

## ORDER

### In the matter of a Complaint against Big CBS Spark Channel for the telecast of rap song 'No Lie' by rappers No Chainz and Drake at 23:19 PM on 2 May 2013

The Ministry of Information & Broadcasting has filed a Complaint against Big CBS Spark Channel for showing the rap song titled 'No Lie' by rappers Drake and No Change. The lyrics contain highly inappropriate language and are grossly offensive to good taste and decency.

The following excerpts from the rap song 'No Lie' are a case in point:

- "...my boo bigger tits and a bigger ass"
- "Hit ya ass with that block out; Dope enough to go in yo nostrils; I'll take ya girl and kid nap her; Feed her to my mattress; The skeletons in my closet; It's probably dead ass rappers; It's possibly pussy ass niggas"
- "That pussy so good I miss ya"
- "I say fuck you, 'less I'm with ya"
- "She got fucked, she knew wassup"
- "Then I fucked her once and never fucked again; She could have a Grammy, I still treat her ass like a nominee; Just need to know what that pussy like so one time it's fine with me; Young as an intern, with money like I built the shit"
- "I'll out rap his ass; I'll trap his ass; Put his ass in a plastic bag with his trashy ass"
- "Left hand on that steering wheel; Right hand on that pussy"

The Council watched the said rap song pertaining to the Complaint and issued a Notice to the Channel. The Channel filed a Reply, mentioning that this is a niche Channel. It is meant for and watched by a select audience only. Therefore, the norms and guidelines may not be strictly applied to these Programmes.

Thereafter, the Channel's representatives appeared before the Council at its 26<sup>th</sup> Meeting on 10 July 2013. It may, in fact, be mentioned that the Channel did not even press the above defence at the time of Hearing. The Channel submitted this error had occurred only because they had encountered some problem with their S&P (Standards & Practices) Department. The Channel said they have now restructured their S&P Department and therefore, such violations would not occur in the future. Therefore, the Channel prayed that the Council may kindly take a lenient view of the matter.

In the Council's considered opinion, the defence raised by the Channel is completely untenable and the Council is not at all persuaded by such reasons advanced by the Channel. Even if there was some problem with the S&P Department, the same still does not absolve the Channel of its responsibility.

### **BROADCASTING CONTENT COMPLAINTS COUNCIL**



BROADCASTING CONTENT COMPLAINTS COUNCIL

The Council finds that the Programme in question is violative of Clauses (a), (d) and (k) of the 'Programme Code'. In addition to this, the Programmes are also violative of Guidelines 1 and 2 of 'Theme 2: Sex, Obscenity and Nudity' of the IBF Self-Regulatory Guidelines. Furthermore, the Programme is also violative of Clause a) of Category 'G' Programmes for unrestricted viewing and/or under parental guidance as well as Clause a) of Category 'R' Programmes.

It is, however, brought to the Council's notice that on 19 July 2013, the IBF Board of Directors has conferred powers on the Council to levy Financial Penalty on a Channel, subject to a maximum of Rupees Thirty Lakhs.

Having regard to the serious nature of the violations, the Council proposed to impose a consolidated Financial Penalty on the Channel.

In the light of the above, the Channel was issued a Show Cause Notice on 25 July 2013, directing it to explain why a Financial Penalty should not be imposed on it under the IBF's amended Self-Regulatory Guidelines. The Channel was directed to appear before the Council at its 27<sup>th</sup> Meeting on 12 August 2013.

After hearing the Channel at length, this Council decides to impose a Financial Penalty of Rupees Two Lakh Fifty Thousand only (Rs. 2,50,000/- Only) on the Channel. The Channel is directed to deposit the said amount of Financial Penalty with the Indian Broadcasting Foundation on or before 15/09/2013.

Further, this Council directs the Channel to run the following Apology Scroll in English, in large and legible bold fonts at normal speed, every Two (02) Hours, over a period of THREE (03) Days, from 12 Noon on Sunday 25 August 2013 to 10 AM on Wednesday 28 August 2013:

*"In compliance with BCCC's Order passed on 14 August 2013, Big CBS Spark apologizes for the telecast of rap song 'No Lie' by rappers No Chainz and Drake on 2 May 2013. This programme was found to be in violation of Indian Broadcasting Foundation's (IBF) Self-Regulatory Guidelines."*

*For & on behalf of*  
Broadcasting Content Complaints Council

*A.P. Shah*  
Justice (Retd.) A.P. Shah  
Chairperson

14 August 2013  
New Delhi