

March 28, 2014

Members of NBA

NBSA, at its meeting held on 21.3.2014, considered a petition forwarded by the Ministry of Information & Broadcasting requesting the prohibition of programmes/ advertisements on national television channels which promote the use of “magic remedies” being sold to innocent citizens guaranteeing them the cure of various diseases thereby endangering their lives. NBSA resolved to issue the following advisory:

Advisory regarding content aired by electronic media channels in violation of the provisions of The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954

While airing any content advising or promoting the use of any magic remedy to cure any disease or illness, the broadcasters should bear in mind the provisions of The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954. Sections 3 and 5 of the Act, prohibit the advertisement of certain drugs and magic remedies for treatment of certain diseases and disorders. Such prohibition includes any person from taking any part in the publication (which includes broadcast) of any advertisement referring to any “drug” or any “magic remedy” suggesting or calculated to lead to the use thereof for offering the diagnoses, cure, mitigation, treatment or prevention of any disease, disorder or condition specified in the Schedule or the Rules made thereunder. Section 7 read with 9(A) of the said Act makes any contravention of the provisions of the Act, a cognisable offence punishable with imprisonment.

Even without reference to the provisions of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 the “NBA Code of Ethics dated 1.4.2008, Specific Guidelines Covering Reportage dated 10.2.2009 and Advisory regarding reportage spreading superstition, occultism and blind belief dated 16.9.2011”*, expressly proscribe the broadcast of any program that encourages superstition, occultism or blind belief.

Therefore telecasting of any programme or advertisement containing any advice or suggestion that may mislead viewers to do or omit to do an act (such as seek proper medical remedy for diseases or disorders), which is likely to result in serious harm, would clearly be opposed to Broadcasting Standards or Ethics.

The broadcast of such programs if it is “paid content” must expressly state so as “paid content” or “advertisement” which should remain static as a “Bug/ Tagline” on the screen throughout the duration of the programme/s. Non compliance is a contravention of the “Norms and Guidelines on Paid News dated 24.11.2011”*.



Annie Joseph
For and on behalf of the
News Broadcasting Standards Authority

CC: Editors and Legal Heads of NBA

** Available on the website of NBA*