

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

UNSTARRED QUESTION NO:1400  
ANSWERED ON:02.03.2006  
FALSE ADVERTISEMENT  
Murmu Shri Hemlal

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

- (a) the existing rules with regard to launching of a TV channel and publishing a newspaper in the country;
- (b) whether certain obscene and false advertisements are being shown and published through newspapers and the electronic media; and
- (c) if so, the concrete steps taken so far by the Government to check this trend?

**Answer**

THE MINISTER OF INFORMATION AND BROADCASTING & PARLIAMENTARY AFFAIRS ( SHRI P.R. DASMUNSI )

(a): The launching (uplinking) of TV channels are governed by the 'Guidelines for Uplinking from India' The guidelines for uplinking has been issued on 2.12.2005.

Printing and publishing of newspapers and periodicals within India are governed by the Press and Registration of Books Act, 1867 and the Registration of Newspapers (Central) Rules, 1956.

(b) & (c) : The Press in India is free from Government control and is in private hands. In pursuance of its policy to uphold the freedom of the Press, the Government does not interfere in its functioning. The Press Council of India (PCI) is a statutory autonomous body set up under the Press Council Act, 1978 with the twin object of preserving the freedom of the Press and of maintaining and improving the standards of newspapers and news agencies in India and to inculcate principles of self-regulation among the press. The Government follows a policy of non-interference in the functioning of the Council and it enjoys complete autonomy in its functioning. The Council, which is in the nature of a self-regulatory body of the Press, has built "Norms of Journalistic Conduct", which cover principles and ethics with regard to journalism as also guidelines on reporting the specific issues of public and national importance. The advisories issued by the Press Council of India, however, carry only moral force and are not enforceable in a Court of Law. Publishing of obscene and nude/ semi nude photographs of women is an offence under section 3 of the Indecent Representation of Women (Prohibition) Act, 1986 which is administered by the Department of Women and Child Development, M/o Human Resource Development.

All the satellite television channels telecast programmes/ advertisements through cable network service are required to adhere to the Programme Code and Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. As per Rule 7(2)

(vi) and (7) (5), no advertisement shall be permitted which in its depiction of women violates the constitutional guarantees to all citizens. In particular, no advertisement shall be permitted which project a derogatory image of women. Women must not be portrayed in a manner that emphasizes 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; 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 supernatural property or quality, which is difficult of being proved.

The Central Government has constituted an Inter-ministerial Committees under Section 20 of the Act to look into the violation of the Programme Code and Advertising Code. The Committee comprises officials from Ministry of Home Affairs, Ministry of External Affairs, Ministry of Defence, Ministry of Law, Department of Women & Child Development, Ministry of Health and representative of Advertising Standard Council (ASCI) and Ministry of I&B.

The Committee either suo-moto or on receipt of complaint, examines cases of violation of the Code. Show cause notices are issued in the first instance to TV channels for telecasting objectionable programmes/ advertisements in violation of the codes and in suitable cases TV channels are directed not to telecast/ retelecast the programme, which are found to be in violation of the codes. This is an ongoing process. During 2005-06, 21 show cause notices have been issued to different TV channels for violations of the Programme and Advertising Codes.