

No. 13011/8/2024-BC.II
GOVERNMENT OF INDIA
MINISTRY OF INFORMATION & BROADCASTING
'A' WING, SHASTRI BHAWAN, NEW DELHI - 110001

Dated: 5th June, 2024

To,

1. Private Satellite TV Channels, FM Radio Stations
2. Newspapers registered under Press & Registration of Periodicals Act, 2023
3. Publishers of news and current affairs content on digital media
4. Publishers of online curated content (OTT platforms)

Subject: Compliance with Supreme Court Order dated 07.05.2024 w.r.t. Misleading Advertisements passed in WPC No. 645/2022-IMA & Anr. Vs. UOI & Ors.-reg.

It is brought to the notice of all concerned that a recent Order has been passed by Hon'ble Supreme Court on 07.05.2024 in WPC No. 645/2022-IMA & Anr. Vs. UOI & Ors. w.r.t. Misleading Advertisements on print/electronic/digital media (copy enclosed). The Hon'ble Court has highlighted the importance of ensuring that advertisements comply with all relevant laws and regulations to protect consumer interests and prevent the dissemination of misleading advertisements.

2. In light of this order, all broadcasters/publishers are advised to strictly adhere to the following requirement:

Requirement for Submission of Self-Declaration Certificate by Advertiser/Advertising Agency: Before broadcasting/publishing any advertisement on TV channel/Radio Station/print/digital media, it is mandatory for every Advertiser/Advertising Agency to submit a self-declaration certificate signed by an authorized representative of the Advertiser/Advertising Agency. This certificate must be submitted through the Broadcast Seva Portal of the Ministry of Information and Broadcasting (MIB) before telecast on TV channels/ Radio Stations (website-<https://new.broadcastseva.gov.in/digigov-portal-web-app/index.jsp>), and in respect of Print/Digital/Internet media through Press Council of India (PCI) portal (website-<https://presscouncil.nic.in/>). The self-declaration certificate should attest that the advertisement does not make any misleading claims and

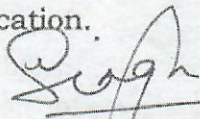
complies with all relevant regulatory guidelines, including but not limited to those stipulated in Rule 7 of the Cable Television Networks Rules, 1994 and Norms of Journalistic Conduct (related to advertisements) as issued by PCI. This requirement of self-declaration by all advertisers/advertising agencies is mandatory for all new advertisements released after 18.06.2024.

3. All broadcasters/publishers are directed to strictly adhere to this requirement and not to broadcast/publish any advertisement until and unless a valid self-declaration certificate is submitted by the advertiser.

4. It is the responsibility of broadcasters/publishers to ensure that advertisers have submitted the requisite self-declaration certificate before airing their advertisement. The authenticity of these certificates may be verified through Broadcast Seva Portal of this Ministry/PCI Portal.

5. Any advertisement found to be broadcast/ published without the necessary self-declaration certificate may be in violation of the Supreme Court directive and appropriate action would be taken as per the CTN Act, 1995 and other relevant statutes.

6. It may be noted that all advertisements are covered under the ambit of self-declaration certification excluding classifieds, personal advertisements, statutory advertisements, public information notices, tenders, and advertisements related to public functions. However, with respect to classifieds, Classified Advertisements directly related to consumer products and services will come under the ambit of self-declaration certification.


(Anubhav Singh) 5/6/24
OSD (BC)
Tele: 23386394

Copy to:

1. Self-Regulatory Bodies of TV channels registered under the Cable Television Networks (Amendment) Rules, 2021.
2. Self Regulatory Bodies under Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.
3. The Association/ Bodies of Print and Electronic media.
4. Secretary, Press Council of India (Kind attention: Smt. Sonia Malhotra, Deputy Secretary), CGO Complex, Sochna Bhawan, New Delhi with respect to print media.
5. Secretary General, Advertising Standards Council of India (ASCI) [[email-manisha@ascionline.in](mailto:manisha@ascionline.in), manali@ascionline.in].