

No.3105/34/2016-BC.III
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' WING, SHASTRI BHAWAN,
NEW DELHI – 110001

Dated: 2nd Sept., 2016

To

All TV Channels

Subject : Implementation of the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) and Protection of Children from Sexual Offences Act, 2012 (POCSO) regarding prohibition on disclosure of identity of the child by media.

With a view to prohibiting disclosure of identity of the child victims by media, attention of TV channels is drawn towards the following provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) and Protection of Children from Sexual Offences Act, 2012 (POCSO):

Section 74, JJ Act, 2015: (1) No report in any newspaper, magazine, news-sheet or audio-visual media or other forms of communication regarding any inquiry or investigation or judicial procedure, shall disclose the name, address or school or any other particular, which may lead to the identification of a child in conflict with law or a child in need of care and protection or a child victim or witness of a crime, involved in such matter, under any other law for the time being in force, nor shall the picture of any such child be published:

Provided that for reasons to be recorded in writing, the Board or Committee, as the case may be, holding the inquiry may permit such disclosure, if in its opinion such disclosure is in the best interest of the child.

(2) The Police shall not disclose any record of the child for the purpose of character certificate or otherwise in cases where the case has been closed or disposed of.

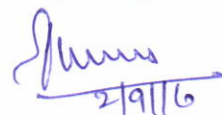
(3) Any person contravening the provisions of sub-section (1) shall be punishable with imprisonment for a term which may extend to six months or fine which may extend to two lakh rupees or both.

Section 23 (ii) POCSO Act, 2012 : No reports in media shall disclose identity of a child including his name, address, photograph, family details, neighbourhood, or any other particular which may lead to disclosure of identity of the child.

Provided that for the reason recorded in writing, the Special Court, competent to try the case under the Act, may permit such disclosure, if in its opinion such disclosure is in the interest of the child.

2. It is also pertinent to mention that previously NCPCR had issued certain advisories/directive/guidelines regarding regulation of child participation in TV serials, protection of identity of children in need of care which have already been conveyed from time to time to TV channels and their representative bodies NBA, IBF, etc. for compliance. NCPCR's guidelines on regulation of child participation in TV serials, etc, directives on protection of identity of children in need of care & protection, guidelines on Media Reporting on Children, reference for compliance with the provisions of JJ Act regarding non-disclosure of identity of the minor accused in media, and guidelines for media reporting on children with reference to Delhi High Court's orders were issued on 19.7.2011, 8.8.2012, 23.11.2012, 28.3.2013 and 17.10.2013, respectively. The same are available on the Ministry's website: mib.nic.in.

3. Accordingly, all the TV channels are required to ensure compliance with the statutory provisions under Section 74 of the Juvenile Justice Act, 2015 and Section 23 (ii) of the Protection of Children from Sexual Offences Act, 2012 as also with the aforesaid advisory/directive/guidelines while media reporting on children.



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