

**GOVERNMENT OF INDIA
MINISTRY OF INFORMATION AND BROADCASTING**

**RAJYA SABHA
UNSTARRED QUESTION NO. 2161
TO BE ANSWERED ON 09/08/2024**

GOVERNMENT DIRECTIVE AND ADVISORY ON ADVERTISEMENTS

2161. SHRI MOHAMMED NADIMUL HAQUE:

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) the comprehensive details of advertising mediums covered under the directive and advisory of Government;
- (b) whether the new advisory overlaps with the Consumer Protection Act, 2019 and the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022;
- (c) if so, the details thereof; and
- (d) whether redressal mechanisms exist to address advertisers continuing to publish misleading information after the declaration, if so, the details thereof?

ANSWER

**MINISTER OF STATE FOR INFORMATION & BROADCASTING AND
PARLIAMENTARY AFFAIRS (DR. L. MURUGAN)**

(a): Hon'ble Supreme Court vide its Order dated 07.05.2024, directed all Advertisers/ Advertising Agencies to upload Self-Declaration Certificate (SDC) before issuing advertisements in Press/ print/ electronic media & internet. In compliance with this order, a new feature for uploading SDCs was introduced on the Broadcast Seva Portal for TV and radio advertisements, and on the Press Council of India Portal for press, print, and internet advertisements. An advisory has been issued on 03.07.2024 advising Advertisers/ Advertising Agencies to upload an annual SDC for advertisements related to food and health sectors across these media platforms.

(b) to (d): Ministry of Consumer Affairs, Food and Public Distribution has established the Central Consumer Protection Authority (CCPA) w.e.f. 24.07.2020 under the provisions of the Consumer Protection Act, 2019 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 as a class.

The CCPA has notified the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 9th June, 2022. These guidelines inter-alia provide for; (a) conditions for an advertisement to be non-misleading and valid; (b) certain stipulations in respect of bait advertisements and free claim advertisements; and, (c) duties of manufacturer, service provider, advertiser and advertising agency. These Guidelines shall apply to a manufacturer, service provider or trader whose goods, product or service is the subject of an advertisements, or to an advertising agency or endorser whose service is availed for the advertisement of such goods, product or service.
