

**GOVERNMENT OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING**

**LOK SABHA
UNSTARRED QUESTION NO. 5664
TO BE ANSWERED ON 26/07/2019**

MISLEADING ADVERTISEMENT

**5664. SHRI SUDHAKAR TUKARAM SHRANGARE:
SHRI ASHOK KUMAR RAWAT:
DR. T. SUMATHY (A) THAMIZHACHI THANGAPANDIAN:
SHRIMATI KIRRON KHER:
DR. RAM SHANKAR KATHERIA:**

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) the details regarding existing mechanism to regulate advertisements in all types of media platforms including theatres, if so, the details thereof;
- (b) whether several tobacco / alcohol / cigarette brands are being advertised in surrogate manner as some other consumer products in media including Doordarshan Kendras during last three years, if so, the details of initiatives taken to curb such misleading advertisements;
- (c) the measures taken to check the broadcast of pan masala advertisement on TV;
- (d) whether obscene pictures are being broadcast by the Doordarshan Kendras, if so, the details thereof including the corrective steps taken in this regard;
- (e) whether the Government has received any suggestion / memorandum / request regarding the ban or legal restriction on the broadcast of such misleading advertisements / obscene pictures during the last three years and till date; and
- (f) if so, the details of any stringent measures proposed by the Government in this regard?

ANSWER

**THE MINISTER OF ENVIRONMENT, FOREST & CLIMATE CHANGE;
AND MINISTER OF INFORMATION AND BROADCASTING
(SHRI PRAKASH JAVADEKAR)**

(a): All advertisements telecast on private satellite TV channels are regulated in accordance with the Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995.

Contd..... 2/-

The Central Board of Film Certification (CBFC) certifies films, including advertisement, for theatrical exhibition in accordance with the provisions of the Cinematograph Act, 1952.

FM Radio Channels are required to comply with the terms & conditions of the Grant of Permission Agreement (GOPA) which is executed by them with the Ministry of Information & Broadcasting at the time of granting permission to run FM radio channels.

Press Council of India (PCI) has framed 'Norms of Journalistic Conduct' which inter alia covers principles and ethics with regard to advertisements in print media.

Department of Consumer Affairs has a portal "Grievance Against Misleading Advertisements" (GAMA) to handle the complaints relating to misleading advertisements.

Contd.....3/-

Advertising Standards Council of India (ASCI), a self-regulatory body of advertisement industry, has set-up Consumer Complaints Council to deal with advertising content and decide on complaints against advertisements making misleading, false and unsubstantiated claims.

(b) & (c): Advertising Code under the Cable Television Networks (Regulation) Act, 1995 inter alia provides that a product that uses a brand name or logo, which is also used for cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants, may be advertised on television only under certain prescribed conditions. Violations, if any, are dealt with in accordance with the laid down procedure.

In so far as Doordarshan Kendras are concerned, programmes and advertisements on Doordarshan are telecast as per the Doordarshan Broadcast Code / Commercial Code for Advertisement and in conformity of Programme and Advertising Codes prescribed under the Cable Television Networks (Regulation) Act, 1995.

Contd.....4/-

As per Code for commercial advertising of Doordarshan, advertisements of Health Hazard Products like Pan Masala, cigarettes and Tobacco etc. are not telecast on Doordarshan.

(d): Programmes/Pictures telecast on Doordarshan Channels are previewed before telecast keeping in view the provisions of the Code. Anything found misleading/objectionable/ not conforming to the standards of Code are not allowed to be telecast.

(e) & (f): The Government has an institutional mechanism to deal with the matters of misleading advertisements. The Government has also issued Advisories to TV channels from time to time not to telecast advertisements which are found to be violating provisions of Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder, ASCI code and also Drug & Magic Remedies Act, 1954.

Further, it is the responsibility of the private TV channels to adhere to the Advisories issued by the Central Government under the Cable Television Networks (Regulation) Act, 1995.
