

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:2353

ANSWERED ON:07.12.2012

PORTRAYAL OF SMOKING IN FILMS

Bapurao Shri Khatgaonkar Patil Bhaskarrao;Bhoi Shri Sanjay;Choudhry Smt. Shruti;Dhanaplan Shri K. P.;Gaikwad Shri Eknath Mahadeo;Paranjpe Shri Anand Prakash

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government has taken note of a study conducted by the World Health Organisation which states that 76% of Indian movies had tobacco use shown in them, and 52.2% of children in India, who had their first smoke were influenced by tobacco use depicted in films;
- (b) if so, the details thereof along with the reaction of the Government thereto;
- (c) whether the Government has finalised certain new provisions on the portrayal of smoking in films and television;
- (d) if so, the details thereof indicating the changes proposed in the existing rules; and
- (e) the manner in which the Government proposes to address the apprehensions of various stakeholders including film industry and theatre owners in the matter?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (SHRI GHULAM NABIAZAD)

(a) & (b) Yes, Government is aware of the study conducted by the World Health Organisation.

In order to protect the youth from unnecessary exposure to tobacco usage through films and TV programmes and in order to regulate the depiction of the tobacco products or their use in films and television programmes the Government of India notified the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) [amendment] rules in 2005, however these rules could not be implemented due to litigation. In 2011 after due deliberation and inter-ministerial consultations the Government amended the original Rules and notified the Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) [2nd amendment] rules 2011 vide G.S.R 786 dated 27th October, 2011. These Rules have further been amended and notified vide G.S.R. 708(E) dated 21st September, 2012 and have come into force from 2nd October, 2012.

(c) & (d) The salient features of the amended Rules vide G.S.R. 708(E) dated 21st September, 2012 are as follows:

1. Old Films and Television Programmes, displaying Tobacco Products or their use:

- i. The theatre owner or the broadcaster has to show anti-tobacco health spots of minimum 30 seconds duration each at the beginning and middle of the film or television programmes, displaying tobacco products or their use.
- ii. The Broadcaster of Old Television Programmes has to show anti-tobacco health warning as a prominent static message at the bottom of the television screen during the period of display of the tobacco products or their use in the television programmes as per the specification given in the Rules.

2. New Films and Television Programmes, displaying Tobacco Products or their use shall have :

- (i) a strong editorial justification explaining the necessity of display of tobacco products or their use in the film to CBFC.
- (ii) anti-tobacco health spots of minimum thirty seconds duration each at the beginning and middle of the film or the television programme;
- (iii) anti-tobacco health warning as a prominent static message at the bottom of the screen during the period of display of the tobacco products or their use in the film and television programme;
- (iv) an audio-visual disclaimer on the ill-effects of tobacco use, of minimum twenty seconds duration each, in the beginning and middle of the film and television programme.

(e) These Rules have been framed in consultation with the Ministry of Information and Broadcasting and all the various stakeholders.

Further, in order to facilitate the implementation, health spots and' disclaimers, as mandated in the Rules, have been developed by Ministry of Health, and made available to CBFC for insertion in Films and, to the Indian Broadcasting Federation for insertion in television programmes.