

No.3105/74/2012-BC-III
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' WING, SHASTRI BHAWAN,
NEW DELHI-110 001.

Dated: 7th June, 2013

ADVISORY

WHEREAS, it has come to the notice of this Ministry that a number of TV channels are telecasting programmes **which appear to encourage superstition and blind belief**. Miraculous solutions of all problems are offered by the self-proclaimed Babas and Gurus in these programmes.

WHEREAS, it has further come to the notice of this Ministry that a number of TV channels are also showing advertisements/advertorials for promoting certain products. Unsubstantiated claims are made in these advertisements/advertorials about the impact of a product. The ordinary and gullible audience is trapped easily believing them to be true. Such advertisements/advertorials, therefore, are not only **misleading**, they also appear to encourage superstition and blind belief among the viewers.

WHEREAS, it has also been noticed by this Ministry that most advertorials relating to Astrology, Vastu, so called discourses by Gurus and self-proclaimed healers are being shown **for hours together** in such a way that might **lead viewers to believe they are watching programme even though they are actually watching advertisements**. This is a complete violation of the Advertising Code, particularly rule 7(5), contained in the Cable Television Networks Rules, 1994.

WHEREAS, it is worthwhile to bring to the notice of all TV Channels, Indian Broadcasting Foundation (IBF), News Broadcasters Association (NBA) and Advertising Standard Council of India (ASCI) that the above instances have been regularly called attention by Ministry despite issue of an **Advisory on 13.05.2010** to all TV channels and IBF/NBA/ASCI advising them to follow in letter and spirit the rules 6(1)(j) and 7(5) of Cable Television Networks Rules, 1994 and a letter to all TV channels and IBF/NBA on 29.11.2011 advising them to telecast programmes with due care and maturity, particularly in respect of programmes that encourage superstition and blind belief, strictly adhering to the programme Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder.

WHEREAS, **Section 5** of the Cable Television Networks (Regulation) Act, 1995 read with **Rule 6(1)(j)** of the Cable Television Networks Rules, 1994, as amended from time to time, provides that no programme can be transmitted/re-transmitted through Cable Service which encourages superstition or blind-belief.

WHEREAS, **Section 6** of the Cable Television Networks (Regulation) Act, 1995 read with Rule 7(5) of the Cable Television Networks Rules, 1994, as amended from time to time also provides that **"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"**.

AND WHEREAS, according to the basic **conditions/obligations of permission/approval for Uplinking/Downlinking of TV channels** in India, the channels are bound to follow the Programme Code and Advertising Code as prescribed under the Cable Television Networks (Regulation) Act, 1995 and Rules framed thereunder.

NOW THEREFORE, Ministry of Information & Broadcasting, in exercise of powers, amongst others, under the uplinking/downlinking guidelines issued by it, the terms and conditions of permission granted to a TV channel to uplink or downlink and under **Section 20 of the Cable Television Networks (Regulation) Act, 1995**, hereby, advises all the TV channels including News and Current Affairs Channels to **telecast programmes/advertisements/features/News items/Special Reports with due care and maturity, particularly in a way not to encourage superstition & blind belief and mislead viewers, strictly adhering to Rule 6(1)(j) of the Programme Code and Rule 7(5) of Advertising Code prescribed under the Cable Television Networks Rules, 1994.**

All TV Channels including News and Current Affairs Channels are also advised to send a **compliance report within a period of 15 (fifteen) days** from the date of issue of this Advisory.

It is also brought to the notice of all TV Channels that any violation of the Programme Code/Advertising Code would attract penal provisions detailed in Section 20 of the Cable Television Networks (Regulation) Act 1995 and the terms and conditions of uplinking and downlinking guidelines.

Neeti
7/6/13
(**NEETI SARKAR**)
Director (BC)
Tele.23386536

To,

All TV Channels

Copy to:

1. IBF/ NBA /ASCI with a request to issue necessary instructions to all TV channels.
2. EMMC with a request to monitor all TV channels and send a report to this Ministry about further violations.

(नीति सरकार/NEETI SARKAR)
निदेशक/Director
सूचना एवं प्रसारण मंत्रालय
Min. of Information & Public Relations
भारत सरकार, नई दिल्ली
Govt. of India, New Delhi