

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

STARRED QUESTION NO:302  
ANSWERED ON:30.07.2014  
REGULATORY FRAMEWORK FOR ADVERTISEMENT  
Chandumajra Shri Prem Singh

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

- (a) whether the Government is satisfied with the present regulatory framework governing various aspects of advertisements shown/displayed in print and electronic media, if so, the details thereof and if not, the reasons therefor;
- (b) whether the Government has received suggestion from various quarters including from the Central Consumer Protection Council for strengthening the regulatory framework for advertisements and plugging the loopholes therein and if so, the details thereof and reaction of the Government thereto; and
- (c) whether the Government has any proposal to bring in a comprehensive legislation/ guidelines/regulatory framework for the purpose and if so, the details thereof?

**Answer**

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF INFORMATION AND BROADCASTING; ENVIRONMENT, FOREST AND CLIMATE CHANGE AND MINISTER OF STATE FOR THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI PRAKASH JAVADEKAR)

(a) to (c) : A Statement is laid on the Table of the House.

STATEMENT AS REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION NO. 302 FOR ANSWER ON 30.07.2014

(a) to (c) : Advertisements telecast by private satellite TV channels are regulated as per the Advertisement Code as contained in Cable Television Networks Rules, 1994 framed under the Cable Television Networks (Regulation) Act, 1995. The Act does not provide for any pre-censorship of advertisements. However, advertisements telecast on private satellite TV channels are required to conform to the Advertising Code which lays down a gamut of criteria relating to prevention of obscene, indecent and misleading advertisements. Action is taken against TV channels, whenever any violation of the Advertising Code is brought to the notice of this Ministry.

An Inter Ministerial Committee (IMC) has been constituted to look into the violations of the Programme and Advertisement Codes. IMC has representatives from the Ministries of Home Affairs, Defence, External Affairs, Law, Women and Child Development, Health and Family Welfare, Consumer Affairs and a representative from the industry in Advertising Standards Council of India (ASCI). IMC meets periodically and recommends action against violations.

Besides above, as part of self-regulatory process, Advertising Standards Council of India (ASCI), established in 1985, undertakes self-regulation of advertisements. ASCI has set up a Consumer Complaints Council (CCC) to consider complaints in respect of advertisements. 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, to maintain and improve the standards of newspapers and news agencies in India and also to inculcate principles of self-regulation among the press. PCI, in furtherance of its objectives under Section 13(2) of the Act, has formulated 'Norms of Journalistic Conduct' for adherence by the media. These norms cover principles and ethics of journalism and also the guidelines for news reporting on various specific issues. The norm 36 covers the subject of 'Advertisement'. The PCI monitors and takes cognizance, suo motu, or on complaints, of the contents in print media which are in violation of the 'Norms of Journalistic Conduct'. The council may warn, admonish or censure the newspaper, the news agency, the editor or the journalist or disapprove the conduct of the editor or the journalist.

Department of Consumer Affairs has informed that in the 28th meeting of the Central Consumer Protection Council (CCPC) held on 3rd February, 2014 at Kochi, Kerala, it was approved by the CCPC to constitute an Inter-Ministerial Monitoring Committee (IMMC) comprising of relevant stake holders to find solutions to effectively tackle the problem of misleading advertisement and also to undertake steps for a more detailed study/analysis of the problem as well as to suggest measures including utilizing the services of various sectoral regulatory bodies to make appropriate interventions that would help mitigate consumer detriment and improve consumer Protection and welfare. Accordingly, an Inter- Ministerial Monitoring Committee has been constituted in the Department of Consumer Affairs on 21.02.2014 to study the problem of misleading advertisements.