

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

New Delhi, the 27th February, 2009

G.S.R. 138(E).— In exercise of the powers conferred by sub-section (1) of Section 22 of the Cable Television Networks (Regulation) Act, 1995 (7 of 1995), the Central Government hereby makes the following rules further to amend the Cable Television Networks Rules, 1994, namely: -

1. (1) These rules may be called the Cable Television Networks (Amendment) Rules, 2009.

(2) They shall come into force on the date of their publication in the official gazette.

2. In the Cable Television Networks Rules, 1994, in rule 7, in sub-rule (2), in clause (viii), after sub-clause (A), the following shall be inserted, namely :—

“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 a 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.”

[F. No. 3105/14/2008-BC-III]

ZOHRA CHATTERJI, Jt. Secy.

Foot Note:- The principal rules were published in the Gazette of India in Part II, Section 3, Sub section (i), vide number G.S.R. 729 (E), dated the 29th September, 1994 and lastly amended vide number G.S.R. 104 (E), dated 25th February, 2008.