

Media Content Regulations Program

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Abstract:

The significant influence of audio and visuals on human psyche is a well established fact (Ashish Verma et.al at 2011; Mohan et al 2015) . A study done in India (Mohan et al 2015) highlights that the root cause of these is resulting from 'Faulty Road Traffic Behaviour' triggered by TV Commercials . Violation of Road Traffic Rules while doing such acts is punishable under Motor Vehicle act-1988. In this paper children and adult behavior has been correlated with their observation of risking taking practices through media coverage of celebrities and consequently imitating those behaviors.

Ministry of Road Transport and Highways also reported in 2013 that 'Drivers Fault' or 'Human behaviour' was the responsible factor behind 78% of total Road Traffic Crashes occurred on Indian Roads. Depictions in TVC's and Print Creative such as 'Over Speeding', 'Dangerous and Negligent Driving', Speed Manoeuvring, Non Wearing a Helmet and Seatbelt, 'Incite' violation of Road Traffic Rules in Road Users while such acts are punishable 'Offences' under Motor Vehicle act-1988.

Ministry of Information and Broadcasting has issued an 'Advisory' on 23rd June'2014 to print and electronic media fraternity asking them to be extremely cautious in case of such depictions. In the same context, the Transport Department, government of Uttar Pradesh has already imposed ban on the advertisements which are in defiance of road traffic rules. Road Traffic Crashes, Deaths and Injuries are a global concern now. The magnitude and intensity of these is such that India bears annual loss of 3% GDP loss every year which is sufficient to feed 50% of malnourished population of India.

Trax Sports Society (TRAX) would like to stress upon the fact that “Driving is not a 'Fun' and 'Adventure', it's a serious job. Responsible behaviour on roads, Focus, Awareness about traffic rules and their compliance, safety norms and Cognisance about road traffic environment are prerequisite for a safe drive, for self and for fellow road users”. Regarding Media Content Regulation Program, TRAX have been carrying on the study for the last two years based on the research and actual incidents taking place, a detailed study which inter alia includes following:

Videos which are being currently played for the product promotion
Advertisement Contents and its Effectiveness
International Scenario & National Scenario
Media Impact and Related Behavioural Problems
Effects of Advertisements' Contents on Human Behaviour

Advertising has become greatly popular and even common place in today's world. Advertising often persuades through the use of selective appeals. Appeals refer to various approaches used to attract the attention of the audience or influence their feelings or behaviour towards a particular product or service (Trehan, 2010).

Review of Related Literature highlights that advertisement is an act of advertising which stands for giving public notice or to announcing publicly (Tyagi and Kumar, 2004) when it is focused in the field of business and marketing, advertising is a propitious promotion of goods or services to the public, with the intention to draw attention of people and increase the amount of sales for these goods and services (Petley, 2003).

Creativity and innovation in advertisement should not be separated from effectiveness. Effectiveness of an advertisement is determined by the correct combination of impact and retention. Impact being the ability of the advertisement to attract attention while retention its ability to stay in people's minds (Priya and Vishal 2007). Effects of the mass media on Adolescent and Children Safety Television and Cinema plays a vital role in influencing people's mindset. Their repetitive appearances, audio visual or still, induce wrong road traffic behaviour in road users resulting in potential threat to their safety and lives on roads. Dangerous performance shown in the television or cinema by the lead actors leave a dangerous impact on common man mind set and indirectly encourage them to apetheactions being depicted in these commercials. Effects of the mass media have been found to be potentially harmful in influencing the behaviors of children and adolescents, who are not mature enough to distinguish fantasy from reality.

This is especially important for young children who have not developed psychomotor abilities and cognitive abilities and are unable to distinguish between fantasy and reality. Moreover, today due to complex life style children of working parents spend more time before television. Hence, they pursue less or no time for healthy activities like sports, music and other related activities which affect their physical as well as mental health. These children perform poor in academic areas as well as later on professional area (Heather et.al 2008).

Interpretation Guideline for Road Safety

Some of the reported violations of Motor Vehicle Advertising by any advertiser were analyzed by the TRAX Sport Society and report submitted to Committee on Road Safety Supreme Court of India on 29th Feb 2016. Some of the questions emerged from the report those are as following

Situation 1): When evaluating complaints about advertising involving depictions of motorized vehicles that allegedly contravene Clause (road safety) Advertising Standard Council of India should take into account the following questions:

- Q1. Does the depiction of the performance, power or acceleration of the vehicle convey the impression that it is acceptable to exceed speed limits?
- Q2. Does the depiction of a vehicle's handling ability involve potentially unsafe actions such as cutting in and out of traffic, excessively aggressive driving, or car chases in a residential setting or on public road way?
- Q3. Does the depiction appear realistic or does it appear to be unreal, as in a fantasy-like Scenario that is unlikely to be copied or emulated in real life?
- Q4. Would it be reasonable to interpret the depicted situation as condoning or encouraging unsafe driving practices?

Situation 2) When evaluating complaints involving depictions in advertising that allegedly contravene Clause (Road Safety), ASCI also will take into account the following questions:

- Q1. Is the vehicle operated in violation of applicable laws or beyond reasonable speed under the circumstances taking into account the portrayed road, weather, and traffic and surrounding conditions (e.g. children in the area,) or over usual speed limits in India?
- Q2. Does the depiction of the performance, power or acceleration and braking of the vehicle, taking into consideration the advertisement as a whole including visual (both images and text) and audio messages convey the impression that it is acceptable to exceed speed limits or to otherwise operate a vehicle unsafely or illegally?
- Q3. Does the depiction of racing and rallies, and of other competition environments, taking into consideration the advertisement as a whole including visual (both images and text) and audio messages, convey the impression that production vehicles could be driven like racing or competition vehicles on a public roadway?
- Q4. Is the advertisement encouraging or endorsing vehicle use that is aggressive, violent or injurious toward other road users, or that denigrates or underestimate cautious behaviour when using a vehicle?

The Indian Penal Code under Section 336

The Act 336 mentions clearly about endangering life or personal safety of others. It mentions that whoever does any act so rashly or negligently as to endanger human life or the personal safety of others shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two hundred and fifty rupees, or with both. In view of above any advertisement which contains dangerous act may be considered under this act so that such violations can be appropriately covered under this clause.

Role of the Advertising Standard Council of India (ASCI)

The advertising industry's awareness of its responsibility is reflected in the self-regulatory codes governing the advertising of motor vehicles. The Advertising Standard Council of India (ASCI) Code should have its basic principles that advertising should be prepared with a sense of social responsibility; the Code is applied in the spirit as well as to the letter and governs all forms of advertising, including that for motor vehicles. Some of specific provisions relating to the advertising of motor vehicle atypically cover following areas such as:

- Avoiding the portrayal or encouragement of unsafe, inconsiderate or aggressive driving practices;
- Avoiding advertising messages based on speed, performance and acceleration;
- Not presenting technical advances and safety features in ways which might encourage a false sense of security and lead to dangerous and irresponsible driving;



References

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