

F.No.M-24013/17/2014-MUC (Pt.I)
Government of India
Ministry of Information & Broadcasting
(Media Unit Cell)

Shastri Bhavan, New Delhi-110 001
Dated: April, 2016

ORDER

Hon'ble Supreme Court of India, while pronouncing its judgement on 13.05.2015 after hearing Writ Petition (Civil) No 13 of 2003 with Writ Petition (Civil) No.197 of 2004 and WP (Civil) No.302 of 2012, had directed to constitute a three member body consisting of persons with unimpeachable neutrality and impartiality and who have excelled in their respective fields for ironing out the creases that are bound to show from time to time in implementation of the Supreme Court Guidelines on Content Regulation of Government Advertising.


2. Following a consultation with Ministry of Law and Justice, this Ministry had constituted a three member Panel for selection of a Three Member Committee. The Selection Panel had held a meeting on 31.3.2016 in New Delhi. In accordance with the direction of Hon'ble Supreme Court dated 13.5.2015 and based on the recommendations of the Selection Panel, the Competent Authority in this Ministry has decided to constitute a Three Member Committee comprising the following persons:-

(1)	Shri B.B. Tandon, Former Chief Election Commissioner of India	Chairperson
(2)	Shri Rajat Sharma, Chairman and Editor-in-Chief of India TV and President of the News Broadcasters Association	Member
(3)	Shri Piyush Pandey, Executive Chairman and Creative Director, South Asia, Ogilvy & Mather	Member

3. The Competent Authority in this Ministry has also nominated Shri N.V. Reddy, Additional Director General, Directorate of Advertising and Visual Publicity (DAVP) as Member Secretary to the afore-mentioned Three Member Committee to facilitate its day-to-day functioning.

4. The terms of references, including the functions and powers, duties and responsibilities and tenure etc. of the Three Member Committee is indicated in the attached guidelines of Three Member Committee.

Encl: A/a.


(Manoj Kumar Bansal)
Under Secretary to the Government of India
Tele:23386199

To

All members of the Three Member Committee.

Copy to:-

1. PS to HMIB
2. PS to HMSIB
3. Chairman, Press Council of India, Soचना Bhavan, New Delhi
(Chairman of Selection Panel)
4. Shri Prasoon Joshi, CEO, McCann Worldgroup India, New Delhi
(Member of Selection Panel)
5. PPS to Secretary (I&B)
6. PPS to SS (I&B)

Copy also to DAVP (Shri K. Ganesan, DG) with a request to operationalize the above Order in the light of the Guidelines of Three Member Committee, a copy of which is enclosed.

GUIDELINES OF THREE MEMBER COMMITTEE

OBJECTIVE

As per directions of Hon'ble Supreme Court, Government of India is obliged to bring about legislation on the Content Regulation of Government funded advertisements in all media platforms. Preparation of a draft bill and passage of the same into an Act is a detailed process and likely to take time. Thus, to ensure compliance of orders of the Supreme Court in this regard, a Three Member Committee as directed by the Supreme Court is proposed for the period till legislation is actually brought on the subject matter.

2. Direction of Hon'ble Supreme Court regarding setting up a Three Member Committee as indicated at para 24 of the judgement dated 13.5.2015 is reproduced below:-

“24. In so far as the recommendation with regard to the appointment of Ombudsmen is concerned, we are of the view that for ironing out the creases that are bound to show from time to time in the implementation of the present directions and to oversee such implementation the Govt. should constitute a three member body consisting of persons with unimpeachable neutrality and impartiality and who have excelled in their respective fields. We could have but we refrain from naming the specific persons and leave the said exercise to be performed by the Union Government”

3. Based on the consultation held with Ministry of Law and Justice, Government of India, the framework of the Three Member Committee is given below:-

I. Composition of the Three Member Committee-

1. Chairperson: Retired Chairman/Member, Election Commission of India / Central Vigilance Commission/ Central Information Commission etc.

2. Member: Chairman/Member of self-regulatory agencies in the field of media/advertising, such as Advertising Standard Council of India (ASCI) / News Broadcasters Association (NBA) / Broadcasting Content Complaint Council (BCCC) etc.

3. Member: A reputed professional from Advertising or Print media industry.