

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

**LOK SABHA
STARRED QUESTION NO. 187
TO BE ANSWERED ON 15/03/2017**

GUIDELINES ON BROADCASTING OF PROGRAMMES/ADVERTISEMENTS

**187. SHRI CHANDRAKANT KHAIRE :
SHRI RAYAPATI SAMBASIVA RAO:**

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) whether the Government has prepared some guidelines regarding the broadcasting of programmes and advertisements on TV channels and if so, the details thereof;
- (b) The number of cases of violations of the said guidelines reported during the last two years along with the details of channels found to be violating these norms;
- (c) the action taken by the Government in this regard along with the outcome thereof; and
- (d) whether the Government has issued strict advisory to TV channels on contents and if so, the details thereof?

ANSWER

**MINISTER OF INFORMATION & BROADCASTING
(SHRI M. VENKAIAH NAIDU)**

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

**STATEMENT AS REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA
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(a) to (d): As per existing regulatory framework, private satellite TV channels are required to adhere to the Programme and Advertising Codes prescribed under the Cable Television Networks (Regulation) Act, 1995 and Cable Television Network Rules, 1994 framed thereunder which contain a gamut of criteria to be followed while carrying programmes and advertisement in such TV channels. The details of Programme and Advertising Codes are enclosed at **Annexure-I**.

The details of violation of Programme and Advertising Codes during the last two years and action taken against such violations are enclosed at **Annexure-II**.

This ministry also issues advisories to TV channels from time to time on specific aspects such as coverage of incidents involving communal riots, anti-terrorist operations, victims of violence such as rape, misleading advertisements, superstitions, etc. Details of such advisories are enclosed at **Annexure-III**.

**ANNEXURE REFERRED TO IN REPLY TO PARTS (a) to (d) OF LOK SABHA
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**Programme and Advertising Codes prescribed under the Cable Television Network Rules,
1994 (Rule 6 and Rule 7)**

Rule- 6. Programme Code. – (1) No programme should be carried in the cable service which:-

- (a) Offends against good taste or decency;
- (b) Contains criticism of friendly countries;
- (c) Contains attack on religions or communities or visuals or words contemptuous of religious groups or which promote communal attitudes;
- (d) Contains anything obscene, defamatory, deliberate, false and suggestive innuendos and half truths;
- (e) is likely to encourage or incite violence or contains anything against maintenance of law and order or which promote anti-national attitudes;
- (f) Contains anything amounting to contempt of court;
- (g) Contains aspersions against the integrity of the President and Judiciary;
- (h) Contains anything affecting the integrity of the Nation;
- (i) Criticises, maligns or slanders any individual in person or certain groups, segments of social, public and moral life of the country;
- (j) Encourages superstition or blind belief;
- (k) Denigrates women through the depiction in any manner of the figure of a women, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprave, corrupt or injure the public morality or morals;
- (l) Denigrates children;
- (m) Contains visuals or words which reflect a slandering, ironical and snobbish attitude in the portrayal of certain ethnic, linguistic and regional groups;
- (n) Contravenes the provisions of the Cinematograph Act, 1952.
- (o) is not suitable for unrestricted public exhibition.
“Provided that no film or film song or film promo or film trailer or music video or music albums or their promos, whether produced in India or abroad, shall be carried through cable service unless it has been certified by the Central Board of Film Certification (CBFC) as suitable for unrestricted public exhibition in India”.
Explanation – For the purpose of this clause, the expression “unrestricted public exhibition” shall have the same meaning as assigned to it in the Cinematograph Act, 1952 (37 of 1952);
- (p) contains live coverage of any anti-terrorist operation by security forces, wherein media coverage shall be restricted to periodic briefing by an officer designated by the appropriate Government, till such operation concludes.
Explanation – For the purposes of this clause, it is clarified that “anti-terrorist operation” means such operation undertaken to bring terrorists to justice, which includes all engagements involving justifiable use of force between security forces and terrorists.
- (q) depicts cruelty or violence towards animals in any form or promotes unscientific belief that causes harm to animals.

(2) The cable operator should strive to carry programmes in his cable service which project women in a positive, leadership role of sobriety, moral and character building qualities.

(3) No cable operator shall carry or include in his cable service any programme in respect of which copyright subsists under the Copyright Act, 1957 (14 of 1957) unless he has been granted a licence by owners of copyright under the Act in respect of such programme.

(4) Care should be taken to ensure that programmes meant for children do not contain any bad language or explicit scenes of violence.

(5) Programmes unsuitable for children must not be carried in the cable service at times when the largest numbers of children are viewing.

(6) No cable operator shall carry or include in his cable service any television broadcast or channel, which has not been registered by the Central Government for being viewed within the territory of India”.

“Provided that a cable operator may continue to carry or include in his cable service any Television broadcast or channel, whose application for registration to the Central Government was made on or before 11th May ,2006 and is under consideration, for a period of three months from the date of this notification, or till such registration has been granted or refused, whichever is earlier.”

“Provided further that channels uplinking from India, in accordance with permission for uplinking granted before 2nd December, 2005, shall be treated as “registered” television channels and can be carried or included in the cable service.”

Rule-7. Advertising Code. - (1) Advertising carried in the cable service shall be so designed as to conform to the laws of the country and should not offend morality, decency and religious susceptibilities of the subscribers.

(2) No advertisement shall be permitted which-

- (i) derides any race, caste, colour, creed and nationality;
- (ii) is against any provision of the Constitution of India.
- (iii) tends to incite people to crime, cause disorder or violence or breach of law or glorifies violence or obscenity in any way ;
- (iv) presents criminality as desirable;
- (v) exploits the national emblem, or any part of the Constitution or the person or personality of a national leader or a State dignitary;
- (vi) in its depiction of women violates the constitutional guarantees to all citizens. In particular, no advertisement shall be permitted which projects a derogatory image of women. Women must not be portrayed in a manner that emphasises passive, submissive qualities and encourages them to play a subordinate, secondary role in the family and society. The cable operator shall ensure that the portrayal of the female form, in the programmes carried in his cable service, is tasteful and aesthetic, and is within the well established norms of good taste and decency;
- (vii) exploits social evils like dowry, child marriage.
- (viii) promotes directly or indirectly production, sale or consumption of-
 - (A) cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants;

provided 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 cable service subject to the following conditions that:-

- (i) the story board or visual of the advertisement must depict only the product being advertised and not the prohibited products in any form or manner;
- (ii) the advertisement must not make any direct or indirect reference to the prohibited products;
- (iii) the advertisement must not contain any nuances or phrases promoting prohibited products;
- (iv) the advertisement must not use particular colours and layout or presentations associated with prohibited products;
- (v) the advertisement must not use situations typical for promotion of prohibited products when advertising the other products;

Provided further that-

- (i) the advertiser shall submit an application with a copy of the proposed advertisement along with a certificate by a registered Chartered Accountant that the product carrying the same name as cigarettes, tobacco products, wine, alcohol, liquor or other intoxicants is distributed in reasonable quantity and is available in substantial number of outlets where other products of the same category are available and the proposed expenditure on such advertising thereon shall not be disproportionate to the actual sales turnover of the product.
- (ii) All such advertisements found to be genuine brand extensions by the Ministry of Information and Broadcasting shall be previewed and certified by the Central Board of Film Certification as suitable for unrestricted public exhibition and are in accordance with the provisions contained in sub-clause (i) to (v) of the first proviso, prior to their telecast or transmission or retransmission.

(B) infant milk substitutes, feeding bottle or infant food.

(ix) depicts cruelty or violence towards animals in any form or promotes unscientific belief that causes harm to animal.

(3) No advertisement shall be permitted, the objects whereof, are wholly or mainly of a religious or political nature; advertisements must not be directed towards any religious or political end.

(3A) No advertisement shall contain references which hurt religious sentiments.

(4) The goods or services advertised shall not suffer from any defect or deficiency as mentioned in Consumer Protection Act, 1986.

(5) 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 super-natural property or quality, which is difficult of being proved.

(6) The picture and the audible matter of the advertisement shall not be excessively 'loud';

(7) No advertisement which endangers the safety of children or creates in them any interest in unhealthy practices or shows them begging or in an undignified or indecent manner shall not be carried in the cable service.

(8) Indecent, vulgar, suggestive, repulsive or offensive themes or treatment shall be avoided in all advertisements.

(9) No advertisement which violates the Code for self-regulation in advertising, as adopted by the Advertising Standard Council of India (ASCI), Mumbai, for public exhibition in India, from time to time, shall be carried in the cable service.

(10) All advertisement should be clearly distinguishable from the programme and should not in any manner interfere with the programme viz., use of lower part of screen to carry captions, static or moving alongside the programme.

(11) No programme shall carry advertisements exceeding twelve minutes per hours, which may include up to ten minutes per hour of commercial advertisements, and up to two minutes per hour of the channel's self-promotional programmes.

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) to (d) OF LOK SABHA STARRED QUESTION No. 187 FOR ANSWER ON 15.03.2017**Action Taken by Ministry of Information and Broadcasting on violation of Programme and Advertisement code by Private TV channels during the last two years.****Year – 2015**

S.No.	Name of the Channel	Reason for Show Cause Notice	Details of action taken
1.	Colors TV	Telecast of programme namely "Fear Factor Khatron Ke Khiladi-Darr Ka Blockbuster".	A order dated 08.01.2015 was issued to the channel thereby warning the channel and directing it to run an apology scroll for one day.
2.	Lemon News	Telecast of programme namely "Khauf Ke 10 Destination".	A warning dated 19.01.2015 was issued to the channel.
3.	NTV	Telecast a song-based programme 'Cine Colors'.	An order dated 19.01.2015 was issued to the channel for taking the channel off air for seven days.
4.	24 Ghanta TV	Telecast of news report showing death of a young man without morphing or blurring.	A Warning dated 23.03.2015 was issued to channel .
5.	NTV	Telecast of news report revealed the identity of sexual harassment minor boy.	A Warning dated 23.03.2015 was issued to channel .
6.	Satlon News	Telecast of News report about a private corporate party organised in a five star hotel on the Pune-Mumbai highway.	An order was issued on 27.03.2015 to the channel to prohibit the transmission or re-transmission of channel for 30 days.
7.	TV9	Telecast a 'Bullet News' political satire targeting Chief Minister of Telangana.	An order was issued on 27.03.2015 to the channel for running apology scroll.
8.	Jai Hind	Telecast of 'A'; certified film, titled 'Hai Harithe'.	An order was issued on 07.04.2015 to the channel to prohibit the transmission or re-transmission of channel for one day.
9.	Aljazeera TV	Telecast of News report carried wrong graphical map of India repeatedly.	An order was issued on 10.04.2015 to the channel to prohibit the transmission or re-transmission of channel for 5 days.
10.	Sathiyam TV	Telecast of objectionable programme 'Ungal Aseervatha Seram' and Paarathathum Padithathum by Sathiyam TV.	A warning dated 12.05.2015 was issued to the channel.
11.	Sudarshan News	Telecast of a programme called BINDAAS BOL making allegation about non-salutation of National Flag on the Republic Day by the Hon'ble Vice President.	A warning dated 17.06.2015 was issued to the channel.
12.	Raj News	Telecast of disturbing visuals of dead bodies without blurring.	A warning dated 22.06.2015 was issued to the channel.
13.	Raj News	Telecast of disturbing visuals of a women body burning up into flames without blurring.	A warning dated 02.07.2015 was issued to the channel.
14.	Russia Today TV	Telecast of obscene programme 'Crazy Alert'.	An Advisory dated 06.07.2015 was issued to the channel.

15.	Channel 2 News	Telecast of disturbing visuals of a man dead body without blurring.	A warning dated 22.07.2015 was issued to the channel.
16.	A2Z News TV	The Channel telecast news reports on various date and revealed the identity of Sexual assault minor victims.	A warning dated 07.08.2015 was issued to the channel.
17.	DY 365	Telecast of News story defame the image of MLA and denigrating women.	An order dated 07.08.2015 was issued to the channel thereby warning the channel and directing it to run an apology scroll for one day.

YEAR- 2016

S.No.	Name of the Channel	Reason for Show Cause Notice	Details of action taken
18.	Care World	Telecast of a programme "Kya Karun Main AB?" on unnatural sex.	A warning dated 24.05.2016 was issued to the channel.
19.	F TV	Telecast of a programme namely fotos in alleged violation of the programme code.	An Advisory dated 25.05.2016 issued to the channel.
20.	Raj News	Telecast of News bulletins in alleged violation of the Programme code.	An Advisory dated 25.05.2016 issued to the channel.
21.	CVR English News Channel	Telecast of News bulletins showing disturbing visuals of dead bodies.	An Advisory dated 25.05.2016 issued to the channel.
22.	Sathiyam TV	Telecast of News bulletins in alleged violation of the Programme code.	An Advisory dated 31.05.2016 issued to the channel.
23.	NDTV India TV	Telecast of a prgramme based on hanging of a 1993 Mumbai serial blast-case convict Yakub Memon.	An Advisory dated 01.06.2016 issued to the channel.
24.	NDTV 24x7	Telecast of a programme 'Truth vs Hype -the Riddle of Yakub Memon'.	An Advisory dated 01.06.2016 issued to the channel.
25.	Oscar Movies	Telecast of 'A' certified films on various dates.	An Advisory dated 06.06.2016 issued to the channel.
26.	Aaj Tak	Telecast of a programme based on hanging of a 1993 Mumbai serial blast-case convict Yakub Memon.	An Advisory dated 07.06.2016 issued to the channel.
27.	ABP News	Telecast of a prgramme based on hanging of a 1993 Mumbai serial blast-case convict Yakub Memon.	An Advisory dated 07.06.2016 issued to the channel.
28.	NDTV INDIA	Telecast of news report on Pathankot terrorist attack.	An order was issued on 02.11.2016 to the channel to prohibit the transmission or re-transmission of channel for one day. The order is kept in abeyance.
29.	Care World	Telecast of obscene programme 'Kya Karu Mai Aab.	An order was issued on 02.11.2016 to the channel to prohibit the transmission or re-transmission of channel for seven days.
30.	News Time Assam	Telecast of news report revealing the identity of minor boy	An order dated 2.11.2016 was issued to the channel to prohibit the transmission or re-transmission of channel for one day (to carry out the three awards of one day off air concurrently).
	News Time Assam	Telecast of News bulletins showing disturbing visuals of dead bodies.	
	News Time Assam	Telecast of News story defaming the image of MLA and denigrating women.	

31.	People TV	Telecast of News story showing disturbing visuals of dead bodies.	A Warning dated 29.11.2016 issued to the channel.
32.	MBC TV	Telecast of news report revealing the identity of sexually assaulted victims.	A Warning dated 29.11.2016 issued to the channel.
33.	Reporter TV	Telecast of News story showing disturbing visuals of violence.	A Warning dated 29.11.2016 issued to the channel.

ANNEXURE REFERRED TO IN REPLY TO PARTS (a) to (d) OF LOK SABHA STARRED QUESTION No. 187 FOR ANSWER ON 15.03.2017**List of Advisories/Directives issued to T.V. Channels issued by the Ministry**

Sl. No.	Categories of channels	Brief Subject	Action Taken
1.	All channels	News programmes on movement of troops.	An Advisory dated 11.04.2012 issued to all channels, NBA, IBF, NBSA & BCCC.
2.	All News & Current Affairs channels	Reference dated 13.07.12 from NCPCR for issue of directive w.r.t. protection of Identity of Children in need of care and Protection and Juveniles in conflict with law.	A Directive dated 08.08.2012 was issued to all News & Current Affairs channels.
3.	All News & Current Affairs channels	Telecast of programmes as news items showing clippings from films not certified for unrestricted public exhibition.	An Advisory dated 19.09.2012 was issued to the channels.
4.	All News & Current Affairs channels	Direct Telecast of the events round the clock relating to public demonstration likely to encourage violence and against maintenance of law and order and likely to promote anti National attitude.	An Advisory dated 23.12.2012 was issued to the channels.
5.	All News & Current Affairs channels	Direct Telecast of the events round the clock relating to public demonstration likely to encourage violence and against maintenance of law and order and likely to promote anti National attitude.	An Advisory dated 29.12.2012 was issued to the channels.
6.	All channels	Telecast of a programme which showing superstition and blind belief.	An Advisory dated 07.06.2013 issued to all channels.
7.	All News & Current Affairs channels	Telecast of inflammatory and provocative news/programmes in a sensational manner.	An Advisory dated 20.09.2013 was issued to the channels.
8.	All channels	Guidelines for media reporting on children (NCPCR).	An Advisory dated 17.10.2013 issued to all channels.
9.	All TV Channel	Ministry of Road Transport & Highways has raised concerns on depiction of rash, negligent and dangerous driving in Various programmes, serials, news features, etc. on TV channels.	An Advisory dated 23.06.2014 was issued to all TV Channels.
10.	All TV Channel	Telecast of Advertisement on " Zaitoon Tara Edible Oil" The advertisement claims that edible oil prevents cancer.	An Advisory dated 26.06.2014 was issued to all TV Channels.

11.	All channels	TV Channels continue Telecast Films without displaying CBFC Certificates.	An Advisory dated 29.05.2014 was issued to all channels.
12.	All News channels	Channels advised not to telecast the documentary 'India's Daughter' or any excerpts therefrom.	An Advisory dated 3.3.2015 was issued to all news channels.
13.	All TV channels	Channels advised to ensure that no operations-linked information reaches the terrorists & their handlers in public interest & national security Channels advised to ensure that no operations-linked information reaches the terrorists & their handlers in public interest & national security.	An Advisory dated 20.3.2015 was issued to all TV channels.
14.	All News Channels	Telecast of live coverage of any anti-terrorist operation by security forces.	An advisory dated 27.07.2015 was issued to all news channels.
15.	All TV Channels	All channels advised to follow the provisions contained in Rule 7(10) of the Advertising Code scrupulously.	An advisory dated 10.03.2017 was issued to all channels.
