

**GOVERNMENT OF INDIA  
MINISTRY OF HEALTH AND FAMILY WELFARE  
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA  
UNSTARRED QUESTION NO. 5669  
TO BE ANSWERED ON 7<sup>th</sup> APRIL, 2017**

**“FILM RULE” UNDER THE COTPA**

**5669. SHRI PARVESH SAHIB SINGH:**

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

- (a) whether the Government has taken note of the report of a study titled evaluation of tobacco free film and television policy in India which points to lax implementation of the film rule, under the Cigarettes and Other Tobacco Products Act (COTPA);
- (b) if so, the reaction of the Government thereto and the details regarding the recommendations contained in the report; and
- (c) the details of steps taken/ proposed to be taken by the Government in this regard?

**ANSWER  
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND  
FAMILY WELFARE  
(SMT. ANUPRIYA PATEL)**

(a): Yes.

(b): The Government is supportive of the recommendations contained in the report. The details regarding the recommendations contained in the Report are **annexed**.

(c): The Government of India, under the (COTPA), Cigarettes & Other Tobacco Products Act, 2003 has enacted Rules that regulate depiction of tobacco use in films and television programmes and *inter-alia* mandates display of Anti-tobacco health spots/disclaimers/message in all films/TV programme depicting tobacco products or their use. The Rules further prohibit display of brands of cigarettes or other tobacco products or any form of tobacco product placement and depiction of any tobacco products or their usage in any form in promotional materials and posters of films and television programmes. For implementation of the Film Rules, the Ministry has been working closely with Ministry of Information and Broadcasting (as the Ministry of Information and Broadcasting is the nodal Ministry on this subject) as well as with Film and Television Industry.

**Recommendations contained in the Report titled 'Evaluation of Tobacco Free Film and Television Policy in India'**

- The appropriate implementation of the Film Rules must be supported. To facilitate implementation, clear guidelines with a check list may be developed as a reference tool for designated officials at the Central Board of Film Certification to refer to while reviewing and certifying films as compliant with the Rules.
- An online platform that provides pre-approved content, especially the anti-tobacco health spots and audio-visual disclaimers that are expected to be more frequently updated, may be considered to facilitate the dissemination of preapproved content to the implementers of film rule. The dedicated website developed by MOH for hosting of these anti-tobacco health spots and disclaimers needs to be revived and re-launched.
- The anti-tobacco health spots and the audio-visual disclaimers must be rotated regularly, preferably every 3 months, so as to avoid over exposure (and resultant ineffectiveness) of the content among target audiences.
- Monitoring and enforcement of the Film Rule must be strengthened. In particular, to strengthen implementation on television, the appropriate administrative channels for the smooth and streamlined implementation of all the key elements under the Film Rules must be identified.
- The Ministry of Information and Broadcasting should put in place a mechanism to monitor television programmes that display tobacco products or their use and ensure compliance.
- Regular advisory be sent to all the TV channels and Film producers to ensure that all the 4 key elements of the Film Rules are duly implemented. Non-compliant anti-tobacco health spots, audio-visual disclaimer must be replaced with the approved ones.
- National Consultation with stakeholders is recommended to strengthen the implementation of the Film Rule.