

No. 804/84/2010-BC-III
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' Wing Shastri Bhawan,
New Delhi – 110001

Dated: 29th September, 2011

ADVISORY

Whereas a number of complaints have been received in the Ministry in respect of various quiz-based game shows telecast on a number of TV channels. It has been pointed out that these game shows have been so devised as to dupe the gullible viewers, enticing them to participate in these programmes. The complainants have stated that the call charges and SMS charges for participating in such quizzes are quite exorbitant. The complainants have further mentioned that many a time their telephone calls are put on hold for a very long duration, subjecting them to substantial call charges.

Whereas a few of the channels from whom certain clarifications were sought by the Ministry, have stated, inter-alia that these programmes have been produced by a third party and the channels merely sell their air-time to these third parties for conduct of the programme. The channels have stated that they have no direct control of any nature over the production, format of the programme or any alleged calls received from participants. The channels have stated that being owner of the programme, the third party is responsible for all activities in connection with the programme.

Whereas all TV Channels who have been permitted for up-linking and down-linking in India, are directly responsible for all programmes and advertisements telecast on their channels as per the terms and conditions for such permission for up-linking and down-linking in accordance with the Up Linking and Down Linking Guidelines. In terms of these guidelines. It is the channel which is responsible for adhering to the Cable Television Networks (Regulation) Act, 1995 and the Rules framed thereunder. Therefore, no TV Channel could relegate its responsibility on the nature of programmes and advertisements to any Producer of such programmes and advertisements.

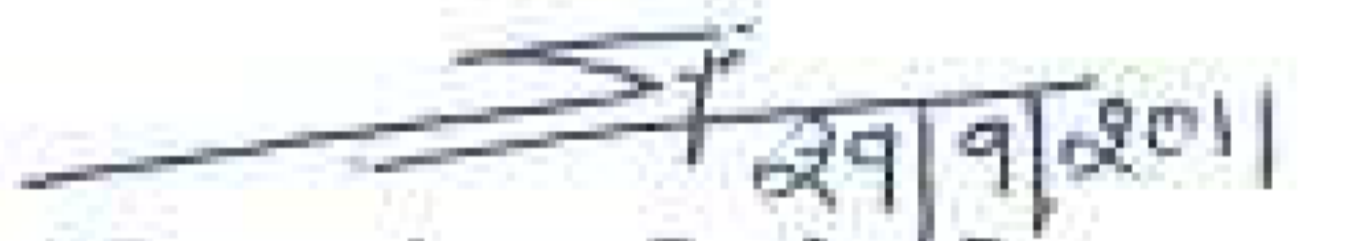
Whereas the content of any quiz-based programme so telecast as to mislead and dupe viewers to participate therein and causing them to suffer huge call charges, will offend good taste and decency as stipulated in Rules 6 (1) (a) of the programme code laid down in the Cable Television Networks Regulation Rules, 1994. Further, if any advertisement of this programme misleads the viewers due to lack of transparency or full dissemination of information on the terms & conditions for participating in the programmes and thereby violates the


29/9/2011

extant laws, the same will violate Rule 7(1) of the Advertising code contained in the said Rules.

Now, therefore, the Ministry of Information & Broadcasting, in exercise of powers under the Uplinking/Downlinking Guidelines issued by it, the terms of permission granted to the channel to uplink/downlink TV channels and under Section 20 of the Cable Television Networks (Regulation) Act, 1995, issues the following guidelines for conduct and carriage of such Quiz-based game shows:

1. To disclose complete information pertaining to call rates or SMS charges which will be applicable for participating in the programme continuously through scroll or display, in the language in which the programme is being telecast.
2. The response system be so devised that callers are not unnecessarily put on hold.
3. Once a winner is decided, the details should be announced immediately and no further calls be put on hold or SMSs solicited.
4. To ensure transparency and fair dealing in the conduct of such game so that viewers do not feel duped/cheated while participating in such programmes.


[Supriya Sahu]
Director (Broadcasting Content)
Tele # 23389202

To,

All TV channels

Copy to:

1. Shri Uday Shankar, President, The Indian Broadcasting Foundation, B-304, 3rd Floor, Ansal Plaza, Khelgaon Marg, New Delhi – 110049.
2. Shri K.V.L. Narayan Rao, President, News Broadcasters Association, ME-5, Sah Vikas Apartments, 68, Patparganj, Delhi - 110092