

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

**LOK SABHA  
UNSTARRED QUESTION NO. 1473  
TO BE ANSWERED ON 04/03/2016**

**ADVERSE EFFECT ON CHILDREN**

**1473. SHRIMATI KAMLA DEVI PAATLE:**

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) whether the Government proposes to implement any new code of conduct to regulate the content of advertisement so that adverse effect on children could be checked; and
- (b) if so, the details thereof?

**ANSWER**

**MINISTER OF STATE IN THE MINISTRY OF INFORMATION &  
BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]**

(a) to (b) : No such proposal is under consideration of the Government.

The advertisements telecast on private satellite TV channels are regulated as per Advertising Code prescribed under the Cable Television Network Rules, 1994 enshrined in the Cable Television Networks (Regulation) Act, 1995. Appropriate action is taken against defaulting channels whenever any violation of the said codes is brought to the notice of the Ministry. The Act does not provide for pre-censorship of the advertisements aired on these channels. However, all these channels are required to adhere to the said code. The said code contains for a whole range of parameters to regulate advertisements on TV channels including those having bearing on child issues. The Advertising Code also contains a specific provision on children under Rule 7(7) that "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."

In 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. The PCI, in furtherance of its objective under Section 13(2) of the Act has formulated 'Norms of Journalistic Conduct' for adherence by the print media, which incorporates Norms regulating Advertisements to be published in the print media. The relevant Norm 36 on the subject 'Advertisements' is enclosed at **Annexure**.

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ANNEXURE AS REFERRED TO IN REPLY TO PARTS (a) TO (b) OF LOK SABHA UNSTARRED QUESTION NO. 1473 FOR 04.03.2016

EXTRACT OF NORMS OF JOURNALISTIC CONDUCT

**36. Advertisements**

i) Commercial advertisements are information as much as social, economic or political information. What is more, advertisements shape attitude and ways of life at least as much, as other kinds of information and comment. Journalistic propriety demands that advertisements must be clearly distinguishable from news content carried in the newspaper.

ii) No advertisement shall be published, which promotes directly or indirectly production, sale or consumption of cigarettes, tobacco products, wine, alcohol, liquor and other intoxicants.

iii) Newspaper shall not publish advertisements, which have a tendency to malign or hurt the religious sentiments of any community or section of society.

iv) Advertisements which offend the provisions of the Drugs and Magical Remedies (Objectionable Advertisement) Act as amended in 2002, or any other statute should be rejected.

v) Newspapers should not publish an advertisement containing anything which is unlawful or illegal, or is contrary to public decency, good taste or to journalistic ethics or propriety.

vi) Journalistic propriety demands that advertisements must be clearly distinguishable from editorial matter carried in the newspaper. Newspapers while publishing advertisements should specify the amount received by them. The rationale behind this is that advertisements should be charged at rates usually chargeable by a newspaper since payment of more than the normal rates would amount to a subsidy to the paper.

vii) Publication of dummy or lifted advertisements that have neither been paid for, nor authorised by the advertisers, constitute breach of journalistic ethics specially when the paper raises a bill in respect of such advertisements.

viii) Deliberate failure to publish an advertisement in all the copies of a newspaper offends against the standards of journalistic ethics and constitutes gross professional misconduct.

ix) There should be total co-ordination and communication between the advertisement department and the editorial department of a newspaper in the matter of considering the legality propriety or otherwise of an advertisement received for publication.

x) The editors should insist on their right to have the final say in the acceptance or rejection of advertisements, specially those which border on or cross the line between decency and obscenity.

xi) Newspapers to carry caution notice with matrimonial advertisements carrying following text\* "Readers are advised to make appropriate thorough inquiries before acting upon any advertisement. This newspaper does not vouch or subscribe to claim and representation made by the advertiser regarding the particulars of status, age, income of the bride/bridegroom".

xii) An editor shall be responsible for all matters, including advertisements published in the newspaper. If responsibility is disclaimed, this shall be explicitly stated beforehand.

**\* Foot note: -**

The Hon'ble High Court of Delhi in connection with FAO No 65/1998 of Smt Harjeet Kaur Vs Shri Surinder Pal Singh directed the Press Council of India to instruct the newspaper to publish classified/matrimonial advertisement by advising them to alongside publish the said Caution Notice in their newspapers.

xiii) Tele-friendship advertisements carried by newspapers across the country inviting general public to dial the given number for 'entertaining' talk and offering suggestive tele-talk tend to pollute adolescent minds and promote immoral cultural ethos. The Press should refuse to accept such advertisements.

xiv) Classified advertisements of health and physical fitness services using undignified languages, indicative of covert soliciting, are violative of law as well as ethics. The newspaper should adopt a mechanism for vetting such an advertisement to ensure that the soliciting advertisements are not carried.

xv) Advertisements of contraceptive and supply of brand item attaching to the advertisement is not very ethical, given the social milieu and the traditional values held dear in our country. A newspaper has a sacred duty to educate people about precautionary measures to avoid AIDS and exhibit greater far sight in accepting advertisement even though issued by social welfare organisation.

(xvi) Employment News which is trusted as a purveyor of authentic news on government jobs should be more careful in accepting advertisements of only *bonafide* private bodies.

(xvii) While accepting advertisements of educational institutes newspapers may ensure that such advertisements carry the mandatory statement that the concerned institutes are recognized under the relevant enactments of law.

xviii) Advertisements play extremely vital role in shaping the values and concerns of the present day society and as more and more lenient view is taken of what is not the norm, the speedier may be acceptability of such matters in 'public perception' but at what cost is the essential point for consideration. It should be borne in mind that in the race to be globally relevant we do not leave behind the values that have earned India the unique place it enjoys globally on moral and ethical plane.

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