

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

STARRED QUESTION NO:73

ANSWERED ON:14.08.2012

MISLEADING ADVERTISEMENT

Mahendrasinh Shri Chauhan ;Rajaram Shri Wakchaure Bhausahab

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government has taken note of a number of surrogate/misleading advertisements of different consumable products like food and beverages, cosmetics, health related etc. being shown on private/Doordarshan channels as well as in the print media;
- (b) if so, the number of such complaints received along with the action taken against the persons/media involved in issuing such advertisements during each of the last three years and the current year, electronic and print media-wise and company-wise;
- (c) whether the Government proposes to ban such advertisements to protect the interest of the common people;
- (d) if not, the reasons therefor along with the specific norms/guidelines formulated by the Government to regulate/ check such advertisements; and
- (e) the concrete measures taken/ proposed to be taken by the Government to stop such advertisements being issued by both the media?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF INFORMATION & BROADCASTING (SMT. AMBIKA SONI)

(a) to (e) A statement is laid on the Table of the House.

STATEMENT AS REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 73 FOR ANSWER ON 14. 08.2012

(a) to (d) Some instances of surrogate/misleading advertisements shown on private satellite/cable television channels and published in print media have come to the notice of the Government. Details of action taken against private satellite TV channels for violation of Programme and Advertising Codes during the current year and the last three years is annexed (Annexure-I). The details of the complaints against misleading/surrogate advertisements in print media as received by the Press Council of India (PCI) during the last three years and the current year are also enclosed (Annexure-II)."

As regards Doordarshan, Prasar Bharati has informed that Doordarshan does not telecast surrogate/misleading advertisements of different consumable products or advertisements which do not conform to Doordarshan code for Commercial Advertisement. Only those advertisements are telecast which are approved by Doordarshan Commercial Service. The advertisements which are not in conformity with Commercial Code are dropped by Doordarshan.

Telecast of advertisements on private satellite/cable TV channels is regulated as per the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. Rule-7 (2) (viii) of the Cable Television (Networks) Rules, 1994 provides that no advertisement shall be permitted on Television which promotes directly or indirectly production, sale or consumption of cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants. Rule 7 (5) of the Advertising Code further provides that no advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or supernatural property or quality, which is difficult of being proved.

So far as print media is concerned, the Press Council of India (PCI), a statutory autonomous body has been set up under the Press Council Act, 1978 for the purpose of preserving the freedom of press and for maintaining and improving the standards of newspapers and news agencies in India and also to inculcate principles of self-regulation among the press. Accordingly, PCI have formed Norms of Journalistic Conduct under section 13(2)(b) of the Press Council Act, 1978 which covers the principles and ethics of journalism. The Norm 36 relating to the subject "Advertisements" is enclosed (Annexure -III). These norms should be adhered to by the print media while accepting advertisements.

(e) The complaints of content in print media, which are violative of 'Norms of Journalistic Conduct' are received and adjudicated by PCI under section 14 of the Press Council Act, 1978. The Council can warn, admonish or censure the newspaper, the news agency, the editor or the journalist, as the case may be.

As regards electronic media, the Government has set up an Electronic Media Monitoring Center to monitor private satellite TV channels with a view to monitor violations of Programme and Advertising Codes. An Inter-Ministerial Committee has also been set up

to consider cases of violations and make appropriate recommendations for action against those satellite TV channels which violate the provisions of the Advertisement Code. Moreover, complaints of violations in advertisements are also referred to the Advertising Standards Council of India (ASCI), which is a Self Regulatory Body, for their advice/ action.