

GOVERNMENT OF INDIA
MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
DEPARTMENT OF CONSUMER AFFAIRS

RAJYA SABHA
UNSTARRED QUESTION No. 1836

TO BE ANSWERED ON 04.08.2023

COMPLIANCE WITH ASCI CODE

1836. SHRI ABIR RANJAN BISWAS

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether Government has any mechanism to monitor the compliance of advertisers with the Advertising Standards Council of India (ASCI) Code for self-regulation in advertising;
- (b) if so, the details thereof alongwith frequency and outcome of such monitoring and verification;
- (c) if not, the reasons therefor;
- (d) whether Government has faced any challenges or constraints in ensuring the adherence of advertisers to the ASCI Code; and
- (e) if so, the details thereof and the measures taken by the Ministry to overcome those challenges?

ANSWER

THE MINISTER OF STATE, CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION

(SHRI ASHWINI KUMAR CHOUBEY)

(a) to (e) : Ministry of Information & Broadcasting has informed that as per the Cable Television Network (Regulation) Act, 1995 and the rules framed thereunder, all private satellite TV channels are required to adhere to the Advertising Code prescribed under it, which also include the codes laid down by Advertising Standard Council of India (ASCI). Appropriate action is taken against TV channels in case of violation of the Advertising code.

Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) has been established w.e.f 24.07.2020 to regulate matters relating to violation of rights of consumers, unfair trade practices and false or misleading advertisements which are prejudicial to the interests of public and consumers and to promote, protect and enforce the rights of consumers as a class.

In exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) has notified Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 9th June 2022, with the objective to curb misleading advertisements and protect the consumers, who may be exploited or affected by such advertisements.

Under these guidelines, no surrogate advertisement or indirect advertisement shall be made for goods or services whose advertising is otherwise prohibited or restricted by law, by circumventing such prohibition or restriction and portraying it to be an advertisement for other goods or services, the advertising of which is not prohibited or restricted by law.
