technology had overtaken you and you switched over to the convergence bill.

Giving his explanation to the commercialisation of FM frequencies, Mr. Jaitley explained, "The whole process of opening out is slowly taking place. For instance, even on FM, there are several legitimate questions which arise, which arose in my mind at that time. We had opened the FM. Prior to that we had strongly argued I remember in the seventies in the Lakhan Pal case where one Lakhan Pal went to court

and said I have a right to set up a private radio station and the court thought it was treacherous. So twenty years ago a right to set up a radio station by a private party was treacherous. In 1993, eight years ago, telecasting your own cricket match was detrimental to national security. Now thinking has progressed, and even two years ago when we auctioned the FM channels, we can't allow the news. We can allow news and current affairs on television, but we cannot allow it where radio is concerned. Now these are all questions where the process of opening out has slowly taken place. And I think that those who are now in charge, at some stage this will be considered. It is a very powerful instrument, as far as community radio is concerned.

The formation of a regulatory mechanism for wider ownership of the airwaves is clearly under the jurisdiction of the Ministry of I&B. The Law Minister fells that the I and B Ministry has to first formulate tools that are required and articulate a policy. Once the decision to allow community ownership is formalised then a regulatory body will have to be put in place. Within the Convergence Bill there is an omnibus clause "and such services as may be permitted from time to time." This clause has been put very consciously so that there is an omnibus provision. There will be a Convergence Commission, which will have separate responsibility. The bill is at present under consideration with the standing committee in the parliament.

*The full text of the interview with Arun Jaitley conducted by Bandana Mukhopadhyay is available in **Appendix 14** of the document.*

Lawrence Liang - Alternate Law Forum, Bangalore adds:
POINT 1: Radio without license today from MIB will be illegal. Prosecutable. Action under Telegraph Act includes search , seizure,

sarrest, fines and confiscation of materials.

POINT 2: According to SC95 ruling, the Govt cannot have monopoly for airwaves below 3000 GHz that are propagated with an "artificial guide".

However the judges have refused to lay down a legal principle which states that licenses may not be required for certain technologies, they have instead kept the issue open to interpretation in any future case that may arise. It would seem to me that even if one were to rely on this portion of the judgement to make a claim that certain activities do not require any legal license from the central government, it would not automatically mitigate any risk that would arise from the starting of such radio station.

Vivek Durai - Media Lawyer, Mumbai says:

POINT 1: Restrictions on broadcasting impact the fundamental rights provided by Article 19(2) of our constitution. The question is whether these restrictions fall under the exception of "reasonable restrictions" or not.

POINT 2: This is also a response to POINT 2 of Lawrence Liang.

"Artificial guide" - that would mean that the electromagnetic field of the earth, or cosmic rays or gamma rays do not need a license. Anything that uses an artificial guide would still come within the definition in S.3 (1) of the Indian Telegraph Act and would require a license. Artificial guide is not really defined. And it is not really necessary. If you look at the intent of the law,

(and please remember that the definitions in our laws are similar to laws in other countries) you realise it is to prohibit the use of appliances used or capable of use for transmission or reception through radio waves. Artificial Guide refers to the fact that wireless transmission does not use a specific artificial medium like copper wires for transmission.

c. Policy Interventions

The need of the hour is to have a clear policy regarding the ownership of airwaves because despite the recent emergence of private radio, Government policy in the country has indicated a bias towards media control. Proponents of community radio talk about the need for community radio as a Rights Issue have not been able to sufficiently articulate its need by demonstrating hands on experiences from communities. Within the existing framework of radio, the community component has not been projected with adequate emphasis. This again demonstrates that there is an urgent need for policy intervention in favour of the community both from the point of view of the right to information as well as for social empowerment leading to development. Ashish Sen, Executive Director of Voices, The Bangalore based organization committed to the use of media for development urges the immediate need to 'put forward and implementing constructive and realistic regulatory mechanisms and a code of ethics so that media would not be misused. The next step should be to followed up by a gradual opening up of strategic public/community-private partnerships which could accelerate the process of community involvement in media. The emergence of mixed media models (combining radio and the Net) would also play a role in the opening up process. Given sufficient demonstrable models, backed by effective networking and advocacy, he believes would help in firming up the present nebulous approaches towards community ownership of airwaves.

The full text of the interview with Ashish Sen conducted by Frederick Naronha is available in **Appendix 15** *of the document. Ashish Sen can be contacted at the mail address:*

Prospects for a policy change have become brighter with some state governments staking their claim for use of airwaves for non-formal education and integrated rural development. CEO Prasar Bharati Mr. Anil Baijal confirms that Andhra Pradesh has already sent a formal proposal to that effect, thus demanding a policy intervention in favour of direct access to airwaves. Mr. Baijal says that "We have addressed in Prasar Bharati the issue of community participation in programmes with great detail and feel that it can be a possibility in near future. He is particularly hopeful about the use of the Satellite transponder taken from ISRO for transmission over Ku-band, this was commenced on 25th March and has continued to this day uninterrupted for 6 hours a day. An earth station is coming up shortly after which transmission for longer periods will become possible. We have deviated from the original DTH model and are supplying the content additionally through cable TV. The number of sets receiving transmission consequently has increased from a mere 250 sets in March 2001 to 20 lakh connections now.

A more positive was heard from the Minister for Information and Broadcasting Smt. Sushma Swaraj. She said, " If you will recall my statements soon after I took over as the I&B minister October 2000, I had said my priority will be to take the electronic media as close to the people in the grass-root level as possible. I have been working for a complete reorientation in the attitude towards the electronic media and in this year, 2002, this is first on my agenda. Hope to announce a firm policy very soon.

Q: Would you care to give us some idea about the way you are thinking of taking radio closer to the people at the grass-root level? Will it be along the lines of community radio in other countries?

ANS: I will not use the word community because in India the word community is not automatically linked to geographical regions. I prefer to use the term" Narrowcasting" which clearly defines that the radio station is for people living within a small radius. This is important because here we have a different dialect every 30km. For instance in Haryana, the state where I belong, we have a different dialect in Hissar, anther in Ambala, a third in Karnal. What is known as Hariyanvi is only spoken in the Rohtak area! So we need to identify the radio with the local dialect because the radio depends on oral communication and communication made in the language spoken by the people is most easily accepted. Besides if the people are to be involved in the making of the programmes, they will readily participate only when they are able to do so in their natural language. Let me tell you something further. You are asking about radio but I am thinking even beyond; I am dreaming of local television as well!

Q: Local Television?

ANS: Yes, why not? Let the local people have their own fashion shows, their own entertainment, direct interaction and use the medium they enjoy as well as handle easily. If some people can make their own television programmes why deny the opportunity? This will offer access to information, technology and entertainment in a way which will be most acceptable to the people and I hope in the near future we don't have to bother about our children watching Mtv, Ftv and the like. After all when you can hear your own child on radio and tv, make your own cultural shows with

local participation, you will like that better isn't it? And the channel will also give you opportunity to exchange vital information, information on development as the people want.

Q: May I ask you how this is to be translated into action on ground? I am talking of the hardware, finance, expertise…

ANS: Both AIR and Doordarshan have many low power transmitters dotting the countryside. These have been constructed with public money and should be optimally utilised. I am planning to offer this transmission facility to any group who want it for their own programme at a very low price. The technical facility will be provided by the Prasar Bharati engineers but the programmes, planning, software in general will be the responsibility of the people who will own and operate the station. If anybody wants to run a radio or TV station, they have to find money for it themselves but we are also going to explore that aspect and see how we can encourage small groups without much financial strength but with ideas for using radio or TV for development can be encouraged. I am also hoping that this will open up immense possibilities for using electronic media for education, development and entertainment for everyone.

Q: Would you care to elaborate a little more about how this policy change is being planned?
ANS: What I have thought is that as soon as the policy is framed we will offer educational institutions, perhaps the professional institutes which are usually housed within a campus, like the IITs, Agricultural Universities, Research Centers like NDRI in Karnal, and even residential schools their own radio and television centers. Let us take the case of NDRI in Karnal as an example. The technical facilities like transmission can be offered by Prasar Bharati because that facility or expertise is not easily available and let the organisation run the radio or tv channel. .In the next phase and with better understanding of how privatisation of the electronic media should be regulated, we will open it up further for NGOs, and similar organisations.

Q: How about a group or an organisation that is not situated near a AIR or TV transmitter?
ANS: We have AIR and TV transmitters in almost every district in the country. You may not be aware of their existence but AIR and Doordarshan engineers know and if there is a demand from an organisation where no AIR or Doordarshan Transmitter

can be used, we will make the necessary provision.

Q: You don't want to give direct access to transmission?
ANS: I am giving direct access to transmission. All that I am saying is that, I am offering readymade transmitters which are already operative, to the private groups wanting to narrowcast programmes on radio or television for themselves at a very affordable price with technical expertise. This will help to start their programmes

without delay. Importing equipments, setting them up or even locating a suitable space for installation can be a long and complicated process and can even kill the initial enthusiasm. I have a policy clearance from Finance ministry and the cabinet for co-locating transmitters with AIR or Doordarshan and I want extend that facility now to educational institutions first and after that to more groups in the non government sector.

Q: Why is the first choice for educational institutions?

ANS: Because even within development, education is a priority sector in our country. The student community can have a capacity building of technical expertise while they learn, entertain and study their regular curriculum. In many countries they don't go to classes for frequently but listen to the professor on radio or television and interact in phone in programmes and then write their written assignments which is both quicker more innovative and also less strenuous for all concerned. We can have that in India too.

Q: What about, let us say, a group, not directly involved in regular education, who already possess transmission facilities?
ANS: I have been told that there are some people who have transmission equipments. I don't know how they have acquired it because as yet the rules of the state do not allow private ownership of transmission equipments and I have to look into the legalities, a different kind of policy sanction etc before I can go that far.

Q: How soon do we expect a policy statement on this issue?
ANS: Very soon… very, very soon. I have called for a meeting next week and hope to form the detailed policy within the next few weeks. I told you this is the first item on our agenda for this year!

*The full text of the interview with Smt Sushma Swaraj conducted by Bandana Mukhopadhyay is available in **Appendix 16** of the document.*

d. Licensing

The first contagious issue regarding issue of license for community radio seems to be an acceptable definition for the word 'community'. The problem of definition of community is also handicapped by the fact that broadcasting or any related technology allows little scope for specific groups to have their point of view and or ideology only to be heard through a facility. Communities do not necessarily evolve on these lines unless there is a conscious attempt by agencies to constitute them on a common platform. This is possible if the parameter of control and access to broadcasting stations is incorporated in the thinking.

Within the existing framework of laws the possibilities for Community Radio are according to Lawrence Liang who graduated from National Law School of India is associated with the Alternative Lawyers Forum, Bangalore. Liang also teaches Media Law:

Factual background that led to airwaves judgement consisted of a dispute between the ministry of information and broadcasting and the cricket association of Bengal over whether the cricket board had the right to give the telecast rights to a private agency over Doordarshan. In answering the factual dispute the courts had to examine the larger issue of whether or not the Government or the Government agencies like Doordarshan could have a monopoly of creating terrestrial signals and of telecasting them or refusing to telecast them.

The context in which this dispute occurred was of course the initial days of liberalization with the entry of private media into an arena which had hitherto been monopolised completely by state owned media like All India Radio and Doordarshan. At stake were also notions of what constituted the public sphere and which agency could be said to represent the widest section of the public in India. The claims made by Doordarshan in this case for instance were clearly premised on the fact that they had the largest reach in terms of an audience and hence had a valid claim for a monopoly as far as broadcasting was concerned.

Q2: What are the implications that the judgement has for community radio?

 A: While the judgement does not speak of alternate media or small-scale media such as community radio, there are important implications that the judgement makes for organisations and individuals interested in espousing a case for community radio. For instance the primary holding of the case was that airwaves were public property and hence there could be no monopoly over it by state controlled media. The court also reiterated the right to receive information as being an integral part of the freedom of speech and statement enshrined in Article 19(1)(a). There is a clear shift in the interpretation of the court from what may be termed as "authorial rights" implicit in Art. 19(1)(a) to a recognition of the spectatorial rights of people. The courts however also stated that while airwaves were public property, it was also a scarce good and hence there was a need to regulate it for the benefit of the public. In a characteristic move, reminiscent of state monopoly, the state is then deemed to be the best authority to regulate the use of a scarce commodity like airwaves.

In my reading of the case the most important paragraph which affects the claims for community radio emerges form Para 49 of the decision at page 216 as extracted below: The court clearly articulates a reading of Sec 4 of the Telegraph Act which provides for instances in which a license is required for the setting up of transmission facilities etc. There is then also an implicit recognition of instances where such license may not be necessary My contention is that if there are institution and organisations which are interested in community radio fall under the stipulated technological requirements, then here is does not arise any necessity for a license. The judge also makes a very pertinent point stating that while the court in this instance intends to leave the point

open to be discussed in future cases. " In other words, if the electro - magnetic waves of frequencies of 3000 or more giga - cycles per second are propagated in space with or without artificial guide,1 or if the electromagnetic waves of frequencies of less than 3000 giga - cycles per second are propagated with an artificial guide, the Central Government cannot claim an exclusive right to use them or deny its user by others. Since no arguments were advanced on this subject after the closure of the arguments and pending the decision, we had directed the parties to give their written submissions on the point. The submissions sent by them disclosed a wide conflict, which would have necessitated further oral arguments. Since we are of the view that the present matter can be decided without going into the controversy on the subject, we keep the point open for decision in an appropriate case. We will presume that in the present case the dispute is with regard to the use of electromagnetic waves of frequencies lower than 3000 giga - cycles per second which are propagated in space without artificial guide".

Extract: **The relevant Section 4 of the Telegraph Act** reads as follows

4. (1) Within India the Central Government shall have the exclusive privilege of establishing, maintaining and working telegraphs:
Provided that the Central Government may grant a licence, on such conditions and in consideration of such payments as it thinks fit, to any person to establish, maintain or work a telegraph within any part of India
Provided further that the Central Government may, by rules made under this Act and published in the Official Gazette, permit, subject to such restrictions and conditions as it thinks fit, the establishment, maintenance and working -
(a) of wireless telegraphs on ships within India territorial waters and on aircraft within or above India or Indian territorial waters and;
(b) of telegraphs other than wireless telegraph within any part of India.
(2) The Central Government may, by notification in the Official Gazette, delegate to the telegraph authority all or any of its powers under the first proviso to sub - section (1).
The exercise by the telegraph authority of any power so delegated shall be subject to such restrictions and conditions the Central Government may, by the notification, think fit to impose."
Section 3(1) of the Act defines 'telegraph' as under:
"3. (1) "telegraph " means any appliance, instrument, material or apparatus s used or capable of use for transmission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, visual or other electromagnetic emissions, Radio waves Hertzian waves, galvanic, electric or magnetic means.
Explanation. - "Radio waves" or "Hertzian waves" means electromagnetic waves of frequencies lower than 3,000 giga - cycles per second propagated in space without artificial guide." It is clear from a reading of the provisions of Sections 4(1) and 3(l) together that the Central Government has the exclusive privilege of establishing, maintaining and working appliances, instruments, material or apparatus used or capable of use for transmission or reception of signs, signals, images and sounds or intelligence of any nature by wire, visual or other electro - magnetic emissions, Radio

waves or Hertzian waves, galvanic, electric or magnetic means. Since in the present case the controversy centres round the use of airwaves or Hertzian waves hereinafter will be called as "electro - magnetic waves"), as is made clear by Explanation to Section 3(1), the Central Government can have monopoly over the use of the electro - magnetic waves only of frequencies lower than 3000 giga - cycles per second which are propagated in space with or without artificial guide. In other words, if the electro - magnetic waves of frequencies of 3000 or more giga - cycles per second are propagated in space with or without artificial guide,1 or if the electromagnetic waves of frequencies of less than 3000 giga - cycles per second are propagated with an artificial guide, the Central Government cannot claim an exclusive right to use them or deny its user by others. Since no arguments were advanced on this subject after the closure of the arguments and pending the decision, we had directed the parties to give their written submissions on the point. The submissions sent by them disclosed a wide conflict, which would have necessitated further oral arguments. Since we are of the view that the present matter can be decided without going into the controversy on the subject, we keep the point open for decision in an appropriate case. We will presume that in the present case the dispute is with regard to the use of electromagnetic waves of frequencies lower than 3000 giga - cycles per second, which are propagated in space without artificial guide.

Q3: What are the regulatory statues which restrict community radio and are there any changes which will affect the situation?

A: Currently the only statute which really deals with the necessity for a license while setting up a radio station. Section 4 of the Telegraph Act states that "Within India the Central Government shall have the exclusive privilege of establishing, maintaining and working telegraphs:
Provided that the Central Government may grant a licence, on such conditions and in consideration of such payments as it thinks fit, to any person to establish, maintain or work a telegraph within any part of India " (see above).
It is however important to note that the parliament intends to pass Communications Convergence Act which will repeal inter alia the Telegraph Act. The act will consolidate all existing laws related to media including radio and there is therefore a need now to shift the focus of the debate on alternate media like community radio.

The act will create a single statutory authority namely the Communications Commission of India which will be responsible for a whole range of activities from the grant of licenses to monitoring changes in media scape to balancing between public and private interests in the converging media. The bill will be applicable to the following technologies:
1. Network infrastructure facilities (e.g earth stations, fixed links and cables, public payphone facilities, radio-communications transmitters and links, satellite hubs, towers, poles, ducts and pits used in relation with other network facilities).

2. Network services (e.g bandwidth services, broadcasting distribution services, cellular mobile services, customer access services, mobile satellite services).
3. Application services (e.g Public cellular telephony services, IP telephony, Public payphone service, Public switched data service).
4. Content application services (like satellite broadcasting, subscription broadcasting, terrestrial free to air TV broadcasting, terrestrial radio broadcasting).

Convergence can therefore be simplistically be defined as the various processes through which formerly distinct and autonomous media or communication services such as audio, video and data services are coming together under the same industry or under the same set of services. The implications for this in terms of community radio include for instance the fact that while licensing for traditional radio has been difficult to obtain, in the context of the internet there already exists a number of online radio stations which people can listen to from India. There is therefore a need for the government to clarify its position of regulation vis-a-vis these different media.

The licensing requirements under the Convergence Bill provides that no person is allowed to use any part of the spectrum (defined as "a continuous range of continuous electromagnetic wave frequencies upto and including a frequency of 3000 giga hertz") without assignment from the Central Government or the Commission. It further provides that no person is allowed to own or provide any network infrastructure facility, or provide any network service, application service or content application service without a license granted under the Act. In addition, no person is permitted to possess any wireless equipment without obtaining a license under the Act.

The act has certain clear objectives and of these a few may be relevant in any claim for community radio. For instance the act is intended --

A. To ensure that the communication sector is developed in a competitive environment and that market dominance is suitably regulated.

B. To ensure that communication services are made available at an affordable cost to uncovered areas like rural, remote, hilly and tribal areas.

C. To ensure that there is increasing access to information for greater empowerment of citizens and towards economic development

D. To make sure that quality, plurality, diversity and choice of services are promoted.

The act however does not in any manner address formally the issue of alternate of small-scale-media.

Q4: What are the liabilities that can be incurred by an organisation if they attempt to set up any radio station without the permission of the government?

A: Under Section 20 of the Indian Telegraph Act the government has wide ranging powers to conduct seize and seizures of any unauthorised use of telegraphy etc. The section reads as follows:

20. Establishing, maintaining or working unauthorised telegraph

(1) If any person establishes, maintains or works a telegraph within 1[India] in contravention of the provisions of section 4 or otherwise than as permitted by rules made under that section, he shall be punished, if the telegraph is a wireless telegraph, with imprisonment which may extend to three years, or with fine, or with both, and, in any other case, with a fine which may extend to one thousand rupees.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), offences under this section in respect of a wireless telegraph shall, for the purposes of the said Code, be bailable and non-cognizable.

(3) When any person is convicted of an offence punishable under this section, the court before which he is convicted may direct that the telegraph in respect of which the offence has been committed, or any part of such telegraph, be forfeited to government.

From a reading of the airwaves judgement as discussed above it is my contention that an organisation or an individual can actually set up small radio transmitters etc without the permission of the government. They will however be opening themselves to the risk of having their equipment seized by the government as well as incurring criminal liability. It will however open up space to contest the actions of the government and lay the path for a case which will definitively decide on the future of community radio in India (to reiterate the judges have deliberately left open the issue for a future case).

Q5: What are the legal Strategies that can be thought of in terms of making a claim for community radio?

A: There have been discussions with various groups over what legal strategies can be thought of when trying to make a claim for community radio. A few people have enquired for instance about the possibility of filing a public interest litigation demanding that the government act on the application of organisations which have put in their applications for a license for community radio. In my opinion while there are grounds for a public interest litigation, given the hostile attitude of the courts currently to PILS it may not be the best strategy as the court will prefer that all other routes are exhausted before a public interest litigation is brought up.

A better strategy might be to put forth the same claims in another manner. Namely organisation which have filed for a license file a writ of mandamus asking the court to direct the government to process their applications as it involves a fundamental right namely the right to impart and receive information. While this may have the same effect as filing a PIL, it gives you the benefit that even if it is dismissed against one party, another organisation can bring the same claim in another jurisdiction. Whereas a PIL may have the effect of bring forth a negative judgement, which would adversely affect the interest of all groups concerned.

The full text of the interview with Lawrence Liang conducted by Ashish Sen is available in **Appendix 17** *of the document. Lawrence Liang can be contacted at the mail address :*

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In conclusion it is worthwhile to focus on the arguments forwarded by Bruce Girard, who has extensive experience in journalism, media, development communication, research and education and is one of the founders of the World Association of Community Radio Broadcasters, AMARC. He worked closely with the association on many projects in developing countries across South America where he founded Comunica, which specialises in studying and supporting independent media's use of information and communication technologies to strengthen efforts for development and democracy. His study of the media scene in South Asia makes him believe that projects incorporating print, popular theatre, video and other people's communication initiatives clearly show that there is a potential and a need for community media. To him the legal status is not primary to the issue of community radio. He states, "I am not sure if a fight for special status for community radio is the best way to use our energy. One reason is because of the vagueness of the concept of community radio, but the main one is that so often special status is introduced not to support community radio, but to *restrict* what it can do. In Latin America the examples of Colombia, Ecuador and Chile are instructive. The government legalised community radio and then gave it a special status that limits its power (to 1 watt in Chile!), restricts its resources (no advertising revenue allowed), and adds hurdles that other radio stations don't need (in Ecuador the military had to give its formal approval before a licence was granted).   In the Netherlands, stations receive direct government subsidies, but must maintain such a high level of local news and information programming that they quickly run out of local news (not to mention resources to gather it). Programming displays all the passion and social engagement of newspaper classified ads. In a very few cases, notably France, community radio stations have negotiated conditions that enable them some financial security without having to give up their autonomy or accept onerous restrictions. But this is the exception to the rule.

He advocates that the Indian government should look at the models in Canada and Ireland for study in order to come up with the most suitable form of community radio regulations.

The full text of the interview with Bruce Girard conducted by Fredrick Noronha is available in **Appendix 7** *of the document. Bruce Girard can be contacted via email at* **bgirard@comunica.org**

Chapter 6: Critical Concerns

a. Implications for National Security

W. Jayaweera, UNESCO Regional Communication Adviser responding to the concerns about possible misuse of community radio when they are owned, managed and operated by distant communities says, " Most of those who have expressed this view have very little or no knowledge of community radio operations. The argument has no empirical or conceptual validity and is based mostly on wrong assumptions: On the contrary community radio has much potentials as an effective tool of integration.

In this short note I attempt to list some key pointers in support of community radio as a tool of integration. Nation states usually comprise with a majority community and one or many minority communities. There is always a constant tension between majority community position and aspirations of minorities particularly if minorities feel that nationhood is dominated and imposed upon by the majority community, in terms of development priorities, cultural concerns and participation in

administration.

In an authoritarian system nationhood is built through illusive and/or repressive forces (Soviet Union, Yugoslavia) etc. But in a democratic system the nationhood is built through consensus, power sharing, equal participation in economy and more importantly free-flow of information between and within the different communities of the nation (Ex: India)

Naturally, when a country is transforming from an authoritarian systems to a democracy there is always the possibility that those who were underprivileged or repressed to think of separating from the mainstream nationhood. This invariably raises the issue as to how one could maintain an inclusive nationhood in which all minorities and marginalized groups should feel that it is beneficial and safer for them to remain in an integrated nationhood. This is more so, because when what was nurtured under authoritarian system towards the minorities are more of a distrust, manipulation and repression. Therefore, the rebuilding the trust of nationhood

between and within communities is very important. This, indeed, depends on the extent to which the democracy is promoted and practiced at the grassroots level, particularly in marginalized and disadvantaged segments. The minorities will feel safe only when the nations assures their democratic and human rights and when they see the possibility of negotiating for equitable sharing of power and resources.

Indonesia has taken the correct step in this direction by introducing greater decentralization and power-sharing plans. But decentralized administration alone would not bring the desired results unless there are possibilities for each and every community to influence and to take part in the decentralized decision making process. This is where community radio has a great potential, particularly because it helps bottom-up decision making from each and every community in the decentralized administration. Therefore, community radio facilitates the process of true and democratic nation building. The argument, community radio can stimulate disintegration has no validity. I wish to discuss the following factors that make such an argument rather unconvincing.

Community radio is confined to a small geographical area. It depends on low power transmission covering not more than 20-30 Km radius. It serves a community which use common resources for livelihood, has common development issues and concerns, which are relatively localized but nevertheless connected to national and provincial development goals.

Community radio ideally should have a broad based ownership, which is accessible to any member of the community. If established with well-developed guidelines, there is no possibility for one particular group of the community to dominate the community radio operations and programmes. In any case such a domination cannot be resulted in sustaining a wider listnership in a community where most people knows each other and are able easily to discern group intensions, allegiances and partisan attitudes.

That is precisely why community radio should be established with a prime task of promoting democratic discussions within the community providing opportunities for differing viewpoints. The code of conducts established by many community radio stations emphasize that " Programming should maintain a balance that properly reflects the differing interests of the various majority and minority sectors in the community".

Communities are not monolithic units. They consist with people with differing positions, priorities and various approaches to questions and solutions. There are also different level of connectors and catalysts within communities. The community radio provides a platform for all segments to discuss the common issues from different viewpoints in a tolerable atmosphere. What is sought out is a common good. Everybody will have to discipline themselves when participating in community radio programmes and operating a community radio. They have to follow certain norms establish by the code of conduct of the station. In effect community radio trains the

community members in a very practical way on democratic behaviours. The opportunity to project and discuss common issues promotes a sense of belongingness among community members and strengthen the community bond among individual members.

Community radio will facilitate contextualising national development programmes within the immediate community and taking national development goals closer as possible to the intended beneficiaries. Through the community radio, members are able to feed forward on local development concerns, giving an opportunity for development agencies and authorities to involve in a constructive dialogue on development priorities at local levels. Similarly, the community radio provides opportunities for the community to make reiterative evaluation of programme implementation and eventually to make development inputs more relevant and efficient. This transparent process makes the community to rely more on an integrated national system in which the degree of power sharing between the center and the periphery is understood by each other. The ability of the communities to involve in shaping programme implementation at grassroots level is well assured. The regular community dialogue and feedback will make continuous improvement to the programme delivery and make the centre more responsive. Therefore community feels that their concerns are heard and listened to.

At the same time community radio facilitate self-reliance by mobilizing resources readily available at the community. They can analyse the situation and propose their own solutions. This confidence makes them to consider themselves as a part of a responsive system inalienable from the nationhood they belong to. The very recognition that they have the possibility to influence national policy implementation at grassroots level makes them feels a part of an inclusive nationhood. Community radio is just one important element of the media channels. There will be national and global level media reaching the communities though they do not provide access for and participation of the community. Nonetheless, the community media would provide an opportunity to interpret the national media content with a local flavour.

Community radio can present programmes based on what is disseminated by national media. This would enable those who cannot afford to purchase newspapers or to access national media, making the entire community aware of national issues. This not only make them to response to various national issues but also bonds them with the larger nationhood as they see the relevance of national issues within their immediate communities.

There is no empirical evidence that armed groups have effectively used community radio to promote their own separatist agenda. No armed group will venture to acquire a community radio that belongs to the community as a whole and risk of facing the community wrath. This is more so because such an attempt will immediately expose the authoritarian nature of the armed group. The community will interpret it as act of another dictatorial group who has no concerns of community affairs other than

dominating the community will. In any case no listener can be forced to subscribe unilateral viewpoints propagandised by such a radio.

On the other hand, there is no militarily strategic value of small community radio station, which covers only a limited geographic area, which is known to each other. Moreover, any military takeover of community radio will make the armed group vulnerable to exposures. In the countries with conflicts such as Sri Lanka, South Africa, Nepal, community radio are operational without any threat of acquire by armed groups.

Radio stations with large geographic coverage such as national radio is more vulnerable and has been targeted by armed groups because the ownership of national radio is normally associated with state power. But community radio has not been recognized as a symbol of power and thus makes no attraction to power hungry armed groups.

Decentralization at regional level can be effective only when there are democratic communication channels available for those who are living within the regional autonomy. If not it is more likely that regional authorities would not be subjected to democratic checks and balances of the people those who are under their authority. The community radio makes it possible for individuals and communities governed by regional authorities to become more accountable to the people and prevent authoritarianism at decentralized administrations.

Community radio, operations have distinct characteristics and differs from commercial and national PS broadcasters in regard to its mission and service. Community Radio do not compete with commercial and PS, rather has a complementary role. But primarily Community Radio is operated by and for the community and owned by the community itself. It is an empowering tool for the community. A nation consists of empowered communities is more secure. Only empowered communities can make an equitable contribution to nation building.

P.V.Satheesh of the non-profit organisation called the Deccan Development Society (DDS) also feels that terrorism is not an issue for extending community ownership of radio-waves. Speaking on the subject he states:

- No terrorist and violent organisation would primarily rely upon an open and transparent media like radio. Even in the current controlled regimes if a terrorist outfit wanted to, it could have multiple radios of its own. There are suitcase transmitters which they can use effectively. But they won't. Their strength lies in the non-transparent, non-participatory policies of the State. And they use inter-personal, word by mouth propaganda and rumours which are ten times more effective than an open radio system. The opening up of broadcast space itself is an insurance against subversion.

- In countries like the Philippines and Indonesia where the insurgencies and terrorism is more rampant than in India, hundreds of com-radios thrive without upsetting the state. These are worth studying for a so-called Giant Democracy like India if it honestly believes that should be a true democracy.

As the state through its own making [and fortunately] starts weakening, and the exasperated communities start increasingly bringing more and more pressure on it, the state is compelled to accept the demand of the marginalised.

Bruce Gerard echoes his arguments saying "This is a red herring often put out by paranoid governments afraid of their own people. I can think of examples where community radio stations have supported people's movements aimed at overcoming injustice. In Ecuador, for example, the military occupied Radio Latacunga when the station supported a peasant strike. They even went so far as to accuse station announcers of broadcasting in secret code. The "code" was, in fact, Quichua, the majority language of rural residents of the region. A few community stations in Colombia were set up and supported with drug money. In the Basque territory of Spain a station has been accused of being run by the ETA, although I believe this is an exaggeration."

b. Social Empowerment with Communication

Community radio experiences vary within nations as well as between nations. The beauty of community radio -- or any other form of community-based media-- is that it is tailored to particular communities (geographical or of interest) and there is thus a huge variety and diversity. More than anything, India, because of the nature of the diversity in the country, should try to develop a model that allows for a lot of room to manoeuvre. Without getting caught up with static definitions of community radio, it is important to keep in focus that this movement is essentially to include all radio stations that actually serve communities and have become partners in development. Generally speaking that community ownership of a station is a very important feature of a community station -- but Radio Kothmale in Sri Lanka is a shining example of how a good radio serves its community.

Vincent Subramaniam feels that we need to identify the parameters under which community radio can be established in India. This has to begin at the very basic, that is the definition of community for the purpose of licences. He says:

1. Some NGOs, people's groups, are definitely interested in community radio for their activities. This does not however mean that they would like to run a station on their own, but they will definitely like to have a regional radio outlet their voices, activities etc.

2. There is a need to build further the embedded capacity even within the NGO sector for imaginative use of radio and communication for social development through community participation. Very few know where to

start, in terms of getting their stuff on air. For e.g. even if there was legislation today allowing people to independent access to the airwaves most groups are not really prepared with the gear and the logistical stuff. {Instead, a few who desperately want to get to the air, for all the wrong reasons, may get there first!)

3. One aspect of any campaigning-group's activities must be to popularise the supposed benefits of radio amongst activists, community leaders, NGOs, etc.

4. Actions could be anything that has been thought through. A PIL, or just a Ministry interaction effort, or AIR/Gyan-vani combined intervention, whatever. It really doesn't matter in the short run, what the exact actions are since the situation in India seems so nascent.

5. Over the next few years there should be a sustained information campaign in several regions of India so that communities emerge who can setup or anchor community radio stations in that region. The policy should allow those who are most geared up technically and logistically to automatically emerge as those who will run radio stations in their own regions, should licensing be achieved.

6. A (compromise) licensing policy framework emerging from a nation with a governance history such as ours, will be easier to pin down such that it allows community radio to come into existence through the licensing of community owned, managed and "govt regulated" radio stations or networks as opposed to the chaotic scene that comes to mind that involves a few hundred thousand stations blaring off as a the result of opening up.

7. The promise of having independent and community owned radio access as an nearby outlet would like propel people to support a campaign for the long haul, as opposed to thinking that they have to "do the radio" themselves, which will discourage at least some.

P.V Satheesh is one of the strongest exponents of direct access to radio for the marginalised. He says community radio has taken so long to come to India because not much of the civil society groups had worried about the aspect of shrinking media space for communities. As the problems that the communities are facing is increasing and the space for its articulation is shrinking, the realization that communities need their own radio for such articulation is increasing. Added to this are globalisation and the increasing media mergers and the expanding regime of media monarchs all of which are certain to result in the mono-cultures of the media. It is in this context that the need for diversity and plurality in media become acute. This acuteness had not

been felt so much in the past and hence the delay in formulating a clear policy for community radio. Pleading a strong case for community radio he says, 'community radios can give a forum for communities to vent their frustrations and anger. It may not halt terrorism but can delay its arrival in a violent form. He also feels that the delay in creating a space for community ownership of radio arises from the state's fear of its erosion of power and the fact that it cannot handle a diversity and plurality in the society.(*The full text of the interview with P V Satheesh can be found at* **Appendix 19**.)

The National Foundation of India says its focus in the community radio programme is in using communication as tool for empowerment. "We are trying to demystify the media for grassroots NGOs as well as the community."

How and why did NFI get into promoting community radio at a time when it is not legally permitted in its fullest sense?

NFI is not bypassing the law in any way. NFI is using the existing legal structure i.e. AIR for empowering NGOs and the community in the use of mass media tools. Under the circumstances since we are not allowed to own radio stations the best option was to utilize the existing government infrastructure towards empowering community in using communication.

On the basis of your experience so far would you want to expand your involvement in community radio if the government does not actually open it up soon?

> Sure. We would like to take up community radio programmes even if the government does not allow NGOs to set up stations. While there are a number of advantages to be able to own a station, we would not like to deprive the community from using a media tool till such time the government opens up the sector, especially knowing how long and cumbersome government processes can be. Our priority at present is in empowering communities to use media tools for development.

(*The full text of the interview with Nandita Roy, programme officer for community radio at NFI can be found in* **Appendix 20**)

Kanchan, a research scholar on the Importance of Community Radio in the Indian Context at the Hyderabad University also argues in favour of independent community run radios. She says, "In saying that Prasar Bharati could be seen as a facilitator and service provider for community radio, I feel we are missing the point in spirit and practice of community radio. The philosophy behind community radio as it is being envisaged by the initiatives in India or as reflected in the legislation of countries where community radio is a reality, is that ownership, control and management of the medium is not WITH but outside/distinct from the state set up."

Conclusions

➢ We need to have foresight. Although the challenge is bigger, the goal has to be the democratisation of the process of handing out frequencies -- especially commercial frequencies -- and the establishment of criteria that establish minimum public service obligations for all broadcasters. The existence of community radio in different countries is also a question of definition, both of democracy and of community radio.

➢ License itself is not the final solution to the issue. Sri Lanka has not given licences to the community. But Kothmale is one of the best examples anywhere in the world of radio being used as a tool for social empowerment and integrated development of the region.

➢ Community radio is often precarious, subject to dramatic change in a very brief period. Therefore the fear of the state in issuing right to direct access to radio waves is not totally unfounded but denial of such rights is likely to be counterproductive.

➢ The NGO sector needs to expand the grass-root level initiatives for community empowerment through radio. There is also an urgent need for capacity building and advocacy at the grass root level for imaginative use of radio for development.

➢ Government needs to understand the strength of radio as a tool for social development and come up with a more user friendly and transparent policy.

APPENDICES

APPENDIX 1

"GOVERNMENTS WILL CONTINUE TO BLOCK THE AIRWAVES TO COMMUNITIES BUT IT CANNOT DO THAT FOREVER"

VINOD PAVARALA interviewed by FREDERICK NORONHA

Dr.Vinod Pavarala is associate professor of communication at the University of Hyderabad and has been a consistent supporters of community radio. He was a key backer of the Hyderabad meet in the year 2000, that give a major fillip to the national campaign for legalising community radio in India. This meet was marked by the launch of an active Internet-based networking model that brought campaigners across the country in closer touch, to fight for the issue.
Below, the professor puts the issue in its theoretical context.

Q: On whether community radio could have come sooner to India?

I think the idea of community radio has taken a natural course of time in India. I don't think it could have come much sooner. Historically, radio has been used by the state within the context of an older paradigm of community development as early as the 1950s. That whole approach was top-down, elitist, pedagogical, and treated people as only passive consumers of information. However, if by 'community radio' one means (as one must) a non-state, non-market venture, owned and managed by a particular community (defined as a territorially bound group with some commonality of interests), that idea could not have emerged until recently. This idea is today being articulated against the backdrop of the rise of new social movements and non-governmental organizations. These movements and NGOs appeared on the Indian socio-economic canvas in the post-Emergency years, as the state suffered from a severe crisis of legitimacy, giving rise to a civic ferment.
These organizations have now, after two decades of grassroots work, reached a level of maturity, redefining politics and development in the country. After years of focusing on issues of livelihood, capacity-building and mobilization, some of these organizations have now turned their attention to deploying media technologies for empowerment of marginalized communities. What we have been hearing of late are their shouts (perhaps not loud enough) for an autonomous space of expression. From here on, it is for the government to respond!

On the 'dangers' of radio:

As we all well know, these so-called subversive elements do not need official sanction to communicate with each other. There are all kinds of simple as well as more fancy mechanisms by which such groups bypass the official communication routes.

The laws of the land are more than adequate to ensure against any possible misuses of community radio. Community radio stations, as they are being envisaged, are not subversive, underground, mobile outfits. We are talking of stationary establishments that are subjected to periodic licensing requirements. So their activities should be easy to monitor. Moreover, built into the licensing policy should be a set of guidelines and norms, which should take care that the station does not violate its community mandate, either in spirit or in law.

On models India could look to:

The kind of policy models I have been suggesting for community radio in India are available in liberal-democracies such as the United States, Canada, Australia, Ireland, and South Africa. All of these countries have constitutional guarantees for freedom of the press/expression. The reasonable regulations formulated for the establishment and functioning of community radio stations have not come in the way of upholding the wider right to free speech and expression.

On the future of CR in India... and the state's response:

It is the responsibility of all of us -- media practitioners and activists, academics, and civil society organizations -- to ensure that we keep up sustained pressure on the government to yield to the democratic aspirations of the voiceless for a 'right to communicate'. I think the government will continue to block the opening up of the airwaves to communities, but it can't do that forever.

Already, the government's attempt to accommodate the demand is visible in its offer of time on All India Radio outlets for community programming. The Kutch and Daltongunj efforts came out of this policy.

I am not antagonistic to exploiting whatever spaces are available for articulating community voices over mainstream media channels. However, one should be extremely cautious about the government's long-term strategy of converting these offers into cooption and appropriation, precluding the need for a genuinely autonomous community space for broadcasting.

On what campaigns could yield results:

Organizations like Voices (of Bangalore) and the Deccan Development Society (in Andhra) hat have already applied for licenses must press the government to acknowledge their applications and give an answer. If the government fails to respond, they should take recourse to legal action. One can be optimistic about the outcome of such an action from the number of codified laws and uncodified

but widely-acknowledged principles, both in India and internationally, such as the freedom of speech and expression, the right to communicate, the right to information, and the Supreme Court
judgement of 1995 declaring the airwaves to be public property. We must also encourage and promote organizations that seek to build the capacities of marginalized communities to use radio broadcasting for empowerment. Of course, in the meantime, those organizations that feel comfortable with using AIR space could do so -- very carefully.

On options via campus broadcasting:

I think universities must play a role. The opening up of a third sector of broadcasting in India for purposes of education and development would provide exciting opportunities for campus radio stations. Already IGNOU's Gyanvani (the Indira Gandhi National Open University's steps to set up a string of educational radio stations across India) is all set to exploit the medium's potential for offering distance education.However, I am skeptical of universities trying to get on the community bandwagon by suggesting that they would provide space for communities to broadcast content relevant to them. These are never going to be participatory efforts by local communities and will likely be reduced to tokenism. I am apprehensive that moves like these would only give the government further reasons for postponing the inevitable -- the freeing of airwaves from both state and market control. Universities could help in conducting research (comparative policy research as well as case studies) and provide intellectual support and rationale for community broadcasting in the country. They could also facilitate the emergence of an autonomous community radio by enabling communities to learn the art and skill of radio broadcasting.

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APPENDIX 2

"ANDHRA PRADESH IS LOOKING AT THE WORLD SPACE RADIO OPTION"

 CHANDRABABU NAIDU, Chief Minister of Andhra Pradesh interviewed by SEVANTI NINAN

Q: Mr. Anil Baijal, CEO, Prasara Bharati is quoted as having said that AP will be one of the first states to be offered time on All India Radio?

  It is true that we have addressed Prasara Bharati for time-sharing to broadcast distance education content, development information etc. However, we have not yet received any reply from Prasara Bharati.

Regarding the use of the Satellite transponder taken from ISRO for transmission over Ku-band, this was commenced on 25th March and has continued to this day uninterrupted for 6 hours a day. An earth station is coming up shortly after which transmission for longer periods will become possible. We have deviated from the original DTH model and are supplying the content additionally through cable TV. The number of sets receiving transmission consequently has increased from a mere 250 sets in March 2001 to 20 lakh connections now.

As regards World Space Radio, this option is currently being considered over FM Radio and even Prasara Bharathi. The advantages of transmission over World Space satellite Radio are as follows:

First, the transmission is via satellite and therefore its footprint covers the entire country. Sound quality is far superior to what is experienced over medium wave or short wave transmission. There is no signal attenuation in the case of World Space.

Secondly, text and images also can be uploaded and downloaded as the transmission is digital. Particularly, Internet content can be downloaded offline. This cannot be done on AM or FM Radio.

As the transmission is intended for distance education, development information and disaster alerts, it is proposed to takeup 1000 schools and other centers on a pilot basis. As the radio will be for the school and not for one individual, an approximate cost of Rs.12,000/- for radio + amplifiers and speakers is not considered expensive. The issue of expansion of the service will be considered after a review of experience of the pilot project.

APPENDIX 3

"TRIBAL AUDIENCES USE OOTY RADIO STATION FOR AGRICULTURAL INFORMATION"

YESUDHASAN THOMAS JAYAPRAKASH interviewed by FREDERICK NORONHA

Do we know how tribal audiences use radio in their everyday lives? Yesudhasan Thomas Jayaprakash, a scholar currently based in Australia, is seeking to answer this question. He is currently completing a doctorate thesis on 'Community Radio,

Development and Remote Audiences' and is tutoring at Edith Cowan University in Australia. His research was titled 'Remote Audiences Beyond 2000: Radio, Everyday Life and Development in South India'. Thomas (32) was born in Kanyakumari district in Tamil Nadu.

Talk local! That's the message emerging from his research which analyses how tribal audiences use the neighbouring low-power state-funded radio stations. Thomas' fieldwork was conducted among remote indigenous audiences in two districts of southern India's Tamil Nadu state: Kanyakumari and the Nilgiris. In Kanyakumari, Kannikaran tribal audiences who live in the hill areas of Pechiparai were studied. Nilgiris, which means 'blue hills', is an area of five indigenous communities: Todas, Kotas, Kurumbas, Paniyas and Irulas. The Badagas have also migrated in.

His thesis critically analyses how tribal audiences use the neighbouring low power radio stations, Nagercoil Radio Station (NRS) and Ooty Radio Station (ORS), of state-funded All India Radio. It also explores how these stations ensure audience participation.

"I lived in both Nilgiris and Nagercoil for six months. I interviewed and interacted with tribal audiences mostly in their homes (to cultivate a rapport) and occasionally in the fields during their lunch break". He adds that this situation also gave him an opportunity to observe where the radio was kept in the home and how it was moved to other places at different times of the day.

"I also enquired what programmes they listen to, with whom, and who in the family decided to tune into which station or programme. This was in order to analyse the gender differences in choices," he added. Another prime area of investigation was how the listening pattern differ with different age groups -- from six to eighty years -- and sometimes at tribal schools too. Also explored was the 'space and time' of 'radio listening'.

ORS, or the Ooty Radio Station, functions "like a community radio" among the indigenous audiences of the Nilgiris district. It is an "exception to the standard

regional broadcasting" in South India. ORS sounds distinctive when compared to other regional stations, including Nagarcoil. This, says Thomas, is thanks to its well-planned combination of programmes, which are largely field based and innovative in style.

ORS attempts to empower indigenous audiences through it programming. Programmes serve a variety of audiences from youth and teenagers ('Ilayaragam', 'Kalangaraivilakkam') and children ('Siruvar Poonga'), to whole families ('Iniya Illam'). There are programmes for upcoming local talents ('Valarkalai Arangam'), sports ('Vilayattarangam'), local issues ('Valarum Malayagam'), village profiles ('Engal Giramam'), local news ('Neelamalai Kathir'), agriculture ('Thottamum Thozhilum'), tribal songs ('Malai Aruvi'), folk songs ('Mannin Manam'), topical discussions ('Palingu Mandabam') and feed back ('Karuthu Madal') to mention a few.

ORS broadcasts programmes in the regional Tamil language and reserves a twenty minute slot for a tribal songs programme ('Malai Aruvi') in which indigenous audiences present programmes in their own tribal dialect. Unlike the major regional radio stations in Tamil Nadu, which broadcast programmes from morning to late night with few breaks, ORS only broadcasts between 5.30 p.m. and 9.30 p.m.

Since ORS broadcasts a range of programmes on local culture, the indigenous audiences tune to this station. "My research suggests that the audiences of this region prefer ORS because they feel it is relevant to their everyday life," says Thomas.

Toda men, who are shifting over from pastoralism to agriculture, prefer listening to the agricultural programmes from ORS because they are specifically related to practices in the Nilgiris. Information transmitted through other regional radio stations are not of much relevance to them.

Before the introduction of ORS, remote audiences in the Nilgiris used to listen mostly to regional radio stations in Tamil Nadu in the medium band. They also tuned to hear broadcasts in Tamil from foreign radio stations such as BBC (World Service), Singapore and Malaysia in the short wave band.

Thomas found that though they still tune to these stations for entertainment, they rely on ORS for agricultural information and locally produced field-based programmes like 'Yengal Giramam' ('Our Village') and 'Malai Aruvi' (Tribal Songs Programme).

"It is not the lack of agricultural programmes in the neighbouring regional radio station broadcasts (Coimbatore), but the suitability and relevance to the conditions specific to the Nilgiris that prompts the remote audiences of Todas to listen to local information programmes.

Thus, the introduction of ORS resulted in a shift of channels for the distribution of information "from interpersonal to radio broadcasting, especially for agricultural purposes," says the researcher.

While regional satellite/cable television broadcast programmes in the regional language it is important for radio to go "closer to the community" by producing programmes which are more participatory and interactive in nature, says Thomas.

He adds: "As a tool for development, radio continues to remain unsurpassed because of its easy accessibility, cost effectiveness and localness of the medium. Since television is being driven, more and more, by advertising and market forces, the objective of using it as a tool for development has long been too sideways."

Radio, the researcher argues, is relatively a more useful medium for the remote and rural audiences because of its low cost and portability. Another main advantage is that audiences' in remote and rural areas often experience power cuts. In these situations people find radio is highly reliable.

Does he believe that the campaign to open up community radio in India would work? Says he: "So long as the NGOs and broadcast activists remain and continue to campaign for CR there is hope for community radio broadcasting in India."

What does he feel about the state of radio in India today?

"Nowadays radio personnel in India encourage people to visit radio stations unlike until the 80's where there was a strict procedure for admission. Programme officers are beginning to come out of the air-conditioned studios to meet people and produce more relevant programmes than before. But, of course, this shift in broadcasting style cannot be considered as an alternative to 'community radio' in India." Thomas says.

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APPENDIX 4

"GOVERNMENTS UNDERSTAND THE POWER OF RADIO, BUT CANNOT HARNESS IT POSITIVELY"

JO TACCHI interviewed by FREDERICK NORONHA

Wales in Great Britain was home to a major international conference, some months back, called Radiocracy. As its name suggests, it was an attempt to understand how radio could further democracy. The motive force behind this meet was Dr Jo Tacchi. Passionately involved with radio, this researcher now at the Queensland University of Technology at Brisbane has been closely following the community radio scenario in diverse pockets of the globe. She has seen the issues involved in South Asia from closer range than most international observers, having visited community radio projects in India, Sri Lanka, Nepal and South Africa.

Q : You have been following the community radio debate in India fairly closely. What's your evaluation? Will it succeed?

If you mean will community radio as a sector succeed in India, I am sure that it will, once it is legislated for. There will, I have no doubt, be a huge variety of different forms of community radio once it is established, serving many different communities in many different ways. India is the perfect setting for community radio, and community radio is the perfect medium for India.

Q: What experiments within South Asia have impressed you? Why?

First of all, the use of the word 'experiment' should perhaps be avoided. I say this because giving legislators and regulators the chance to view what is/has happened in the field of community radio as an experiment allows them to conclude that an experiment has either failed or succeeded.

Kothmale is often held up as an example of a very successful project. I would agree and was very impressed by the operations there and the people involved at the station. That is an example of a station that has a real community feel about it (and see below regarding ownership etc). I think that if that project could be properly evaluated, we would see a notable and positive impact on the communities it serves.

Other projects the Pastapur project could not fail to impress anyone. Very different from Kothmale but incredible in what it has achieved. Again, I would be very interested in seeing an evaluation of that (perhaps one exists?) and again the impact on the community will be huge. That is an example of a media initiative that is embedded not only in the community it serves, but also within a larger, holistic, development project. I would love to revisit that project.

Q: Could you draw up a picture of community radio experiences in the Third World? Do you feel the tide is towards legalising it across this region? Or will that take a lot of time?

I have only visited community radio projects in India, Sri Lanka, Nepal and South Africa. Community radio experiences vary within nations as well as between nations. The beauty of community radio -- or any other form of community-based media -- is that it is tailored to particular communities (geographical or of interest) and there is thus a huge variety and diversity.

I cannot judge whether the tide is towards legalizing it in the region -- I would hope so but governments tend to fear allowing 'ordinary people' access to broadcast media, as is also evident in the UK.

Recent world events may serve to make governments even more fearful of this, especially in India. This is to my mind nonsensical, but a sign that governments tacitly appreciate the power of radio, even though they do not quite understand it, and they fail to recognize how that power might be harnessed for good purposes.

There is also the financial consideration, greedy governments wanting to capitalize through the selling of frequencies.

Q: How many democracies exist in the world today who disallow community radio?

I don't know, but there's India and the UK for starters...

Q: Can you tell us whether any country has faced a problem with insurgency groups hijacking community radio?

Radio stations are one of the first things that are disabled or taken over in times of conflict, but in peace time I don't think this is a problem.

Radio has been used for propaganda (eg. Rwanda and Angola, and currently in Afghanistan, courtesy of the US) . But 'hate radio' happens in war situations and is in no way dependent upon or linked in any way with community radio which is probably most likely to not be involved as communities served are small. (One could say) the State radio stations are more likely to be used for insurgency or propaganda.

Q: Which countries should a country like India look to for a model legislation in setting up CR?

A: No one country. India is unique. It must try to learn from the experiences of others and avoid the mistakes they make. More than anything, India, because of the nature of the diversity in the country, should try to develop a model that allows for a lot of room to manoeuvre.

Q: Strictly speaking, has Sri Lanka actually given licences to the community? Kothmale is not really the same thing?

No, Kothmale is a SLBC (Sri Lanka Broadcasting Corporation) the state-run network) station. However, do we want to get caught up with static definitions of community radio, or do we want to include stations that actually serve communities well?

Generally I would say that community ownership of a station is a very important feature of a community station -- but having visited Kothmale I think its important that we see that as a good example of radio that serves its community. I don't think Sri Lanka has a community-radio tier as such.

Q: To end, would you cite examples of community radio in developing countries that have been particularly successful?

Sagarmatha has been successful, so has Kothmale. I saw many stations in South Africa that I would also say are successful although the sector there is facing really big problems in terms of funding and achieving sustainability (as in most places,

including the developed world). But all of these stations' levels of success can be measured on different scales... how do we measure success?

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APPENDIX 5

"COMMUNITY RADIO IS ALREADY SUCCEEDING IN SOUTH ASIA... FEAR OF IT IS ONLY AN EXCUSE"

IAN PRINGLE interviewed by FREDERICK NORONHA

 In his early thirties, this Canadian volunteer has been closely connected with attempts to promote community radio in South Asia. Pringle fell in love with alternative radio broadcasting even while still a college student back in Canada. Later on, he spent months in Kathmandu, helping to prop up the first community radio station in South Asia – a unique experiment called Radio Sagarmatha. Currently, he is an 'international cooperant' with the Canadian Centre for International Studies and Cooperation, one of the largest Canadian networks in humanitarian development.

Despite the problems, and government reluctance in India, Pringle is optimistic. "You have an extremely well developed NGO sector. There are organisations in India that can support community radio -- either business ones or foundations. You have lots of metropolitan areas with markets to sustain community broadcasters, and sufficient technical skills. India would be less dependent on foreign (technical and other skills)," he says in this interview.

Q. You've been a close observer of the community-radio debate in South Asia. What do you view as its strengths and weaknesses?

One of the major strengths is the variety of examples to build upon and the variety of interest in seeing community radio work. South Asia has several very important examples of community radio and perhaps more importantly many examples of community media that can feed into its future development. There is a wide range of support and interest in community radio, from local communities and grassroots organisations to larger NGOs and INGOs (international NGOs), from acedemics to activists to officials.

The weaknesses are perhaps in terms of organisation and limited ownership (in the broadest sense). Management and transparency are also serious issues at many levels, from the local to the national and in terms of effective roles for international organisations.

Q: Do you see it as succeeding? Even if you don't have a crystal ball, in what possible time-frame?

It already is succeeding. In terms of widespread impact across the region, it will be more visible within five years.

Q: What were the factors that allowed Nepal to succeed in opening up community radio, while others didn't?

Nepal has community radio because there was a committed and determined group of people and organisations with enough political influence to push the government onto a course that led to something like community radio.

The timing was also right: Nepal had recently changed its system of governance and along with it came a new Constitution followed by new policies and legislation with respect to communications and broadcasting. It is also important to keep in mind that Nepal is a small country.

Q: Don't you see this as a paradox -- the South Asian nation which has to cope with a Maoist insurgency, a massacre in the palace, and extremes of poverty and riches has been the first to legalise community radio. How do you explain this?

The developments that led to community radio in Nepal predated the insurgency, at least in its full-blown stages. On its own, the palace massacre was not a political event and has had little in the way of political fallout.

The presence of extreme poverty is a motivating factor in allowing for community radio since it should contribute to development and poverty reduction. It is reasonable to assume that Nepal would not have followed the same course if the Maoist insurgency was as critical in the early 1990s (when the foundations for independent radio were laid) as it is now. It is also reasonable to assume that if Nepal had taken actions like developing community radio earlier, the Maoist insurgency would not have happened.

Q: One of the main fears in India is that community radio could be misused by militants, secessionists and groups whose activities are, at best, semi-legal. How is this problem coped with in places like Nepal?

It really is not an issue; as you say, it is a fear and one that is

convenient as an excuse not to pursue a path that leads to freer and less controlled media. Governments have a responsibility to develop media as a public and community resource. This includes regulations that will foster healthy media at all levels and at the same time prevent misuse of media by any group.

No one should hide behind this fear or use lack of resources as an excuse for not allowing for more open media. Media are tools for communication and development. The main thing is to get the ball rolling, because experience is the best antidote to fear.

Q: Which Asian models/countries of community radio impress you? Why?

Nepal's experience is impressive because some form of local independent radio exists and it is growing. Stations like Radio Sagarmatha and Radio Lumbini are impressive because they have merged concepts of community and public radio. Radio Madanpokhara is impressive because thus far it has been driven by volunteers from the local community.

However, Nepal's community radio will face many challenges in the future; two are organisational and financial sustainability. There is too strong a focus on advertising and too little focus on collective management and real community ownership.

A station like Sri Lanka's Kothmale community radio is impressive because of its longevity and its innovations. Since Sri Lanka's community radios are not independent, they do not face the same financial constraints. Kothmale at least has developed into a very viable community station, perhaps more so than any of Nepal's.

Q: If you had the chance of working on community radio in Nepal all over again, what would you have done differently?

I would have spent less time in the capital and more time with the smaller stations in rural areas.

Q: Please briefly outline your role with the community radio debate in South Asia?

I'm not sure that I have a role in the debate, but I am here as a resource and a facilitator. I believe very strongly in community radio and other

forms of community media. All people have a right to communicate and to use it for their own local development.

I've spent the last fifteen years working in this field and so have experience and ideas to share as well as ongoing interest in learning from different community media experiences. That is what cooperation is all about.

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APPENDIX 6

BD KOIRALA interviewed by SEVANTI NINAN

Q: What is the current status of community radio in Nepal, how many independent stations are now running? Could you please give some names and locations.

Out of the 22 independent radio stations now operating in Nepal, four can be called community stations. The others are referred to as commercial stations but most of them have strong public service contents in their programming. Nepal's National Broadcasting Act does not provide clear distinction between commercial and community stations. The community radio stations are identified by their ownership and the power of the transmitters they use. Since license fees are based on the transmitter's capacity, from Rs. 50,000 for using a 100 watt transmitter to Rs.200,000 for using a 500 watt transmitter, the communities prefer to use low power (100 to 200 watts) transmitters since they have very limited financial resources. All of the private stations are on the FM band since the law specifies that private groups can operate radio stations only on the FM band.

Of the four community radio stations one is located in Kathmandu and the other three are in western Nepal. Radio Sagarmatha was established as a community radio with a 100 watt transmitter. But since it has been providing its service to listeners in the whole Kathmandu Valley, along with six other commercial stations, its role has gradually changed from that of a community station to a popular public service station. It has been constantly expanding its programmes, in terms of time and diversity, and because of this expanded role it decided to increase its transmitter's power from 100 watts to 500 watts.

The other community radio stations are: 1. Radio Madanpokhara which is located in Palpa District of Western Nepal. It is is owned and operated by the Village Development Committee of Madapokhara. 2. Lumbini FM is located at Manigram which is close to the industrial and commercial town of Butwal, also in Western Nepal. It is owned and operated by a cooperative formed by local entrepreneurs and journalists. 3. Swargadwari FM is located in the town of Ghorai, the headquarters of Dang District in Western Nepal. It is the newest among the community stations and has just started its test transmissions.

Of the private commercial stations there six in Kathmandu, four in Pokhara (a tourist town in Western Nepal), one in Bharatpur (Synergy FM) to the South of Kathmandu, one in Hetauda (Radio Mankamana), one in Itahari (Saptakoshi FM) in Eastern Nepal, one in the industrial town of Biratnagar (Koshi FM) and the re-transmitting station of Kantipur FM at Bhedetar in Eastern Nepal.

Metro FM owned and operated by the Kathmandu Municipality, the environmental station in the process of being wset up and owned by an environment NGO (SEF) and the Spiritual FM (also in the process of being established) are three stations which have definite target audiences and have a public service motive.

There are at least 25 applications pending with the Government. No licenses have been issued in the past few months.

Q: How many of these are community owned and managed?

As already described above four of the existing 22 stations are owned and managed by local communities. Radio Madanpokhara is owned by the Village Development Committee, the lowest rung of the government structure. Radio Lumbini and Swargadwari are owned by local cooperatives and Radio Sagarmatha is owned by Nepal Forum of Environmental Journalists. Among the 25 applications yet to be reviewed by the govlernment many of lthem are for community stations. In most cases local individuals have set cooperatives and then applied for licenses. However, in all cases there arfe broad-based broadcasting committees that oversee the work of the stations and are involved in making policies and deciding on programming.

Q: What has been the experience of Nepal in financing community radio? Has finance been easy to come by? Is it possible to give an approximate figure of what it costs to set up a small community radio station? What would be its reach?

The first two community stations in Nepal, Radio Sagarmatha (set up in 1997) and

Radio Madanpokhara (set up in 1999) were financed through IPDC (UNESCO) grants. They have since then been supporting themselves both through donor assistance for specific projects and through their own income from advertising and sponsored programms. Both are now largely self-supporting. Lumbini FM at Manigram was set up by a cooperative with an initial investment of US$10,000 raised from among the members of the cooperative. Since then they have expanded their facilities both through their own income from advertising and sponsorship and a grant from DANIDA to set up a second studio and to buy a new transmitter. Swargadwari FM in Dang, too was set up by a cooperative with their own money but DANIDA provided the initial expenses to buy transmitting and studio equipment. They seem confident they will be self-supporting once they go on the air with their regular programmes. Finance has not been the main problem with the community radio movement in Nepal. Many communities that have applied for licenses plan to raise their own investment money, and in some cases, they have already done so. There are several donors who realize the value of community broadcasting in a country like Nepal and ready to offer assistance in setting up community stations. The real bottleneck is in the licensing process. Even though the process is very clear in the National Broadcasting Act and the National Broadcasting Regulations, the government has failed to promptly review the applications and grant licenses where the pre-requisites have been met.

It is difficult to say exactly how much it costs to set up a community radio station since a lot depends on the local circumstances. From our own experience we have found that a station like Radio Sagarmatha which serves a population of over a million people requires more than US$30,000 to set up the station. The operating costs are also relatively high. A really rural station like Radio Madanpokhara was set up and fully equipped with less than US$20,000. Based on these experiences we figure it will cost US$15,000 to make a rural-based station fully operational while an urban-based station will cost about US$30,000.

But, it must be remembered that community radio can be set up and broadcast with much less since all it takes is a transmitter and a few microphones to go on the air with local programms. What is required is the motivation and enthusiasm of the local community to use the medium.

Q: What is the most common source of financing, is there any financing by the community? Is there any revenue from advertising?

In all cases there has been some local financing. While some received initial funding from UNESCO or DANIDA, there were others that raised money locally both to set up and operate their stations. In the case oworried about financing. In tghe case of the Manigram station, they have so much advertising that they are no longer worried about financing. Radio Madanpokhara has saved enough money to money property and building a new structure to house a studio and offices. Swargadwari FM has

raised enough money to operate the station; donor money was used to buy equipment. Madanpokhara holds period meetings of the community to discuss how more resources can be mobilized to make the station sustainable.

Yes, there is some advertising revenue in all cases. These stations, not being commercial, have a policy to broadcasting limited number of advertising messages and be more selective in the type of advertisements to be accepted by the station.

Q: Is there much interference from the government in running community radio?

Surprisingly, there has not been much interference from the government. One of the conditions imposed at the time granting the license is to broadcast Radio Nepal's main news, which all stations do. Recently, the independent stations received a letter from the government to use 25% of their time in broadcasting programms of Radio Nepal. The stations decided not to do it and the Minister of Information and Communication claimed he was unaware of such a letter. On the whole the stations are quite independent. What is sad is that the government is not issuing licenses on a continuing basis.

Q: In countries like lndia fear of misuse in insurgency is cited as a common reason for not permitting community radio stations. Given the Maoist insurgency in Nepal how has community radio managed to be permitted by the government?

Fear of misuse in insurgency is only an excuse for not granting licenses to operate community radio stations. In Latin America where there are thousands of community radio stations, there has not been cases of such stations being taken over or misused by insurgents. In the Philippines where there are many community radio stations, even in the area most affected by insurgencies, the radio stations continue to operate and serve their communities. Insurgents are not interested in local stations, they would rather capture government stations which are better endowed and have wider reach. Besides, insurgents are often members of communities that operate the stations and would, therefore, like to see the station continue to inform and entertain the community.

In Nepal, none of the stations have become the targets of the Maoist insurgency even though the stations exist in some of the most sensitive areas. Frankly, the flow of information that local radio stations generate is the best safeguard against insurgency. Local stations are the most effective means of promoting democratic education.

Q: What sort of safeguards are there against such radio stations being hijacked by people with political agendas? Have the Maoists established or attempted to establish any radio stations?

It is true that unscrupulous politicians could try to hijack such stations with their own political agenda. But there are enough safeguards to prevent this from happening. First, the legal framework should provide the initial safeguards. In the case of Nepal, the National Broadcasting Act clearly states that private radio stations should not be used for a political purpose, rather it should be a medium for the education and entertainment of the people. Second, the broad-based broadcasting committee which the community appoints to oversee the work of the station should be so balanced that no individual or party can hijack the station. Third, since the stations are on the FM band, they are able to reach only the members of the community who react promptly to any attempt by politicians to impose their agenda.

There was a piece of news a few weeks ago which spoke about a Maoist radio station in the mid-western hills. It did not specify where exactly the station was and what it broadcast. There has not been any other information to corroborate the published news item.

Q: Now that stations like Sagarmatha have been running for a few years,What sort of problems are cropping up here, or elsewhere if any?

Yes, Sagarmatha has been running since 1997 and it has been able to establish itself as a free, independent and high credible station. Since most of the private radio stations are of commercial nature, Radio Sagarmatha has the distinction of being the only public service stations that could survive the competition.
There several problems that the station has faced. First, how to survive with limited advertising and more educational service-oriented programmes. Second, how retain creative and dynamic journalists and producers in a competitive world. Two such producers are working at the BBC in London. Third, how to learn management techniques (of running radio stations) on a continuing basis. Fourth, how to create a marketing strategy and a dynamic marketing team in a small, low-cost station. Finally, how to motivate volunteers who could produce programmes without posing a burden on the limited resources.

Q: Is sustainability becoming a problem or not?

Sustainability is a topic that always comes up when there a is discussion on community radio stations. I found the same thing in the Philippines where there are many community radio stations that have been operating for a nunmber of years. The question of sustainability comes up because many such stations have been set up through grants by donors with the initial misgivings that the communities would not be able to manage the stations once the support is with drawn.
The very fact that most of the stations are running, many of them are doing very well and some have even saved enough to expand their facilities and services confirms our belief that community radio can become fully sustainable. But, to be able to do so, the

community must be intimately involved in the planning, establishment and operation of the station. Once the people feel that it is their station, that they must run it, and that it must continue to serve the community, the station will become sustainable. Any outside support should be limited to purchase of new equipment and training in techniques and management.

When we have many stations, there will be some which will do very well,some will manage to exist, while a few may even close down. This is a fact of life we must accept. But, looking at the present status of community radio in Nepal there is every reason to expect the existing stations to become fully sustainable.

APPENDIX 7

"SPECIAL STATUS FOR COMMUNITY RADIO COULD END UP RESTRICTING IT"

BRUCE GIRARD interviewed by FREDERICK NORONHA

Bruce Girard has extensive experience in journalism, development communication, research and education. He was one of the founders of the World Association of Community RadioBroadcasters, AMARC. He worked closely with the association on many projects, including the book 'A Passion for Radio: Radio waves and community', published in 1992.He is co-author (with Seán Ó Siochrú) of the forthcoming book 'Global Media Governance: A Beginners Guide' (Rowman and Littlefield, March 2002. Girard was Founder and Director of the Agencia Informativa Púlsar from 1996-1998, a Spanish language radio news service based in Ecuador with more than 2,000 subscribers in Latin America and more than fifty countries world-wide. In 1998 he founded Comunica, which specialises in studying and supporting independent media's use of information and communication technologies to strengthen efforts for development and democracy.

Q: You've interacted fairly deep over the community radio debate in India. What's your evaluation? Will it succeed?

Not all that closely. I read about it and have contacts with a few people who are involved, but I wouldn't say I have a deep knowledge. The best I can say is that I

hope that when radio is finally opened up (and I believe that it will be), it is done in a transparent way that considers the social value of the medium and not just its commercial value.

Q: What experiments within South Asia have impressed you? Why?

Projects incorporating print, popular theatre, video and other people's communication initiatives clearly show that there is a potential and a need for community media.

The very few independent radio projects that I am aware of, primarily in Nepal, are impressive mostly because of their existence. I am also impressed by the perseverance of groups such as Voices (based in Bangalore, South India) in their efforts to introduce local independent radio against all
odds.

Q: Could you draw a picture of community radio experiences in the Third World? Do you feel the tide is towards legalising it across this region? Or will that take a lot of time (if so, why?)

Is legalising a good thing? I am not sure if a fight for special status for community radio is the best way to use our energy.

One reason is because of the vagueness of the concept of community radio, but the main one is that so often special status is introduced not to support community radio, but to *restrict* what it can do.In Latin America the examples of Colombia, Ecuador and Chile are instructive. The government legalised community radio and then gave it a special status that limits its power (to 1 watt in Chile!), restricts its resources (no advertising revenue allowed), and adds hurdles that other
radio stations don't need (in Ecuador the military had to give its formal approval before a licence was granted).

In the Netherlands, stations receive direct government subsidies, but must maintain such a high level of local news and information programming that they quickly run out of local news (not to mention resources to gather it). Programming displays all the passion and social engagement of newspaper classified ads.

In a very few cases, notably France, community radio stations have negotiated conditions that enable them some financial security without having to give up their autonomy or accept onerous restrictions. But this is the exception to the rule.

I would argue that we have to have foresight. Although the challenge is bigger, the goal has to be the democratisation of the process of handing out frequencies -- especially commercial frequencies -- and the establishment of criteria that establish minimum public service obligations for all broadcasters.

Q: How many democracies exist in the world today who disallow community radio?

A question of definition, both of democracy and of community radio.

Q: Can you tell us whether any country has faced a problem with insurgency groups hijacking community radio?

This is a red herring often put out by paranoid governments afraid of their own people. I can think of examples where community radio stations have supported people's movements aimed at overcoming injustice. In Ecuador, for example, the military occupied Radio Latacunga when the station supported a peasant strike. They even went so far as to accuse station announcers of broadcasting in secret code. The "code" was, in fact, Quichua, the majority language of rural residents of the region.

A few community stations in Colombia were set up and supported with drug money. In the Basque territory of Spain a station has been accused of being run by the ETA, although I believe this is an exaggeration.

Q: Which countries could a country like India look to for a model legislation in setting up CR?

Canada. Ireland.

Q: Let's look at one much-cited example from South Asia. In your view, has Sri Lanka actually given licences to the community? Kothmale is not really the same thing?

No Sri Lanka has not given licences to the community. We have been hearing of community radio in Sri Lanka for 20 years, ever since Mahaweli Community Radio was set up. However, these stations belong to SLBC and do not have real autonomy, not from SLBC and not from the funders (UNESCO and DANIDA). See the chapter about Mahaweli Community Radio in the book 'A Passion for Radio' available electronically at http://www.comunica.org/passion/

Q: Would you cite examples of community radio in developing countries that have been particularly successful?

This would be a long list, and it would be a dynamic one. Community radio is often precarious, subject to dramatic change in a very brief period. The strongest tradition is in Latin America, but many of the new stations appearing in Africa are already having a significant impact on democratic and developmental processes in their communities.

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A 1 KW COMMUNITY STATION WILL COST RS 2 CRORES TO CONSTRUCT"

K M PAUL interviewed by BANDANA MUKHOPADHYAY

All India Radio Chief Engineer K M Paul describes AIR's venture into consultancy to those setting up radio stations in the country outside the government network. He estimates what will be required in terms of investment and technical expertise for a rural community radio station.

Q: Of late you know there has been some demand, a request to the ministry of information and broadcasting coming from NGOs, to be given direct access to transmission. Suppose a small NGO wants to start a community radio within a perimeter of let us say 25 km. What is the minimum transmission strength that they will require?

First you have to decide whether you want to go in for medium wave transmitter or FM transmitter. For 25 km you can go in for FM also. The cost, there are so many components. Transmitter cost, building cost, land cost.

Q: Let us say they have the building and the land. For technical equipment alone what would be the minimum amount they would have to invest?

Technical equipment also, let us split the costs. Transmitter, tower, cable and antennas and power supply equipment ---all these things together…

Q: Would you explain the difference between the transmitter and the tower?

Transmitter means transmitting equipment. After transmitting signal is ready, it goes through the cable and gets into the antenna and gets readied. For FM you need to have tower of appropriate height for particular coverage, because FM has to be mounted on a height. So the tower cost comes in. For medium wave you do not require a tower. You require a mast type of antenna. That is also a costly device. The transmitter output goes into the mast antenna. Transmitter feeding system, the power supply system, these are the components of total cost.

Q: And what will be the minimum transmission strength required—one kilowatt (KW)? What will that cost?

It will be nearly Rs 2 crores. One kw FM transmitters Bharat Electronics has just started making. This is the total cost, including studio equipment. Servicing is a separate contract.

Q: This is for digital equipment?

When you say digital, there are a lot of wrong ideas among the people. There are two sectors in broadcasting. One is the production environment, the other is the emission environment. Production means studio. Studio part can go digital, production, post production, everything. But the transmission signal will remain analogue because people have analogue receivers. Though digital transmission has started it is so far not widespread.

Q: Supposing a university wanted a station. Can they manage with 1 KW?

If you go over 25 km range you need 5 KW. The range is a function of two things. Power of the transmitter and the height of the tower. For all power there is an optimum height.

Q: If an NGO imports equipment, who makes it operational?

There are so many consultancy services available now. We have also started one called AIR Resources. This consultancy service is given to private broadcasters. And in future we want to expand our business to overseas also. We are offering consultancy in the field of broadcasting and communication. For making specifications of the system. System design, installation, testing and commissioning, and even maintenance of the system.

Q: Anywhere in the country?

Yes anywhere in the country. No problem. We can do maintenance.

Q: What does that component cost?

That has to be worked out. For example we have done a consultancy for IGNOU (Indira Gandhi Open University, that we have fixed at Rs 35 lakhs for installation.

Q: Some of the private FM transmitters that have come up, co-located with AIR transmitters in some places, what has been their cost?

There are usually putting ten KW transmitters. These will cost more, nearly Rs 1.2 crore for transmitter alone. The antenna will cost another Rs 30 to 40 lakhs. Signal receiving system, studio transmitter link system, measuring equipment, technical

furniture, air conditioning equipment. With building and site, could come to Rs 5.5 crores. If companies share facilities, it will be less.

Q: What is the baseline technical know-how required for an NGO to set up and run a small radio station. Not only transmission, but also production?

For production, a three year diploma in electronic engineering.

Q: And if that is not possible? If one is talking of say a remote tribal village in Madhya Pradesh where we want a radio station, and we can't wait for three years for two persons to get trained? And the people available do not have a literacy level of more than class eight to class ten, on an average. If they have to make a programme on their own, will they be able to do it without the support of a properly trained technical hand?

There are two things. One is operational matters, the other is technical support in terms of maintenance, in case of systems failure. Operational things can be done by non-technical people. But if the system goes wrong, then he must have acquaintance with the system properly so that he can lay his hands on what is wrong. That requires minimum a three years diploma holder. The equivalent of an engineering assistant in All India Radio. Basically one graduate engineer you should have. If the station is in a remote area, one person should have to be stationed there, unless you have given maintenance to a consultancy agency.

Q: Is AIR services sufficiently diffused to cover the rural areas all over the country? Will you deploy your nearest local radio station personnel?

That depends where you are opening a radio station. We have not taken any maintenance contract so far, we have just started. We have done installation consultancy. Our main client so far has been IGNOU because they have got licence for forty places. In Calcutta Delhi and Chennai also we have entered into contracts with private parties. They are taking our tower which is very high. Delhi is 235 metres.

Q: What height would you need for a one kilowatt transmitter?

Fifty or sixty metres would be good enough. And land required for the base would be 10 metres by 10 metres.

Q: Once radio opens up further a lot of technical hands will be required. There are hardly any organizations in the country who have providing proper technical training for radio production. You have a huge training institute under All India Radio. Are you planning to open it out to the public?

We have a plan. I think we will be able to take a policy decision on. We have got a technical training institute and a programme training institute also. We have got multi-track studios also.

Q:What is the minimum educational level that would be required for a student to come up in production?

As I said, a three year diploma holder in electronics. For production higher secondary or class ten would do, but should be ITI (industrial training institute) pass. Better if they are from an ITI, they understand the system better.

Q: Are you aware of the portable transmitters used in parts of South Asia, particularly by militants for political propaganda. Like suitcase transmitters. How useful are they .

I have not seen them except one. Their performance is not very good. They are fifty or 100 watt transmitters with antenna mounted on the rooftop. You have to put the antenna at a height for FM, it gives coverage on a line of sight basis, provided adequate power is there. A fifty watt transmitter can go up to 5 km range. Without the height the signal will not reach. Whatever height you provide they can cover a corresponding area.

APPENDIX 9

LEELA RAO interviewed by SEVANTI NINAN

Dr Leela Rao is professor at the Manipal Institute of Communication (MIC)

Q: What are the training facilities available in the country for radio outside of AIR's own facilities, and for community radio in particular?

Most universities offering courses in journalism/communication would have a unit on Radio. Mostly deals with the development of the medium and some understanding of the skills needed. A few institutes may have contact with local AIR to provide exposure to the practical aspects of program production to the students. To the best of my knowledge, no institute has the infrastructure to train students in radio exclusively other than Xavier Institute in Mumbai, which has a program in radio journalism. As part of infrastructure for training in media MIC has acquired facilities necessary to impart training in Radio. There are none specifically meant for CR as such.

Q: What are the courses offered by MIC in this category, with what frequency and since when?

In MIC radio is taught as one of the important media of communication. We offer both practical hands on training in digital system and conceptual areas like creative use of the medium. It is an integral part of the two- year Master's program in communication and has been offered since 1997, when the institute was established. It will also be offered as a separate module of two courses to the Undergraduate students from next year onwards. We have not yet planned any short- term courses on regular basis.

Q: Is the training on content and programming or on technology or both? For FM only or both AM and FM?

ANS: More emphasis is given to production technology and content. Students are taken through concept to scripting to production, post- production and feedback critique sessions with sufficient time for hands on training. Some understanding of technology of transmission is included, but details of AM/FM is not dealt with. MIC has a sound studio set up and the entire production system from field recording to studio based programmes to editing is digital format.

Q: Does MIC train people specifically for community radio, and whom are these courses tailored for? Could you please offer an overview of its contents?

MIC has a project sponsored by Ford Foundation to develop training material in Radio with a community orientation. As part of the project, we organized a month long training program in content development for community during April-May 2001. The participants were mostly people who wanted to get into CR or were interested in CR. Some were already working as casual production staff with AIR, Mangalore. They felt they could be more effective in making community oriented programs for AIR.

In essence the course had three part. The first was to understand the concept of CR. Many had no idea what CR was about. Along with this orientation about CR, they were also introduced to a community nearby as locale for content development. The second part dealt with skills of programme production. Our understanding is that media skills are the same whether it is for community or for an international audience. The same professional attitude, approach is applicable. However, in CR, the producer has to be sensitive to the community needs and some attitudinal shift in conventional thinking about Radio, or for that matter any media, is necessary.

In the third segment the skills were put to practice in making a program for the community with their participation and co-operation. The programs were taken to the community for a narrow cast and feed back session.

The outcome of the training has been a total commitment from the participants to promote CR in anyway they can. Some have attempted to take it up with their

organizations. A lecturer from a college has introduced the concept in the journalism program and made the students to do some practical work with community.

Another voluntary organization TIDE from Mangalore has been interacting with us about training for their staff as also the fishing community they are working with nearby. TIDE was referred to us by NFI, New Delhi. Nandita Roy of NFI was one of the participants at the training in May. MIC team went to the community to give them an orientation on CR and we are now trying to work out some kind of training schedule to suit the convenience of the community. It will have to be informal given the work schedule of the fishing community, so we are beginning with alternate week -ends and see how it goes.

Q: What categories of radio personnel do you offer courses for, and why did you decide to start training for community radio, seeing that it has not taken off yet in any great sense in this country?

We have not structured anything for people already in broadcasting. The formal training in the institute is to train people who may want to get into Radio as a profession. In that sense the formal training is not exclusively about CR.

Generally we do not have any locally relevant teaching material that could be used in our training programmes, particularly in radio. I think this is true of most media training institutes in this country. Our initial interest was to generate training material, not necessarily meant for community. Given that Manipal is a university town in a predominantly rural locale, the idea of developing training material with community orientation was logical. Soon it was clear that the only way we could generate any authentic material for training would by providing training to small groups and documenting the experience. Also, if CR is to become a reality, it is necessary to begin with capacity building efforts at the community level.

Q: Could you tell us something about the modules you have developed or are developing?

   ANS: The training manual we have planned is mainly to train the trainers and has several modules. There is a lot of literature and examples in areas that deal with skills, understanding the medium, some competency about the technology. There is no point in trying to re-write these basic concepts. As one of our resource persons has said, " we should not attempt to reinvent the wheel".

What is important, however, is that the manual should indicate different approaches to training that might be adapted to suit the requirements of the users. So we are trying to introduce in each module, different ways of imparting training. Some of the modules have supportive illustration in video as also several audio clips for exercises.

In addition we want to provide an overview of what is CR, how does one go about establishing a CR, some guidelines on ensuring the community involvement and participation and examples of successes and failures in CR. These aspects are still in thinking stage.

Since starting work on this project what I have observed is that people are very enthusiastic about new ideas when they are presented with them. But sustaining this interest is more difficult. A lot of people are ready to support an initiative once it starts but may not be able to, or have the resources, to do anything on their own. At least for the time being, CR initiatives need a strong supportive organization to sustain the efforts and keep it operational for reasonable period of time.

APPENDIX 10

"THE BOARD HAS NOT BEEN EFFECTIVE IN MAKING PRASAR BHARATI SOCIALLY RELEVANT"

B G VERGHESE, Member, Prasar Bharati interviewed by SEVANTI NINAN

Q : What was your concept of electronic media reform when you proposed Akash Bharati in 1978? What role did you envisage for radio, and what role, if any did you forsee for the involvement of local communities with the electronic media?

The Akash Bharati Report, 1978, focussed on autonomy for broadcasting in India which at that time was entirely government-controlled and limited to AIR and DD, primarily the former. This was in the pre-satellite era.

Our Committee proposed an independent structure for a National Broadcasting Corporation (Akash Bharati) incorporating AIR and DD as an integtrated national broadcast trust and public service broadcast provider. This was to be under a Board of Trustees, named by a statutory panel, funded through the exchequer and responssible to Parliament through the Government, which was given reserve powers and a place on the Board.

Our scheme envisaged a two-tier structure: a policy-making Board of Trustees and a professional Board of Management headed by a Controller-General who would be Member-Secretary of the Board of Trustees.

Autonomy was sought to be devolved downwards through regional and local kendras. At the base, we proposed franchising non-political/religions institutions (NGOs, universities, cooperative institutions like Amul, and cultural and other

public service non-profit institutions) to utilise Akash-Bharati's infrastructure to operate autonomous low-power, low-budget community radio and TV stations to serve both rural and urban populations and niche audiences for instructional, developmental and cultural purposes on the SITE-Pij model. These were to be licensed by an independent Licensing Board for periods of up to three to five years at a time and run with broad-based community representation and audit. They would (at least initially) not broadcast news but merely relay Akash Bharati news bulletins but would be able to run their own local current affairs programmes.

Implicit in this arrangement was the idea that these Franchise Stations might be encouraged to network upwards over time. A broadcast commission was to review the entire broadcast scene after seven years.

While the growth of TV was envisaged, the continuing importance of radio was emphasised.

Q : Did the subsequent legislation that was passed in 1990 fulfill your objective? If not, what was lacking? In what way, if any, was the Prasar Bharati act conceptually flawed?

At the Akash Bharati level, active regional and sectoral programme advisory committees were recommended.

The subsequent Prasar Bharati legislation enacted in 1990 and brought into force w.e.f 1998 is not fully operational. The Board remains to be fully constituted (though a new Chairperson and three new Members have been very recently appointed). There is yet no full CEO, DG AIR, DG DD, Dir Personnel or Director Finance, all key top management personnel. The rules and regulations have only just been adopted and personnel and finance are still largely controlled by the Government. All this has handicapped the autonomous working of Prasar Bharat.

Even otherwise, the legislation requires tidying up in view of past ordinances that could not be validated by Parliament on account of the dissolution of the Lok Sabha on two occasions. Hopefully all this will happen soon.

A licensing authority is yet to be established. Meanwhile, DD has leased out time on a number of FM stations while AIR has given air time on a very limited basis to NGOs for community programmes as in Karnataka and Kutch.

The Prasar Bharati Act does not differentiate between the policy making Board and the board of management and has provisions for several layers of oversight that have, however, yet to be activated. Despite these flaws, a fully operational Prasar Bharati can take initiatives and establish conventions. There is however need for it to establish clear medium and long term objectives and priorities consistent with its statutory charter. It must devolve autonomy down the line, formulate its own terms of reference for public service broadcasting, get away

from excessive commissioning to more programming, develop professionalism, update its technology and marketing techniques and establish a better balance between its public service (and community) role and compulsions to earn a modicum of revenue.

Q : Electronic media can be an effective tool for social development if the gap between the listener and the broadcaster is bridged. Please comment

The electronic media, more especially a public service broadcaster, can be a powerful tool for social and cultural development for all the peoples of India, with its unique diversity. This implies more "narrowcasting" to local audiences, especially the disadvantaged and deprived sections of the population in terms of literacy, incomes, gender, social status, rural and peripheral location and lack of access generally. It must also cater to special needs and interests and encouraqge interactivre and participative broadcasting. It should not be afraid to experiment and pioneer, and set standards for the commercial channels. Autonomy would be best safeguarded by excellence.

Q: You have been a member of the Prasar Bharati board since its inception in 1997. Do you feel the board has taken any steps through radio broadcast policy changes to bring media closer to the people?

Q: How effective has the Prasar Bharati Board been in making electronic media socially relevant?

The answer to both questions above is "not really", especially as Prasar Bharati has not yet been able to take off for the reasons cited above.

Q : FM radio has been opened up to the commercial sector. What is holding up its opening up for the use of communities, and educational institutions?

The effort has clearly been insufficient for the reasons cited above and an inadequate appreciation of Prasar Bharati's true public service role in the Government, Parliament, the media and many within the organisation itself, not excluding the Board, thus far. The urge to earn revenue through sale of air time has been a driver. This needs correction.

APPENDIX 11

SUPREME COURT RULING
In a ruling given in early 1995, India's Supreme Court declared the airwaves as 'public property', to be utilized for promoting public good and ventilating plurality of views, opinions and ideas. This judgment held that the 'freedom of speech and expression' guaranteed by Article 19(1)(a) of the Indian Constitution

includes the right to acquire and disseminate information. And, in turn, the right to disseminate includes the right to communicate through any media -- print, electronic or audio visual -- though restrictions were permissible on such rights. "The fundamental rights," said the judgment, "can be limited only by reasonable restrictions under a law made for the purpose ... The burden is on the authority to justify the restrictions. Public order is not the same thing as public safety and hence no restrictions can be placed on the right to freedom of speech and expression on the ground that public safety is endangered."

Judges Sawant and Mohan held that: "Broadcasting is a means of communication and, therefore, a medium of speech and expression. Hence in a democratic polity, neither any private individual, institution or organisation nor any Government or Government organisation can claim exclusive right over it. Our Constitution also forbids monopoly either in the print, or electronic media."

This judgment noted that Indian broadcasting was being governed by archaic laws. The Indian Telegraph Act of 1885 was meant for a different purpose altogether. When it was enacted, there was neither radio nor television, but both these concepts were later sought to be fitted into the definition of "telegraph".

In view of this, the judges said it was essential that the Indian Parliament "step in soon to fill the void by enacting a law or laws, as the case may be, governing the broadcast media, i.e. both radio and television". Also, the judges instructed the Indian federal government to "take immediate steps to establish an independent autonomous public authority representative of all sections and interests in the society to control and regulate the use of the airwaves".

1236 S.C. Secretary, Ministry of I&B v.Cricket Assocn, Bengal
AIR 1995 Supreme Court 1236
P.B.Sawant, S. Mohan Reddy and B.P. Jeevan Reddy, JJ

One of the most relevant paras to us perhaps is:

"24. We, therefore, hold as follows:

"(i) The airwaves or frequencies are a public property. Their use has to be controlled and regulated by a public authority in the interest of the public and to prevent the invasion of their rights. Since the electronic media involves the use of the airwaves, this factor creates an in-built restriction on its use as in the case of any other public property.

"(ii) The right to impart and receive information is a species of the right of freedom of speech and expression guaranteed by Article 19(i)(a) of the Constitution. A citizen has a fundamental right to use the best means of imparting and receiving information and as such to have an access to telecasting for the purpose. However, this right to have an access to telecasting has limitations on account of the use of

public property, viz. the airwaves, involved in the exercise of the right and can be controlled and regulated by the public authority. This limitation imposed by the nature of the public property involved in the use of the electronic media is in addition to the restrictions imposed on the right to freedom of speech and expression under ARticle 19(2) of the Constitution.

"(iii) The Central Government shall take immediate steps to establish an independent autonomous public authority representative of all sections and interests in the society to control and regulate the use of airwaves...."

Some other points made in the judgement/s:

"Broadcasting is a means of communication and, therefore, a medium of speech and expression. Hence in a democratic polity, neither any private individual, institution or organisation nor any Government or Government organisation can claim exclusive right over it. Our constitution also forbids monopoly either in the print, or electronic media

"However, the monopoly in broadcasting and telecasting is often claimed by the Government to utilise the public resources in the form of the limited frequencies available for the benefit of society at large. It is justified by the Government to prevent the concentration of the frequencies in the hands of the rich few who can monopolise the dissemination of views and information to suit their interests and thus in fact to control and manipulate public opinion, in effect smothering the right to freedom of speech and expression and freedom of information to others.

"The claim to monopoly made on this ground may however lose all its raison d'etre if either... section of the society is unreasonably denied access to broadcasting or the Governmental agency claims exclusive right to prepare and relay programmes."

"The Government sometimes claims monopoly also on the ground that having regard to all pervasive presence and impact of the electronic media, it may be utilised for purposes not permitted by law and the damage done by private broadcasters may be irreparable. There is much to be said in favour of this view and it is for this reason that the regulatory provisions including those for granting licences to private broadcasters where it is permitted are enacted."

"On the other hand, if the Government is vested with an unbridled discretion to grant or refuse to grant the license or access to the media, the reason for creating monopoly will lose its validity. For them it is the Government which will be enabled to effectively suppress the freedom of speech and expression instead of protecting it and utilising the licensing power strictly for the purpose for which it is conferred. It is for this reason that in most of the democratic countries an independent autonomous broadcasting authority is created to control all aspects of the operation of the electronic media. Such authority is representative of all

sections of the society and is free from control of the political and administrative executive of the State. "It therefore, includes the right to propagate one's views through the print media or through any other communication channel e.g. the radio and television. Every citizen of this free country, therefore, has the right to air his or her views through the printing and/or the electronic media subject of course to permissible restrictions imposed under Article 19(2) of the Constitution. The print media, the radio and the tiny screen play the role of public educators, so vital to the growth of a healthy democracy."

APPENDIX 12

CABLE TELEVISION NETWORKS (REGULATION) ACT, 1995
[Act No. 7 of Year 1995, dated 25-3-1995]

CHAPTER 1: PRELIMINARY

1. Short title, extent and commencement

2. Definitions

CHAPTER II: REGULATION OF CABLE TELEVISION NETWORK

3. Cable television network not to be operated except after registration

4. Registration as cable operator

5. Programme code

6. Advertisement code

7. Maintenance of register

8. Compulsory transmission of two Doordarshan channels

9. Use of standard equipment in cable Television network

10. Cable Television network not to interfere with any telecommunication system.

CHAPTER III: SEIZURE AND CONFISCATION OF CERTAIN EQUIPMENT

11. Power to seize equipment used for operating the cable television network

Promulgated by the President in the Forty-fifth Year of the Republic of India.

An Act to regulate the operation of cable television networks in the country and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Forty-sixth year of the Republic of India as follows: -

CHAPTER 1: PRELIMINARY
1. Short title, extent and commencement

(1) This Act may be called the Cable Television Networks (Regulation) Act,1995.

(2) It extends to the whole of India.

(3) It shall be deemed to have come into force on the 29th day of September, 1994.

2. Definitions
In this Act, unless the context otherwise requires,-

(a) "cable operator' means any person who provides cable service through a cable television network or otherwise controls or is responsible for the management and operation of a cable television network;

(b) "cable service" means the transmission by cables of programmes including re-transmission by cable of any broadcast television signals;

(c) "cable television network" means any system consisting of a set of closed transmission paths and associated signal generation, control and distribution equipment, designed to provide cable service for reception by multiple subscribers;

(d) "company" means a company as defined in section 3 of the Companies Act, 1956 (1 of 1956);

(e) "person" means-

(i) an individual who is a citizen of India;

(ii) an association of individuals or body of individuals, whether incorporated or not, whose members are citizen of India;

(iii) a company in which not less than fifty-one percent of the paid up share capital is held by the citizens of India;

(f) "prescribed" means prescribed by rules made under this Act;

(g) "programme" means any television broadcast and includes-

(i) exhibition of films, features, dramas, advertisement and serials through video cassette recorders or video cassette players;

(ii) any audio or visual or audio-visual live performance or presentation, and the expression "programme service" shall be construed accordingly;

(h) "registering authority" means such authority as the Central Government may, by notification in the Official Gazette, specify to perform the functions of the registering authority under this Act;

(i) "subscriber" means a person who receives the signals of cable television network at a place indicated by him to the cable operator, without further transmitting it to any other person.

CHAPTER II: REGULATION OF CABLE TELEVISION NETWORK

3. Cable television network not to be operated except after registration

No person shall operate a cable television network unless he is registered as a cable operator under this Act:

PROVIDED that a person operating a cable television network, immediately before the commencement of this act, may continue to do so for a period of ninety days from such commencement; and if he has made an application for registration as a cable operator under section 4 within the said period, till he is registered under that section or the registering authority refuses to grant registration to him under that section.

4. Registration as cable operator

(1) Any person who is operating or is desirous of operating a cable television network may apply for registration as a cable operator to the registering authority.

(2) An application under sub-section (1) shall be made in such form and be accompanied by such fees as may be prescribed.

(3) On receipt of the application, the registering authority shall satisfy itself that the applicant has furnished all the required information and on being so satisfied, register the applicant as a cable operator and grant to him a certificate of such registration:

PROVIDED that the registering authority may, for reasons to be recorded in writing and communicated to the applicant, refuse to grant registration to him if it is satisfied that he does not fulfil the conditions specified in clause (e) of section 2.

5. Programme code

No person shall transmit or re-transmit through a cable service any programme unless such programme is in conformity with the prescribed programme code:

PROVIDED that nothing in this section shall apply to the programmes of foreign satellite channels which can be received without the use of any specialised gadgets or decoder.

6. Advertisement code
No person shall transmit or re-transmit through a cable service any advertisement unless such advertisement is in conformity with the prescribed advertisement code:

PROVIDED that nothing in this section shall apply to the programmes of foreign satellite channels which can be received without the use of any specialised gadgets or decoder.

7. Maintenance of register
Every cable operator shall maintain a register in the prescribed form indicating therein in brief the programmes transmitted or re-transmitted through the cable service during a month and such register shall be maintained by the cable operator for a period of one year after the actual transmission or re-transmission of the said programmes.

8. Compulsory transmission of two Doordarshan channels
   (1) Every cable operator using a dish antenna or Television Receiver only shall, from the commencement of this Act, re-transmit at least two Doordarshan channels of his choice through the cable service.

   (2) The Doordarshan channels referred to in sub-section (1) shall be re-transmitted without any deletion or alteration of any programme transmitted on such channels.

9. Use of standard equipment in cable Television network
No cable operator shall, on and from the date of the expiry of a period of three years from the date of the establishment and publication of the Indian Standard by the Bureau of Indian Standards in accordance with the provisions of the Bureau of Indian Standards Act, 1986 (63 of 1986), use any equipment in his cable television network unless such equipment conforms to the said Indian Standard.

10. Cable Television network not to interfere with any telecommunication system.
Every cable operator shall ensure that the cable Television network being operated by him does not interfere, in any way, with the functioning of the authorised telecommunication systems.

CHAPTER III: SEIZURE AND CONFISCATION OF CERTAIN EQUIPMENT

11. Power to seize equipment used for operating the cable television network
   (1) If any officer, not below the rank of a Group 'A' officer of the Central Government authorised in this behalf by the Government (hereinafter referred to as the authorised officer), has reason to believe that the provisions of section 3 have been or are being contravened by any cable operator, he may seize the equipment being used by such cable operator for operating the cable television network.

   (2) No such equipment shall be retained by the authorised officer for a period exceeding ten days from the date of its seizure unless the approval of the District Judge, within the local limits of whose jurisdiction such seizure has been made, has been obtained for such retention.

12. Confiscation
The equipment seized under sub-section (1) of section 11 shall be liable to confiscation unless the cable operator from whom the equipment has been seized registers himself as a cable operator under section 4 within a period of thirty days from the date of seizure of the said equipment.

13. Seizure or confiscation of equipment not to interfere with the other punishment
No seizure or confiscation of equipment referred to in section 11 of section 12 shall prevent the infliction of any punishment to which the person affected thereby is liable under the provisions of this Act.

14. Giving of opportunity to the cable operator of seized equipment
   (1) No order adjudicating confiscation of the equipment referred to in section 12 shall be made unless the cable operator has been given a notice in writing informing him of the grounds on which it is proposed to confiscate such equipment and giving him a reasonable opportunity of making a representation in writing, within such reasonable time as may be specified in the notice against the confiscation and if he so desires of being heard in the matter:

   PROVIDED that where no such notice is given within a period of ten days from the days of the seizure of the equipment, such equipment shall be returned after the expiry of that period to the cable operator from whose possession it was seized.

   (2) Save as otherwise provided in sub-section (1), the provisions of the Code of Civil Procedure, 1908 (5 of 1908) shall, so far as may be, apply to every proceeding referred to in sub-section (1).

15. Appeal
   (1) Any person aggrieved by any decision of the court adjudicating a confiscation of the equipment may prefer an appeal to the court to which an

appeal lies from the decision of such court.

(2) The appellate court may, after giving the appellant an opportunity of being heard, pass such order as it thinks fit confirming, modifying or revising the decision appealed against or may send back the case with such directions as it may think fit for a fresh decision or adjudication, as the case may be, after taking additional evidence if necessary.

(3) No further appeal shall lie against the order of the court made under sub-section (2).

CHAPTER IV: OFFENCES AND PENALTIES
16. Punishment for contravention of provisions of this Act
Whoever contravenes any of the provisions of this Act shall be punishable,-

(a) for the first offence, with imprisonment for a term which may extend to two years or with fine which may extend to one thousand rupees or with both;

(b) for every subsequent offence, with imprisonment for a term which may extend to five years and with fine which may extend to five thousand rupees.

17. Offences by companies
(1)Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was incharge of and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

PROVIDED that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any negligence on the part of , any director, manager, secretary or other officer of the company, such director, manager, secretary or the officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation : For the purposes of this section,-

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm, means a partner in the firm.

18. Cognizance of offences
No court shall take cognizance of any offence punishable under this Act except upon a compliant in writing made by such officer, not below the rank of a Group 'A' officer of the Central Government, as the State Government may, by notification in the Official Gazette, specify in this behalf.

CHAPTER V: MISCELLANEOUS
19. Power to prohibit transmission of certain programmes in public interest
Where an officer, not below the rank of a Group 'A' officer of the Central Government authorised by the State Government in this behalf, thinks it necessary or expedient so to do in the public interest, he may, by order, prohibit any cable operator from transmitting or re-transmitting any particular programme if it is likely to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, linguistic or regional groups or castes or communities or which is likely to disturb the public tranquility.

20. Power to prohibit operation of cable television network in public interest
Where the Central Government thinks it necessary or expedient so to do in public interest, it may prohibit the operation of any cable television network in such areas as it may, by notification in the Official Gazette, specify in this behalf.

21. Application of other laws not barred
The provisions of this Act shall be in addition to, and not in derogation of, the Drugs and Cosmetics Act, 1940 (23 of 1940), the Pharmacy Act, 1948 (8 of 1948), the Emblems and Names (Prevention of Improper Use) Act, 1950 (12 of 1950), the Drugs (Control) Act, 1950 (26 of 1950), the Cinematograph Act, 1952 (37 of 1952), the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (21 of 1954), the Prevention of Food Adulteration Act, 1954 (37 of 1954), the Prize Competitions Act, 1955 (42 of 1955), the Copyright Act, 1957 (14 of 1957), the Trade and Merchandise Marks Act, 1958 (43 of 1958), the Indecent Representation of Women (Prohibition) Act, 1986 (60 of 1986) and the Consumer Protection Act, 1986 (68 of 1986)

22. Power to make rules
   (1) The Central Government may, by notification in the Officer Gazette,

make rules to carry out the provisions of this Act.

(2) In particulars, and without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters, namely:-

(a) the form of application and the fee payable under sub-section (2) of section 4;

(b) the programme code under section 5;

(c) the advertisement code under section 6;

(d) the form of register to be maintained by a cable operator under section 7;

(e) any other matter which is required to be, or may be, prescribed.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall without prejudice to the validity of anything previously done under that rule.

23. Repeal and saving
(1) The Cable Television Networks (Regulation) Ordinance, 1995 (3 of 1995) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance, shall be deemed to have been done or taken under the corresponding provisions of this Act.

APPENDIX 13

"PRASAR BHARATI HAS MADE A FREQUENCY ALLOCATION FOR COMMUNITY RADIO"

PROF. U R RAO, Chairman of Prasar Bharati, India's Broadcasting Corporation, interviewed by SEVANTI NINAN

Prof. U R. Rao, a distinguished space scientist, headed the Indian Space Research Organisation (ISRO) for many years, and presided over the use of satellite technology for development communication in that organisation. He has been a member of the board of Prasar Bharati since 1997 and was recently named Chairman of the Board. He says in this interview that despite Prasar Bharati limping along without a full board, despite not yet being properly autonomous, and despite the Convergence Bill not being passed in the Parliament session just ended, broadcasting for local communities is something the corporation will push for.

Q: Does Prasar Bharati have a policy for community radio?

We look upon radio as an important component of community broadcasting and particularly one that can be afforded by a large mass of people. It is the cheapest entertainment and medium. Certainly not as glamorous as TV and the video system, because radio has only an audio system, but on the other hand there are many things that can be done even with an audio system and this has been true throughout broadcasting history. There are some great programmes in audio broadcasting which have had a tremendous impact on social structure and society. In fact one of the highly quoted programme of India is Tinka Tinka Sukh on AIR . I have heard a few of these. And it is documented and much research has been done on its impact on people in the villages.

Q: Is there any chance of allowing people other than AIR to run radio stations at the local level? If you have opened up FM to private people, then what about universities, NGOs, panchayats...

You have three tiers: national and international, regional and local. For the local people local broadcasting is extremely important, and if you want to have a social impact it must be through the local system, far more than any other system. Particularly in a country like India where you have 50 per cent of people still in the rural areas. Not just entertainment but also education and information.
In fact the whole idea of empowerment of people comes only when people are informed and rightly informed. Apart from the experience of SITE, even now in tribal areas in Madhya Pradesh we have the education programmes in story format and through that you essentially try to provide messages. And similarly you have another very famous programme in Kenya.

Q: But should these programmes be on stations run by the state or by people themselves?

I think both have a place.

Q: Right now Prasar Bharati has not got around to thinking of the second option...

We are thinking and this is where this is more my personal view, rather than Prasar Bharati's view . We have not discussed it yet that is very true, but yet there are some areas where even if people are not owning, there are a number of areas where people have taken time . For example Kutch Mahila Vikas Sangathan in Bhuj, and the Population Foundation of India in Bangalore which is doing good work, and private NGOs have taken up some time, impacts are good. But when I say impacts are good I don't think we have done good research. Unlike SITE and other programmes which I talked of, where not only internally people were commissioned to do research but also people coming from outside, we had independent research. Fundamentally we have to use the public broadcasting system to educate the people. Better health, better family planning, better agricultural practices and so on. And when you do that you start improving. So that they can ask questions, they can ask what they want. Today most of them are ignorant. I know that in Hissar during a function a lady got up just in a village and she said "We have to have programmes that are useful — we want to know how to save our apples. We are not interested in hearing just Parliamentary news and so on. So why don't you provide us this type of information." She wasn't even very fluent, speaking Hindi mixed with Punjabi but she made an impact, saying look this is the type of programme I want.

Q: So in AIR's normal programming you do not have enough of this.

A:I don't think we have enough of this, and certainly we have very little research, except this particular thing Tinka Tinka Sukh which was evaluated in the villages by people from outside the country.

Q: My question was, what can Prasar Bharati do to meet the growing aspiration of communities to use radio for their own social empowerment.

But unfortunately I must also tell you that there are NGOs and NGOs. Some are good, some of them are bad, some of them are totally indifferent. There are some NGOs which have done an excellent piece of work. I know that when the Department of Space was trying to do the so-called sustainable development there are many NGOs we have used to create awareness of sustainable development. They have produced programmes to show the people how sustainable development starts, it starts with conservation of soil and conservation of water. I think this must come in if we have to change the quality of life. Ho we

do we bring isolated communities into the mainstream of the country. I think this is the most important thing. Community radio stations have been started in the North East, and there problems.

Q: They have started?

Five of them, local stations of AIR.

Q: You've heard that there are problems

Yes, because people don't want to go there.

Q: Those kind of problems. But not in hijacking them? Government is always saying that see if we open up, if we give licences then you know this is a country with terrorism…

Terrorism cannot be avoided by not giving information to people. Terrorism, the problem has to be solved by improving the quality of life. By providing visibly proper means of living. Many of them are born in poverty where people recruit. The people who are recruited are people who are jobless, who do not have any particular views and they become the first victims of this type of thing. You have to change the social situation, then you will find that they have something to fight for.

Q: Has Prasar Bharati, have you discussed licensing at all with the ministry?

We have not discussed but I have said we must talk to CEO, Verghese (BG Verghese, Member Prasar Bharati who is leave) has not come back yet. But for various reasons Prasar Bharati has been limping and it continues to limp. We still don't have a permanent CEO, he is acting. Then there are other problems some people have cases against them and so on. See, our hands are tied so it becomes a little difficult. We still need three more members. A member personnel, member finance. See you can't run like this.

Q:When they made you chairman, and recruited two more why didn't they recruit all the members needed?

I don't know. I didn't even know I was being made chairman…

Q: So you have not got around to discussion this issue of licences.

No but I hope we will change it. But it is a slow process. But then this is something we cannot give up also. Because this is something I personally believe, and in fact all of us, that right to right information is the fundamental of any democracy. And if we don't have that, if Prasar Bharati is not autonomous, and does not provide that information in an objective way then I think that our democracy is in question.

It is as important as the judiciary, or the CVC and so on. It is a constitutional type of thing. It is not a mouthpiece of any body. The whole idea is to bring out the truth and see how social values can be instilled. And certainly it has a place for itself because when you look at the type of the soap operas dished out by the private channels-- it may be popular---but is that all what you want to do?

Q: But you dish out so many soap operas on your two channels now DD I ands DD II.

I know. (laughs).

Q: In terms of your future strategy of outsourcing and outlocation of Doordarshan and All India Radio's equipment, at the local level, local radio level, if you have a problem of surplus transmitters you could consider giving to institutions and so on,

Yes yes we'll certainly do that.

Q: Only if you take a decision that the local tier, because even that local radio thing will be taken by the commercial broadcasters.

That is true but people must come and be willing. In fact many of the people who come I understand they want it free or they don't want to be charged.

Q: Isn't Rs 2500 high for half an hour? Or is it not as expensive as it would be if they had to set up their own transmitters.

I don't know exactly, but I know the rate is not the same for everybody. For NGOs they tried having a separate rate.

Q: Is there not enough demand from NGOs for community radio time? I believe from Prasar Bharati's side that is the experience?

I don't know, this, I honestly I cannot answer this question.

Q: We are one of the few democracies which do not allow community radio. Nepal allows it.

Yes you see our broadcasting---there is a great urgency to get this broadcasting bill out.

Q: But now the Convergence Bill has not been taken up in this session. Then again we've missed bringing in legislation.

Absolutely. This is what is happening. Why things are not moving.

Q: But when you gave licenses to the private sector you did not wait for the broadcasting bill. Do you have to wait for it for this?

No we don't have to, we have to take a decision.

Q: You will have to put some safeguards?

Yes we have to put some safeguards.

Q: This is not a priority, it looks like, for you…

No it is, but we need---I can't really answer that because since I have taken over as chairman I am trying to get things moving.

Q: Are you satisfied with the extent and quality of the third tier of broadcasting in radio?

I have not seen much, except for Tinka Tinka Sukh. I took the cassettes put them on in my room and went on listening. Even today, radio broadcasting quality is very high. We are also taking up more training. Quality will improve with that.

Q: If an NGO or a local community wants to get a licence for broadcasting who should be approached—Prasar Bharati or the ministry of I and B?

The ministry.

Q: In theory today applications for a licence can be put in?

Yes they have been coming in. Frequency allocation has been made. 104 to 108 Mghz has been given to community radio, and 100 to 104 is given to AIR and there is a committee in which wireless advisor, Prasar Bharati board member and ministry people sit and they decide who should get and who should not get, because they make sure there is no interference (in frequencies)and so on.

Q: So all you are really need to do is push it.

That's it. We need to push this. And radio has not been given priority in all our decision making.

Q: How does the absence of a Convergence Bill affect such decision making?

Not having Convergence Bill hurts. You have ad hocism coming in. In technology, in frequencies, and so on.

APPENDIX 14

"THE CONVERGENCE BILL HAS AN OMNIBUS PROVISION FOR NEWER KINDS OF SERVICES."

Law Minister ARUN JAITLEY interviewed by BANDANA MUKHOPADHYAY

India's Union Minister Arun Jaitley was minister for information and broadcasting when the FM stations were auctioned to private parties. Now he is the law minister who will be piloting the Communications Convergence Bill when it is taken up in the next session of Parliament. Though not directly concerned with community radio, he describes the legal framework that could make it possible.

Q: A new law to regulate the entire electronic media is on the anvil. Has it also looked into the aspiration of communities for direct access to airwaves?

The procedure for sharing of airwaves, of spectrum, the procedure for what kind of services can be operated, has a considerable amount of flexibility as far as I remember the law. For instance newer technologies will come up, newer kind of services will come up, and therefore there is an omnibus specific provision in the act itself which is big enough to accommodate it.

Q: Would you care to articulate your interpretation of the 1995 Supreme Court ruling declaring that airwaves as public property?

You see the 1995 ruling of the Supreme Court was given in a particular context. The context was that the Cricket Control Board and the Calcutta Cricket Club wanted to telecast the cricket match since they were the owners of the event. The government took an extreme position that allowing uplinking to a private party is detrimental to national security. And therefore inherently took up a position that it is only the state or those permitted by the state who can uplink. This essentially meant that in the matter of electronic media for direct telecast and uplink of events there would be a virtual monopoly of the state. Now holding that electronic media being an extension of print media and is therefore is a part of free expression, and freedom of expression and monopoly are strange bedfellows, they can't co-exist. And therefore in a free expression area the state can't say only the government will bring out a newspaper---only the government will run channels. Since this cannot be the position you will probably have to legislate, and when you legislate you will have to see that this is public property, it is meant for the benefit of the public, and therefore you can regulate but you cannot have a monopoly in favour of the state. But since the court was also conscious of the fact that technology will also have limitations---you can't have a thousand people wanting to operate channels out of the same sharing of the spectrum----so it said that will depend upon how you

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organize and regulate the sharing of the spectrum, so you will probably need a regulator through a legislation which is drafted in the process. That probably was a very logical judgement and all subsequent follow up which have taken place have in fact piecemeal given effect to the judgment.

The first is that you allowed private channels to operate, you had a cable law which came into operation. Then you had the private channels being permitted uplinking. Next stage was you opened up uplinking for any body foreign or Indian. And then there was an interim stage when you were planning a broadcasting law to give effect to the Supreme Court judgment. The draft of the broadcasting law was prepared and then suddenly you realize that that law has become anachronistic because of the development in technology convergence setting in, both the carriage system and also the transmission system and the receiving system in terms of instruments have converged into one and therefore you can't have separate licensing authorities separate regulatory authorities, separate license fee fixations, separate service providers. They all have to converge into one as far as possible. And therefore while finalizing the broadcast bill you realized the technology had overtaken you and you switched over to the convergence bill.

Q: Privatisation of FM took place during your tenure as I&B minister. What had prevented you from adding an extra clause to incorporate community ownership on a no-profit basis at that time?

I think that was only the first step. It does not rule out communities either. That is for the present establishment in the I and B ministry to consider. Because they must accept the position that this whole process of opening out is slowly taking place. For instance, even on FM, there are several legitimate questions which arise, which arose in my mind at that time. We had opened the FM.

Prior to that we had strongly argued I remember in the seventies in the Lakhan Pal case where one Lakhan Pal went to court and said I have a right to set up a private radio station and the court thought it was treacherous. So twenty years ago a right to set up a radio station by a private party was treacherous. In 1993, eight years ago, telecasting your own cricket match was detrimental to national security. Now thinking has progressed, and even two years ago when we auctioned the FM channels, we can't allow the news. We can allow news and current affairs on television, but we cannot allow it where radio is concerned. Now these are all questions where the process of opening out has slowly taken place. And I think that those who are now in charge, at some stage this will be considered. It is a very powerful instrument, as far as community radio is concerned.

Q: There was a point when there was a tremendous amount of of talk of community radio coming up, and then the question arose that what is source of income of the NGO and what would be the guarantee that it is not being used for militancy etc. Does the present law have some method by which these things can be looked into and at the same time permission given to the community?

I think it is for the I and B Ministry to formulate tools that are required. A, the I and B ministry has to have a policy. Whether they are allowing it, or not allowing it. B, if they allow it, then you have to regulate it. Now who will regulate it will be the second question. And once you have a larger body of regulator in place, probably these regulatory mechanisms will slowly go to them.

Q: Will the convergence bill look into this regulatory body also?

If you see the scope of the Convergence Bill there is an omnibus clause "and such services as may be permitted from time to time." I remember we had consciously put that provision because we today cannot envisage all the services which will be place ten years down the road. So that omnibus provision is there. There will be a Convergence Commission, the Convergence Commission will have separate responsibility. The Convergence Commission requires a technology input. The Convergence Commission requires a commercial input. Now all areas relating to IT, all areas relating to telecom the Convergence Commission will deal with, will have all these inputs. There will also be a content regulation as far as I and B is concerned. Now how does a technology oriented man or a man with a finance background fit the bill as far as content regulation is concerned. Therefore the last minute changes that were effected in the draft law, and the Standing Committee I suppose would also be considering it, that within the larger body of Convergence Commission there would be some people who would authorized and would be experts to deal with the content component.

Q: And it is only after that that communities can actually expect some such opening up? That means can we look into a three tier broadcasting system as many of other countries in the world have, in the coming years?

I am not competent to speak on it, frankly. I don't deal with that department. But at some stage or the other I don't see how in the years to come it can be really stopped.

APPENDIX 15

'RADIO HAS SUFFERED THE MOST FROM INDIA'S BIAS TOWARDS MEDIA CONTROL'

ASHISH SEN interviewed by FREDERICK NORONHA

From its office in a suburb of Bangalore, VOICES has been playing an instrumental role in the campaing for community radio in India. Ashish

Sen, who heads this non-governmental campaign group, explains key issues.

Q: Why, in your view, has community radio taken so long to come to India?

Despite the recent emergence of private radio, Government policy in the country has indicated a bias towards media control. Unfortunately, for various reasons, radio has suffered the most severe fall out.

After SITE (India's much talked-about satellite education project), radio was by and large put onto the backburner. The emphasis on television since the 'eighties, has, not surprisingly, had an adverse reaction on promoting radio culture among the general public.

The community component in community radio has not received adequate emphasis. This has weakened community radio from developing as a movement. We tend to invariably end up talking to the converted. Proponents of community radio have talked about the need for community radio as a Rights issue. But we've not been able to sufficiently articulate its need by demonstrating hands on experiences from communities.

This relative absence of a "hands on emphasis" has weakened efforts at political and legal advocacy. Perhaps we need to emphasise the relevance of community radio both as a development and a rights issue.

Q: Is the palpable official fear of radio -- by secessionists, militants or subversive elements -- a valid fear?

In as much as any other media could be misused .

Q: How could the government ensure against such possible misuse?

By putting forward and implementing constructive and realistic regulatory mechanisms and a code of ethics. The Constitution of India could be used as a benchmark for implementing this.

Q: Could you cite examples abroad where misuse of such radio outlets has been minimised, without muzzling the channel?

No example comes to mind in an absolute context, but to some extent the Phillipines and Nepal.

Q: What do you foresee as unfolding over the community radio front in India over the next few years -- a gradual opening up, the complete blocking of community radio, the petering out of this debate, or some other scenario?

Given sufficient demonstrable models which are backed by effective networking and advocacy, I'd like to believe that there would be a gradual opening up.

Strategic public/community-private partnerships could accelerate this process. The emergence of mixed media models (combining radio and the Net) would also play a role in the opening up process.

Q: What, in your view, would be the most suitable strategy for campaigners wanting to legalise community radio broadcasting in India?

(i) Strengthen efforts at networking, particularly political and legal advocacy .

(ii) Walk our Talk. Demonstrate efforts in community participation in radio
by strategically engaging/collaborating with existing spaces in AIR and GYAN VANI.

(iii) Endorse the need for community radio as a development issue as well

Strengthen this by advocating a three tiered scenario for radio -- (1) government radio (2) private radio and (3) community radio.

Q: Why, if at all, should radio has a special relevance to a country like India?

After more than 50 years we remain to effectively straddle the problem of literacy. Radio, for obvious reasons, would be a particularly relevant medium. Radio is affordable, and accessible to more than 96 per cent of the country .

Q: With TV, cable TV and the Internet appearing to have a headstart in the consumer's mind today, does continuing to focus on radio make sense? If so, why?

Yes. Given appropriate marketing and awareness efforts, radio has the potential to capture the public (urban and rural) imagination. (Private FM station) Radio City's recent operations in Bangalore would reinforce

this point.

AIR's recent FM activities in Bangalore have also strengthened its listenership. Radio is both affordable and accessible. This is especially significant in the rural context, where connectivity often is an issue.

At the same time, we should constructively exploit the emergence and popularity of the media (video and net) and develop *appropriate* mixed media models.

Q: Can universities play a role in promoting non-commercial, development-oriented radio broadcasting in India at this stage?

Yes . GyanVani's recent operations is a case in point.

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APPENDIX 16

"WE ARE OPENING UP RADIO AND TV FOR NARROWCASTING TO LOCAL COMMUNITIES"

SUSHMA SWARAJ, Minister for Information and Broadcasting, interviewed by BANDANA MUKHOPADHYAY

Q: Madam, we have now in the country, a set of radio stations run by AIR, a select number of radio stations in urban areas run by commercial houses and one FM channel allocated to IGNOU for educational broadcasts in all the 40 cities where commercial radio has been licensed. What about the social sector using radio for development as well?

If you will recall my statements soon after I took over as the I&B minister October 2000, I had said my priority will be to take the electronic media as close to the people in the grass-root level as possible. I have been working for a complete reorientation in the attitude towards the electronic media and I this years, 2002, this is first on my agenda. In fact I hope I will be able to announce a firm policy very soon.

Q: Would you care to give us some idea about the way you are thinking of taking radio closer to the people at the grass-root level? Will it be along the lines of community radio in other countries?

I will not use the word community because in India the word community is not automatically linked to geographical regions. I prefer to use the term" Narrowcasting" which clearly defines that the radio station is for people living within a small radius. This is important because here we have a different dialect every 30km. For instance in Haryana, the state where I belong, we have a different dialect in Hissar, anther in Ambala, a third in Karnal. What is known as Hariyanvi is only spoken in the Rohtak area! So we need to identify the radio with the local dialect because the radio depends on oral communication and communication made in the language spoken by the people is most easily accepted. Besides if the people are to be involved in the making of the programmes, they will readily participate only when they are able to do so in their natural language. Let me tell you something further. You are asking about radio but I am thinking even beyond; I am dreaming of local television as well!

Q: Local Television?

Yes, why not? Let the local people have their own fashion shows, their own entertainment, direct interaction and use the medium they enjoy as well as handle easily. If some people can make their own television programmes why deny the opportunity? This will offer access to information, technology and entertainment in a way which will be most acceptable to the people and I hope in the near future we don't have to bother about our children watching Mtv, Ftv and the like. After all when you can hear your own child on radio and tv, make your own cultural shows with local participation, you will like that better isn't it? And the channel will also give you opportunity to exchange vital information, information on development as the people want.

Q: May I ask you how this is to be translated into action on ground? I am talking of the hardware, finance, expertise…
Both AIR and Doordarshan have many low power transmitters dotting the countryside. These have been constructed with public money and should be optimally utilised. I am planning to offer this transmission facility to any group who want it for their own programme at a very low price. The technical facility will be provided by the Prasar Bharati engineers but the programmes, planning, software in general will be the responsibility of the people who will own and operate the station. If anybody wants to run a radio or TV station, they have to find money for it themselves but we are also going to explore that aspect and see how we can encourage small groups without much financial strength but with ideas for using radio or TV for development can be encouraged. I am also hoping that this will open up immense possibilities for using electronic media for education, development and entertainment for everyone.

Q: Would you care to elaborate a little more about how this policy change is being planned?

What I have thought is that as soon as the policy is framed we will offer educational institutions, perhaps the professional institutes which are usually housed within a campus, like the IITs, Agricultural Universities, Research Centers like NDRI in Karnal, and even residential schools their own radio and television centers. Let us take the case of NDRI in Karnal as an example. The technical facilities like transmission can be offered by Prasar Bharati because that facility or expertise is not easily available and let the organisation run the radio or tv channel. .In the next phase and with better understanding of how privatisation of the electronic media should be regulated, we will open it up further for NGOs, and similar organisations.

Q: How about a group or an organisation that is not situated near a AIR ot TV transmitter?

We have AIR and TV transmitters in almost every district in the country. You may not be aware of their existence but AIR and Doordarshan engineers know and if there is a demand from a organisation where no AIR or Doordarshan Transmitter can be used, we will make the necessary provision.

Q: You don't want to give direct access to transmission?

I am giving direct access to transmission. All that I am saying is that, I am offering readymade transmitters which are already operative, to the private groups wanting to narrowcast programmes on radio or television for themselves at a very affordable price with technical expertise. This will help to start their programmes without delay. Importing equipments, setting them up or even locating a suitable space for installation can be a long and complicated process and can even kill the initial enthusiasm. I have a policy clearance from Finance ministry and the cabinet for co-locating transmitters with AIR or Doordarshan and I want extend that facility now to educational institutions first and depending on the response to more groups in the non government sector.
Q: How will this be different from the Gyan Darshan Project of IGNOU?

See, I will offer the facilities. How the taker uses it is their decision. That is community radio across the world, isn't it? The state allows permission to broadcast. What you broadcast is the business of the people who want use radio or television for education or development or entertainment. I don't know anything about the programme pattern of the commercial FM either!

Q: Why is the first choice for educational institutions?

Because even within development, education is a priority sector in our country. The student community can have a capacity building of technical expertise while they learn, entertain and study their regular curriculum. In many countries they don't go to classes for frequently but listen to the professor on radio or television and interact in phone in programmes and then write their written assignments

which is both quicker more innovative and also less strenuous for all concerned. We can have that in India too.

Q: What about, let us say, a group, not directly involved in regular education, who already possess transmission facilities?

I have been told that there are some people who have transmission equipments. I don't know how they have acquired it because as yet the rules of the state do not allow private ownership of transmission equipments and I have to look into the legalities, a different kind of policy sanction etc before I can go that far.

Q: How soon do we expect a policy statement on this issue?

Very soon… very very soon. I have called for a meeting next week and hope to form the detailed policy within the next few weeks. I told you this is the first item on our agenda for this year!

Q: Suppose there is instantly a great demand for direct access to radio and television. What about the frequencies?

For radio as well television we plan to offer very small range or reach. As I have said earlier, it will be narrowcasting… say a range of not more that 25km-35km and there are lots of frequencies available because the same frequency can used again after a space of say 500km distance. That will not be a problem.

Q: For radio will it be FM or MW and SW as well?

At first I am thinking of only FM. It is technically better but lets us see if we need to extend the facility into the MW or SW range. At present I am only considering FM.

Q: Just one more question. What role do you see for AIR in this changed scenario?

AIR is the national channel for information, news and entertainment. It already had its own identity and listenership. These will be in addition to that and AIR and Doordarshan technical know-how will be available to everyone who want to use radio directly for narrowcasting.

Q: What kind of permission are you planning to issue for such ventures? The license format as in case or commercial FM, or some kind of agreement with Prasar Bharati?

   I think we will have to be in the same line as the commercial radios as far as the broad terms are concerned because that, as I have said, has policy clearance; but give me a few days more with my officers for consultation and I promise this will be a reality even before you are ready to operate it!

APPENDIX 17

"THE DEFINITION OF FREQUENCIES IN THE TELEGRAPH ACT PROVIDES A WINDOW OF OPPORTUNITY FOR COMMUNITY RADIO."

LAWRENCE LIANG interviewed by ASHISH SEN

Lawrence Liang graduated from National Law School of India and currently works with IndiaLawInfo.com and is associated with the Alternative Lawyers Forum , Bangalore. Liang also teaches Media Law.   Here he lays out the legal implications of the Supreme   Court judgement of 1995, and its interpretation of the Telegraph Act. In the technicalities   of that interpretation lie possibilities of permitting community radio without a licence.

Q: What was the general Background of the cricket association board case?

The factual background that led to airwaves judgement consisted of a dispute between the ministry of information and broadcasting and the cricket association of Bengal over whether the cricket board had the right to give the telecast rights to a private agency over Doordarshan. In answering the factual dispute the courts had to examine the larger issue of whether or not the Government or the Government agencies like Doordarshan could have a monopoly of creating terrestrial signals and of telecasting them or refusing to telecast them.

The context in which this dispute occurred was of course the initial days of liberalization with the entry of private media into an arena which had hitherto been monopolised completely by state owned media like All India Radio and Doordarshan. At stake were also notions of what constituted the public sphere and which agency could be said to represent the widest section of the public in India. The claims made by Doordarshan in this case for instance were clearly premised on the fact that they had the largest reach in terms of an audience and hence had a valid claim for a monopoly as far as broadcasting was concerned.

Q: What are the implications that the judgement has for community radio?

While the judgement does not speak of alternate media or small scale media such as community radio, there are important implications that the judgement makes for organisations and individuals interested in espousing a case for community radio. For instance the primary holding of the case was that air waves were public property and hence there could be no monopoly over it by state-controlled media. The court also reiterated the right to receive information as being an integral part of the freedom of speech and statement enshrined in Article 19(1)(a).
There is a clear shift in the interpretation of the court from what may be termed as "authorial rights" implicit in Art. 19(1)(a) to a recognition of the spectatorial rights of people. The courts however also stated that while air waves were public property, it was also a scarce good and hence there was a need to regulate it for the benefit of the public. In a characteristic move, reminiscent of state monopoly, the state is then deemed to be the best authority to regulate the use of a scarce commodity like air waves.

In my reading of the case the most important paragraph which affects the claims for community radio emerges form Para 49 of the decision at page 216 as extracted below: The court clearly articulates a reading of Sec 4 of the Telegraph Act which provides for instances in which a license is required for the setting up of transmission facilities etc. There is then also an implicit recognition of instances where such license may not be necessary My contention is that if there are institution and organisations which are interested in community radio fall under the stipulated technological requirements, then here is does not arise any necessity for a license. The judge also makes a very pertinent point stating that while the court in this instance intends to leave the point open to be discussed in future cases.

"In other words, if the electro - magnetic waves of frequencies of 3000 or more giga – cycles per second are propagated in space with or without artificial guide, or if the electromagnetic waves of frequencies of less than 3000 giga - cycles per second are propagated with an artificial guide, the Central Government cannot claim an exclusive right to use them or deny its user by others. Since no arguments were advanced on this subject after the closure of the arguments and pending the decision, we had directed the parties to give their written submissions on the point. The submissions sent by them disclosed a wide conflict which would have necessitated further oral arguments.

Since we are of the view that the present matter can be decided without going into the controversy on the subject, we keep the point open for decision in an appropriate case. We will presume that in the present case the dispute is with regard to the use of electromagnetic waves of frequencies lower than 3000 giga - cycles per second which are propagated in space without artificial guide".

Extract:
The relevant Section 4 of the Telegraph Act reads as follows

"4. (1) Within India the Central Government shall have the exclusive privilege of establishing, maintaining and working telegraphs:

Provided that the Central Government may grant a licence, on such conditions and in consideration of such payments as it thinks fit, to any person to establish, maintain or work a telegraph within any part of India

Provided further that the Central Government may, by rules made under this Act and published in the Official Gazette, permit, subject to such restrictions and conditions as it thinks fit, the establishment, maintenance and working -

(a) of wireless telegraphs on ships within India territorial waters and on aircraft within or above India or Indian territorial waters and;

(b) of telegraphs other than wireless telegraph within any part of India.

(2) The Central Government may, by notification in the Official Gazette, delegate to the telegraph authority all or any of its powers under the first proviso to sub - section (1).

The exercise by the telegraph authority of any power so delegated shall be subject to such restrictions and conditions the Central Government may, by the notification, think fit to impose."

Section 3(1) of the Act defines 'telegraph' as under:

"3. (1) "telegraph " means any appliance, instrument, material or apparatus used or capable of use for transmission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, visual or other electromagnetic emissions, Radio waves Hertzian waves, galvanic, electric or magnetic means.

Explanation. - "Radio waves" or "Hertzian waves" means electromagnetic waves of frequencies lower than 3,000 giga - cycles per second propagated in space without artificial guide." It is clear from a reading of the provisions of Sections 4(1) and 3(l) together that the Central Government has the exclusive privilege of establishing, maintaining and working appliances, instruments, material or apparatus used or capable of use for transmission or reception of signs, signals, images and sounds or intelligence of any nature by wire, visual or other electro - magnetic emissions, Radio waves or Hertzian waves, galvanic, electric or magnetic means. Since in the present case the controversy centres round the use of airwaves or Hertzian waves (hereinafter will be called as "electro-magnetic waves"), as is made clear by

Explanation to Section 3(1), the Central Government can have monopoly over the use of the electro - magnetic waves only of frequencies lower than 3000 giga - cycles per second which are propagated in space with or without artificial guide. In other words, if the electro – magnetic waves of frequencies of 3000 or more giga - cycles per second are propagated in space with or without artificial guide,1 or if the electromagnetic waves of frequencies of less than 3000 giga -cycles per second are propagated with an artificial guide, the Central Government cannot claim an exclusive right to use them or deny its user by others. Since no arguments were advanced on this subject after the closure of the arguments and pending the decision, we had directed the parties to give their written submissions on the point. The submissions sent by them disclosed a wide conflict which would have necessitated further oral arguments. Since we are of the view that the present matter can be decided without going into the controversy on the subject, we keep the point open for decision in an appropriate case. We will presume that in the present case the dispute is with regard to the use of electromagnetic waves of frequencies lower than 3000 giga - cycles per second which are propagated in space without artificial guide.

Q: What are the regulatory statutes which restrict community radio and are there any changes which will affect the situation?

Currently the only statute which really deals with the necessity for a license while setting up a radio station. Section 4 of the Telegraph Act states that "Within India the Central Government shall have the exclusive privilege of establishing, maintaining and working telegraphs:

Provided that the Central Government may grant a licence, on such conditions and in consideration of such payments as it thinks fit, to any person to establish, maintain or work a telegraph within any part of India " (see above).

It is however important to note that the parliament intends to pass the Communications Convergence Act which will repeal inter alia the Telegraph Act. The act will consolidate all existing laws related to media including radio and there ius therefore a need now to shift the focus of the debate to whether or not the act will allow for alternate media like community radio.

The act will create a single statutory authority namely the Communications Commission of India which will be responsible for a whole range of activities from the grant of licenses to monitoring changes in media scape to balancing between public and private interests in the converging media. The bill will be applicable to the following technologies:

1. Network infrastructure facilities (e.g earth stations, fixed links and cables, public payphone facilities, radio-communications transmitters and links, satellite hubs, towers, poles, ducts and pits used in relation with other network facilities).

2. Network services (e.g bandwidth services, broadcasting distribution services, cellular mobile services, customer access services, mobile satellite services).

3. Application services (e.g Public cellular telephony services, IP telephony, Public payphone service, Public switched data service).

4. Content application services (like satellite broadcasting, subscription broadcasting, terrestrial free to air TV broadcasting, terrestrial radio broadcasting).

Convergence can therefore be simplistically be defined as the various processes through which formerly distinct and autonomous media or communication services such as audio, video and data services are coming together under the same industry or under the same set of services.   The implications for this in terms of community radio include for instance the fact that while licensing for traditional radio has been difficult to obtain, in the context of the internet there   already exists a number of online radio stations which people can listen to from India. There is therefore a need for the government to clarify its position of regulation vis a vis these different media.

The licensing requirements under the Convergence bill provides that no person is allowed to use   any part of the spectrum (defined as "a continuous range of continuous electromagnetic wave frequencies upto and including a frequency of 3000 giga hertz") without assignment from the Central Government or the Commission. It further provides that no person is allowed to own or provide any network infrastructure facility, or provide any network service, application service or content application service without a license granted under the Act. In addition, no person is permitted to possess any wireless equipment without obtaining a license under the Act. The act has certain clear objectives and of these a few may be relevant in any claim for community radio. For instance the act is intended for :

Ensuring that the communication sector is developed in a competitive nvironment and that market dominance is suitably regulated. To ensure that communication services are made available at an affordable cost to uncovered areas like rural, remote, hilly and tribal areas. To ensure that there is increasing access to information for greater empowerment of citizens and towards economic development.

To make sure that quality, plurality, diversity and choice of services are promoted.

The act however does not in any manner address formally the issue of alternate of small scale media.

Q: What are the liabilities that can be incurred by an organisation if they attempt to set up any radio station without the permission of the government?

Under Section 20 of the Indian Telegraph Act the government has wide ranging powers to conduct seize and seizures of any unauthorised use of telegraphy etc. The section reads as follows:

20. Establishing, maintaining or working unauthorised telegraph

(1) If any person establishes, maintains or works a telegraph within 1[India] in contravention of   the provisions of section 4 or otherwise than as permitted by rules made under that section, he   shall be punished, if the telegraph is a wireless telegraph, with imprisonment which may extend to   three years, or with fine, or with both, and, in any other case, with a fine which may extend to one thousand rupees.

(2) Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898), offences under this section in respect of a wireless telegraph shall, for the purposes of the said Code, be bailable and non-cognizable.

(3) When any person is convicted of an offence punishable under this section, the court before which he is convicted may direct that the telegraph in respect of which the offence has been   committed, or any part of such telegraph, be forfeited to government.

From a reading of the airwaves judgement as discussed above it is my contention that an   organisation or an individual can actually set up small radio transmitters etc without the permission of the government. They will however be opening themselves to the risk of having their equipment seized by the government as well as incurring criminal liability. It will however open up space to contest the actions of the government and lay the path for a case which will definitively decide on the future of community radio in India (to reiterate the judges have deliberately left open the issue for a future case).

Q: What are the legal Strategies that can be thought of in terms of making a claim for   community radio?

There has been discussion with various groups over what legal strategies can be thought of when trying to make a claim for community radio. A few people have enquired for instance about the possibility of filing a public interest litigation demanding that the government act on the application of organisations which have put in their applications for a license for community radio. In my opinion while there are grounds for a public interest litigation, given the hostile attitude of the courts currently to PILS it may not be the best strategy as the court will prefer that all other routes are exhausted before a public interest litigation is brought up.

A better strategy might be to put forth the same claims in another manner. Namely organization which have filed for a license file a writ of mandamus asking the court to direct the government to process their applications as it involves a fundamental right namely the right to impart and receive information. While this may have the same effect as filing a PIL, it gives you the benefit that even if it is dismissed against one party, another organisation can bring the same claim in another jurisdiction. Whereas a PIL may have the effect of bring forth a negative judgement which would adversely affect the interest of all groups concerned.

APPENDIX 18

PV SATHEESH interviewed by   FREDERICK NORONHA

From Andhra Pradesh in South India, P.V Satheesh of the non-profit organisation called the Deccan Deccan Development Society (DDS) recently announced plans to launch its Community Media Centre on October 15, International Rural Women's Day.

Q: Why, in your view, has community radio taken so long to come to India?

One of the strong reasons is the fact that not much of the civil society groups had worried about the aspect of shrinking media space for communities. As the problems that the communities are facing is increasing and the space for its articulation is shrinking, the realization that communities needtheir own radio for such articulation is increasing. Add to this globalisation and the increasing media mergers. You have the expanding regime of media monarchs all of which are certain to result in the mono-cultures of the media. It is in this context that the need for diversity and plurality in media become acute. This acuteness had not been felt so much in the past and hence the delay in the arrival of com-radio in this country.

Q: Do you feel there could be reason for the apparent official fear that a medium like radio could be misused by secessionist, militants or subversive elements?

None whatsoever. Much of the subversion of democracy comes from the State and its apparatus like the police, military and the bureaucracy. In fact community radios can give a forum for communities to vent their frustrations and anger. It may not halt terrorism but can delay its arrival in a violent form. Much before terrorism took the shape it has now, the State and its bureaucrats were no less antagonistic to the issue of com radio.

The issue of terrorism is just an alibi. What the state is primarily worried about is the erosion of its power and the fact that it cannot handle a diversity and plurality in the society.

Q. For argument sake, how could the government ensure against such possible misuse?

No terrorist and violent organisation would primarily rely upon an open and transparent media like radio. Even in the current controlled regimes if a terrorist outfit wanted to, it could have multiple radios of its own. There are suitcase transmitters which they can use effectively. But they won't. Their strength lies in the non transparent, non participatory policies of the State. And they use inter-personal, word by mouth propaganda and rumours which are ten times more effective than an open radio system. The opening up of broadcast space itself is an insurance against subversion.

Q: Could you site examples (abroad) where misuse of such radio outlets has been minimized, without muzzling the channel?

In countries like the Philippines and Indonesia where the insurgencies and terrorism is more rampant than in India, hundreds of com-radios thrive without upsetting the state. These are worth studying for a so-called Giant Democracy like India if it honestly believes that should be a true democracy.

Q: What do you foresee as unfolding over the community radio front in India over the next few years -- a gradual opening up, blocking of community radio, the petering out of this debate, or some other scenario?

The debate will not peter out. If anything it will gather strength as more an more citizens clearly see the hypocrisy of the state. The terrorism bogey can only frighten people for some time. But not beyond.

As the state through its own making [and fortunately] starts weakening, and the exasperated communities start increasingly bringing more and more pressure on it, the state will have to yield. Here the role of civil society organisations and citizens groups acquires an urgency never felt before.

Q:What, in your view, would be the most suitable strategy for campaigners wanting to legalize community radio broadcasting in India?

Provide more and more fora and increasing debate on the issue. Give the State all the chance it wants and if it still fails to respond try legal means to retrieve the citizens voice. I do not believe in starting pirate radios or getting into illegal means.
This precisely is what the State wants so that it can brutally kill the increasingly vibrant movement.

Q:Why, if at all, should radio has a special relevance to a country like India?

Nowhere else in the world can it be as relevant as in India. A large majority [nearly 60%] living in rural and remote areas without having its voice heard. A majority of non-literate people whose knowledge systems and profound wisdom is crying to be heard. And thousands of years of oral culture which is so rich and diverse. Community radios were made for this setting.

Q:ith TV, cable TV and the Internet appearing to have a head-start in the consumer's mind today, does continuing to focus on radio make sense? If so, why?

These segments of population are precisely what they have been described : CONSUMERS. They do not produce anything and still have all the power in their hand. Cable TVs and the Internet have satiated their appetite. Never before in the history of this country did we have such a large population of apathetic urban middle classes submerged in their own indulgence.

In contrast the rural communities where cable TV and Internet have very little impact, need the radio more and more. They have to increasingly rely on themselves and radio can be the only tool with which they can connect with each other and with the outside world. It is this poignant context which makes radio far more important to us than ever before.

Q: Can universities play a role in promoting non-commercial, development-oriented radio broadcasting in India at this stage?

They can play an intermediary, strategic role of opening-up of the sector. But the community radio can really be worth that name only when the communities start, operate and own up their radio.

APPENDIX 19

"WE WANT TO USE COMMUNICATIONS AS A TOOL FOR EMPOWERMENT"

NANDITA ROY interviewed by SEVANTI NINAN

Nandita Roy is programme officer, Development Communications, National Foundation of India.

Q: How and why did the National Foundation of India get into promoting community radio at a time when it is not legally permitted in its fullest sense?

NFI is not bypassing the law in any way. NFI is using the existing legal structure i.e. All India Radio for empowering NGOs and the community in the use of mass media tools. Under the circumstances since we are not allowed to own radio

stations the best option was to utilize the existing government infrastructure towards empowering community in using communication.

Q: Could you briefly describe the extent of NFI's involvement in community radio?

NFI took up the Jharkhand Community Radio project *Chala Ho Gaon Mein* as a pilot project. We were involved with the project from the conception stage to programming. Work on the project began following a workshop organized by us in Delhi in collaboration with IGNOU. NGOs, communication specialists, donor agencies had been invited to share their experiences. The workshop helped the participating NGOs comprehend what community radio is all about. Following the workshop, we invited NGOs to submit a proposal on community radio. Application made by Alternatives for India Development (AID) was selected. At present, NFI intervention in community radio is focused on the Daltonganj project and NFI will undertake community radio initiatives in other regions only after an impact assessment of the Daltonganj project is undertaken.

Q: What is central to your focus: communication per se or communication as a tool?

NFI's focus in the community radio programme is in using communication as tool for empowerment. We are trying to demystify the media for grassroots NGOs as well as the community.

Q: After six months of running a community radio project at Daltonganj what would you say has been its impact?

According to an internal assessment, the programme is getting highly appreciated and extremely popular. According to the feedback, community radio has added two key elements to mass media. First, active participation of community and second, it acts as platform for access to resources especially for remote areas. So far, 12 villages out of the 2 blocks – Lesliganj and Panki have been given a voice through the programme. However, even after completing 25 episodes, community participation still remains a challenge. Community members still feel uncomfortable to interact in a radio programme. Sophisticated recording equipment make them uncomfortable.

Gender and caste discrimination is also very high. While overall women's participation is not very significant yet, upper caste women are articulate and are also more forthcoming as far as participation is concerned. Of course, this is just an indication of a trend.

1. Community radio programme has been used by you in your gender-related programmes. Do you have plans to use it as a tool in other areas in which NFI is working, such as Panchayati Raj?

Ans. NFI is open to the idea of using community radio as a tool for all its programme areas.

2. On the basis of your experience so far would you want to expand your involvement in community radio if the government does not actually open it up soon?
3.
Ans. Sure. We would like to take up community radio programmes even if the government does not allow NGOs to set up stations. While there are a number of advantages to be able to own a station, we would not like to deprive the community from using a media tool till such time the government opens up the sector, especially knowing how long and cumbersome government processes can be. Our priority at present is in empowering communities to use media tools for development.

Appendix 20

Other interviews conducted as part of the community radio conference

a. Anil Baijal

"ALL INDIA RADIO'S AIR TIME MUST BE USED MORE PROFITABLY"

Prasar Bharati CEO ANIL BAIJAL interviewed by BANDANA MUKHOPADHYAY and SEVANTI NINAN

Anil Baijal is Chief Executive Officer of India's public broadcaster, Prasar Bharati. He is trying to evolve a policy which will allow for fuller use of air time on All India Radio's existing national, regional and local stations. Some seven to eight hours of air time daily now go unutilized.

Question: Recently the first lot of private FM channels have started functioning. Now we have a two-tier system---AIR also has a large number of local stations. Do you have any plan to convert them into community participatory radios?

I have not got around to local radio as yet. I have at present looked only at the main channels of All India Radio. I must confess that LRS has not received the kind of attention it needs but the most visible faces of radio must get priority. Restructuring of the entire set up of radio is essential. We have gone about creating channels, there has been hardware led expansion with no thought to the software needs of the community. So now my attention is taken with that.

Question: Did you think of the community ownership of radio when the commercial auction was done? Are you aware that some NGOs have asked for permission to set up radio stations?

No. Prasar Bharati is not the policy making body. That is the ministry of information and broadcasting. Such decisions rest with the ministry. But I am aware that some organisations are seeking permission for setting up radio stations. I am all for private players in this field. On our part I can tell you we have already negotiated an agreement with the police to use two of AIR stations air time for police training purposes. They are taking airtime at a fixed time and a license fee is charged by AIR for the services. The stations are Lucknow and Varanasi. This is coming up immediately. In the same way negotiations are on to give regular airtime to state governments. This is still in the process of finalisation and will take two or three months.

Question: Is there time available in the local radio stations?

Yes ofcourse. These transmitters can be used for at least 15-17 hours. At present we are using them for six or eight hours. We can put all that time to better use.

Question: Are you looking at radio as a channel for community participation or for information dissemination?

Both. As far as Prasar Bharati is concerned we have air time and infrastructure available. We are looking for avenues of creating usage. If some communities come forward to ask for airtime, of course at a price already fixed by us, we will be happy to give it. They must have a proper plan for the content of the programmes and we are also looking at using radio for useful information in local dialects.

There is a huge amount of development spending in this country that people must know how to tap. If a particular department is spending on schemes, people should have information about those schemes. I did not know that Rs 15,000 crores was being spent in the rural sector. So we want to convey information about existing government schemes. Transmitters at the local and regional level are not used for more than 6 to 8 hours , that time is there to be used.

Question: We understand that some efforts have been made by AIR to interact with NGOs and community representatives for providing software in the local radio stations—NGOs in most areas seem to be unaware of this offer.

We are trying to publicise this policy but unless there is a regular interaction there is no way we can actually go out and publicise. It has to be done on air. In the last three months we have been publicizing this. The trouble is that all those who want a platform don't switch on the platform. When private players see opportunity they want the platform to make money, but they do not care to watch it.

Question : May be you could think in terms of identifying a few hours of airtime suitable for this kind of programme, identified in consultation with the local community?

Yes we could create bands. We might do that but before I can say anything definite I want to look at the entire structure of LRS programme-wise. I think I need to make a proper study of how the situation cane be best used for Prasar Bharati and communities.

Question: For Prasar Bharati meaning revenue?

Of course, that is important. The machines, equipments, maintenance. The society pays for everything and I feel the air time must be used profitably as well for all concerned.

Suppose an organisation wants to set up a radio station independent of All India Radio. Where should they apply?

To the Ministry of Information and Broadcasting. We are not a policy making body. We can at best be service providers for society. Even in the case of the state governments, what they asked for is direct access to transmitters. What we would be offering is air time. Prasar Bharati cannot go beyond that.

b. Pasha

"RADIO CAN CAPTURE THE LEGACY OF INDIA'S RICH ORAL CULTURE"

M. ABDUL REHMAN PASHA interviewed by FREDERICK NORONHA

Bangalore-based M.Abdul Rehman Pasha has long been a
broadcaster with the state-run All India Radio. Today, he is out of the
'system' and is a firm advocate of community radio. He is the author of 'Community

Radio: The Voice of the People'. >

QUESTION: We've been waiting eagerly for five years and more, but community radio has just not come about in India. Why?

The colonial past. (We have here) a long history of radio being under the control of the central authority. It has not been a felt need of the communities. Further, mediapersons and technologists have always projected radio to be a sophisticated and expensive proposition, which can not be handled by ordinary people. Infrastructure of scarily huge stations of All India Radio is the only model we have in India.

QUESTION: Is their reason for the state to fear the power of radio? Can it be misused, say by secessionists or militants?

If the officials nurture this kind of fear they are (being) stupid. The secessionists, militants or subversive elements are already using radio technology for transmission of messages and their own purposes.

Do these officials think that such kind of people ask for the license to broadcast their signals. How funny!

QUESTION:Any suggestions to prevent possible misuse, even if you see that as remote?

Even the production and use of explosives or weapons is permitted through suitable regulations. Poisons and drugs are produced under licenses. The Government knows how to ensure the safety of the people and country against their misuse.

This government knows how to ensure the right use of television, Internet, telephony and such other modes, which are already permitted. This government knows how to prevent misuse of television by heavily Western-oriented TV channels; this government also knows how to ensure responsible-of-use in the case of of radio by FM 91, a (Rupert Murdoch-run) Star TV associate.

I do not understand why there should be any difficulty in ensuring against misuse of radio, especially by poor NGOs. More than half of the developmental works of the governments are being implemented through NGOs and other people's institutions; millions of rupees are spent through them. How do they that the money is not used for subversive activities? OK?

> What problem does the government have in allowing the state governments,
> local governments of panchayat raj institution, or universities to have
> their own (low-powered) radio stations? Does the central government think

> that these are all terrorist or secessionist outfits?

> **QUESTION: Are you optimistic that community radio will happen in India at**
> **all? What would be the best strategy to push for this?**

 Most of our associates are debating over the issue endlessly. Except a
few, we do not have people's base. With almost all the possible frequencies for
 FM broadcast being auctioned and sold out, the government have no more
 frequencies to allot for others. If the people's movement was built up
 before such thing happened, we could have had some hope. As it is, I see no
miracle likely to happen in the field of community radio.
 If the campaigners are 'waiting' for the community radio broadcasting in
> India to be 'legalized', they will have to keep on waiting forever.
> We will have lot more time to debate on the issue!
>
> There are two possibilities that could see the government waking up to the
> issue. All of us who want community radio to be realized in India, should stop
> debating over the issue and discussing all sorts of technological
> development from all over the world.
>
> Each one of us, both individuals and organizations should starts
> enlightening grass roots level organizations and groups about the benefits
> of community radio. Let's tell them how simple it is. Tell them how their freedom of
expression is being crippled by money-minded governments. If these movements
develop as people's movements and swells as a huge voice at the national level, the
> government will think about it freshly.
>
> Secondly, those of the NGOs, especially in remote areas of the country,
> which are already convinced about the relevance of community radio, should
> be helped to start community radio in any form. One can start the exercise
> with narrowcasting (recording programmes on cassettes and passing them
> around). When such community radio exercises spread all over, the
government will have to legalize them invariably.

QUESTION: Don't we have enough media options in India? Why radio?

> Very simple. India has been a country with a rich oral tradition. The
> original wisdom, skills, heritage of this country, which has been the
> primary source of inspiration and sustenance for thousands of years, is in
> oral form.
>
> The real people of this country learn, preserve, pass on the knowledge, or
> get their amusement and entertainment predominantly through the oral
> communication mode.
>
> Writing and other modes of documentation, preservation and transmission of

> knowledge, though having it own significance, the majority of people of
this country are not able to participate in the process. Hence it is not being
> really relevant to them.
>
> It is only in the oral communication mode that allows all of us, to a
great extent, to be placed on a uniform platform. On this platform, the
common man is more likely to express himself.
>
> Radio/audio technique of communication excellently provides suitable
> technological support to this original, time-tested mode of information
> exchange.

> Television also can do this, some times more effectively, all right. But
as on today, the technology is comparatively more expensive and complicated.
> So, radio, today, is still much more relevant than before, because it is
the only cost effective, user-friendly technology for mass communication.
>
> That's why radio has a special relevance to a country like India.

> **QUESTION: But TV is eroding the need for radio, isn't it?**

> We do a mistake in comparing radio with TV, Cable TV and the Internet.
 Radio in the form of huge networks like All India Radio or the series of
> private channels such FM 91 (India's first private station, set up in
> mid-2001, at Bangalore), could be, if at all, compared with such other
> media.
>
> For instance, though printing technology is used for newspapers as well as
> to print handbills, pamphlets and wallpapers, and all these do the same
job of disseminating information, we do not compare them. We don't juxtapose
one against the other while undertaking such a comparison.
>
> Similarly, when I speak of the radio, I speak of the basic technology.
 Community radio uses the same technology as the other giant radio
> stations/networks. Community radio is not meant to replace or to play
> against existing radio networks.
>
> It's just like there are national, regional and local radio stations
within the (state-run giant) All India Radio network, catering to different
levels of needs, Community Radio is more specific and narrow-based than a local
> district level radio station. The only difference, and a significant one
at that, is that this set is owned and run by local communities.

 **QUESTION: What about educational radio? Can universities step in at least
in the interim?**

Not all universities have these objectives. Even those which have
Journalism and Mass Communication departments, Music and Drama departments
(don't necessary see this as a priority),

Community Development departments have hardly reached out to the
communities around them. They remain islands. Even after the actual establishments
of agricultural or veterinary universities, these are not in the reach of the communities
that they ultimately cater their research and development. Hence, for them, radio is
not a suitable medium for transmission of messages to possible users.
>pasha1@vsnl.com
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Questionnaire for The Hoot

For Arun Jaitley

1. A new law to regulate the entire electronic media is on the anvil. Has it also looked into the aspiration of communities for direct access to airwaves?

2. Would you care to articulate your interpretation of the 1995 Supreme Court ruling declaring that airwaves are public property?

3. You have been minister for information and broadcasting in the union government and a lawyer by profession. What in your opinion are the legal impediments for introducing community radio at least in rural areas where communication channels are still poor and services largely neglected?

4. Prasar Bharati officials say that there are no provisions for introducing community ownership of radio. The privatisation of FM took place during your tenure as I&B minister. What had prevented you from adding an extra clause to incorporate community ownership at no-profit basis at that time?

5. We now have a strange situation where anyone, even a foreign broadcasting body can tie up with an insignificant Indian group, buy airtime in any of the Prasar Bharati controlled or privately owned channels and broadcast to the Indian citizens while a Indian community interested in using radio for developmental communications either has to depend upon AIR's acceptance of their proposal or if there is no air station in that area, which is the case for many rural sectors, wait indefinitely. Do you feel this is justifiable?

For Sunderam

1. Is it technically possibly to allocate at least one FM frequency in each district of every state in this country for a low power radio station catering to people living within a radius of say 35 – 50 km?

2. How are frequencies allocated for radio transmission? What are the essential procedural steps?

3. What would be the approximate cost of setting up a FM broadcasting unit for a low power FM transmission like community radio in countries like Canada?

4. Now it is possible for private parties to set up radio stations. If a community/ NGO wants to set up a community level radio station, where should they approach: Prasar Bharati, Ministry of I&B or the Telecom Department?

5. The union government has in the past often cited insurgency/ militant as activities as a deterrent to the setting up of community owned radio stations. Do you have any evidence that militants or insurgent groups anywhere in this country have used radio communication?

For B.G.Vergese

1. What was your conception on Reformation in Electronic Media when you had headed the one –man commission during the first Janata Government in 1976

2. Did the subsequent legislation in 1990 fulfil your objectives? If not, what was lacking?

3. "Electronic Media can be an effective too for social development if the gap between the listener and the broadcaster is bridged" – Comment

4. You have been a member of the Prasar Bharati Board since its inception in 1997. Do you feel the board has taken steps through policy changes for radio broadcasts to bring the media closer to the people?

5. How effective do you feel is the board regarding making the electronic media socially relevant?

For U.R.Rao

1. Prasar Bharati has so far not taken up with any kind of seriousness the issue of low power FM transmitters owned by local communities. Is there any technical problem in granting license to local communities or NGOs the right to own radio transmitters?

2. If a NGO or a local community wants to get license for broadcasting who should be approached: Prasar Bharati or I&B Ministry?

3. Are you aware of the community participatory projects in Bhuj, Daltongunj, Bangalore using AIR facilities and their impact on the communities?

4. What can Prasar Bharati do to facilitate the growing aspiration of communities to use radio for internal communication and social empowerment?

5. Is Prasar Bharati planning to conduct an independent audience survey to assess the impact of the local radio stations of AIR and to what extent they are true to the vision with which the project was initially set up?

6. What prevents AIR from collaborating in a larger scale with local NGOs where there are Local Radio Stations to facilitate a time share kind of arrangement so that these radio stations gain more acceptability among the local communities?

For Sushma Swaraj

1. We have now a set of radio stations run by AIR, a select number of FM radios in urban area run by commercial houses and educational FM stations called Gyan Vani run by IGNOU in all those cities where commercial license for radio has been granted. Why then no attempt to involved the social sector so that radio can be used for local development as well?

2. What role do you see for AIR in the present set up of radio in India?

3. The NGO sector has been asking for permission to use radio for local development. Why is the government so reluctant to use their services even to disseminate information on developmental schemes?

4. You may be aware that UNESCO had gifted a suitcase radio transmitter to one NGO in Karnataka. Another NGO from Andhra Pradesh was allowed to install full-fledged transmission equipment gifted by UNESCO for dalit women in Pastapur where there is no AIR station. Both the equipments are lying idle as there is no permission to use them. Why was the permission to import these equipments granted when there was no plan to allow their operation?

5. Developing countries across the world have adopted a three tier system of electronic communication: state controlled, commercial and community owned. Even neighbouring countries like Nepal and Sri Lanka have accepted the benefits of community radio. Why is India still reluctant to use this communication channel?

6. What is preventing theI&B Ministry from taking a positive approach to the growing demands for community ownership of radio?

For Somenath Chatterji

1. Your Party has always demanded total freedom of expression for the writer. Is this concept limited to print media or are you willing to take up a similar stand for electronic media as well

2. In West Bengal CPM has been demanding the right to start a tv channel owned by the stat government. Keeping in mind the economic conditions of the people in WB and the access to TV in much of Bengal, would it have not been more useful to give people greater access to radio, meaning radio for the people, by the people, as for example, the commune radios of Vietnam?

3. CPM has been an important member of the consultative committee fro I&B in the last ten years. Why no demand has been made by the party to make at least radio, which is both cheaper as well as wider in reach, to become a part of the social developmental process in West Bengal?

4. Are you aware that there are 9 local radio stations of AIR in Bihar and 7 in Orissa but only one in West Bengal? These stations provide local employment, help preserve local culture but CPM has never made a demand for more such stations in West Bengal?

5. We have a strange situation in this country where foreigners can telecast what they want through cable but an Indian citizen cannot use radio even as a medium for development related information unless allowed by AIR because the law does not permit! You are a lawyer by profession, a member of parliament and chairman of the consultative committee fro I&B. Please comment