

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

**RAJYA SABHA  
UNSTARRED QUESTION No. 1001  
TO BE ANSWERED ON 09.12.2025**

**MISLEADING ADVERTISEMENTS**

1001. SHRI RAGHAV CHADHA:

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

- (a) whether Government is aware of the growing menace of misleading advertisements, particularly in the sectors of health supplements, food products and educational services;
- (b) if so, the steps taken to regulate and penalize such false claims under the Consumer Protection Act, 2019;
- (c) whether the Central Consumer Protection Authority (CCPA) has taken any action against influencers or brands engaged in undisclosed promotional content;
- (d) if so, the details of such actions in the last three years; and
- (e) whether Government proposes to strengthen regulation of digital marketing practices to better protect youth and vulnerable consumers?

**ANSWER**

**THE MINISTER OF STATE, CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION  
(SHRI B.L VERMA)**

(a) to (e) : Department of Consumer Affairs is continuously working for consumer protection and empowerment of consumers. Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) is designed to intervene for preventing consumer detriment arising from unfair trade practices and to initiate class action(s), including the enforcement of recalls, refunds and return of products. It has the mandate to prevent and regulate false or misleading advertisements which are prejudicial to the public interest.

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. According to these Guidelines, endorser includes an individual or a group or an institution making endorsement of any goods, product or service in an advertisement whose opinion, belief, finding or experience being the message which such advertisement appears to reflect. These Guidelines state that due diligence is required for endorsement of advertisements, such that any endorsement in an advertisement must reflect the genuine, reasonably current opinion of the individual, group or organisation making such representation and must be based on adequate information about, or experience with, the identified goods, product or service and must not

otherwise be deceptive. It clarifies that where, Indian professionals, whether resident in India or otherwise, are barred under any law for the time being in force from making endorsement in any advertisement pertaining to any profession, then, foreigner professionals of such profession shall also be not permitted to make endorsement in such advertisement.

As per Section 21(2) of the Consumer Protection Act, 2019, in case of false or misleading advertisement, the CCPA may impose penalty on manufacturer or endorser up to Rs. 10 lakhs and Rs. 50 lakhs in case of repeated violations. Section 21 (4) specifies that if any person is found to publish, or is a party to the publication of a misleading advertisement, CCPA may impose a penalty which may extend to ten lakh rupees.

Central Consumer Protection Authority (CCPA) has issued Guidelines for Prevention of Misleading Advertisement in Coaching Sector, 2024 on 13<sup>th</sup> November, 2024, in order to prevent coaching centers from making false or misleading claims/advertisements to promote the sale of goods or service and engage in deceptive or unfair practices. The CCPA has imposed a penalty of 98 lakhs 60 thousands on 27 coaching institutes and directed them to discontinue the misleading advertisements and unfair trade practices. CCPA has also taken action on 75 complaints of misleading advertisements with respect to health and food sectors.

If the CCPA, after receiving any information or complaint or directions from the Central Government or of its own motion and after conducting a preliminary inquiry is of the opinion that the matter is to be dealt with by a Regulator established under any other law for the time being in force, it may refer such matter to the concerned Regulator along with its report.

The issues related to food safety, adulteration, labelling violations, Quality control, inspections and penalties for violation of Food Safety and Standards Act 2006, Rules and Regulations are dealt by Food Safety and Standards Authority of India (FSSAI) which is mandated to lay down science based standards for articles of food and to regulate their manufacture, storage, distribution, sale and import to ensure availability of safe and wholesome food for human consumption.

In order to regulate misleading advertisements, FSSAI has following regulatory provisions:

- (a) Food Safety and Standards (Advertising and Claims) Regulation, 2018, address issues related to misleading claims, labelling and advertisements.
- (b) Section 24 of the FSS Act imposes restrictions on unfair trade practices, including prohibition of misleading advertisements and claims.
- (c) Any contravention of these regulations may lead to appropriate actions in accordance with the provisions of the Food Safety and Standards Act, 2006, and its subsequent regulations made thereafter. Any person who advertises or is a party to the publication of any advertisement or claims not complying with this regulation shall be penalized as per section 53 of the Act which has the provision for penalty which may extend to ten lakh rupees.
- (d) To regulate the food delivery services through online applications, FSSAI, in 2018, specified procedures for the licensing and registration of e-commerce business operators along with their responsibilities. Accordingly, E-commerce FBOs are required to ensure that all listed sellers are licensed/registered, provide mandatory food information (including principal display panel), ensure minimum shelf life of products, ensure trained delivery personnel, avoid misleading claims and delist non-compliant products. Additionally, they must also maintain hygiene standards, facilitate sampling and promptly address consumer complaints.
- (e) FSSAI regularly issues Orders and Advisories to guide the food business operators.

- (f) FSSAI has emphasized that E-commerce FBOs must prioritize training of last-mile delivery personnel, ensure that product claims made on their platforms are consistent with the information on the physical label, deliver food products with adequate remaining shelf life (at least 30% or 45 days before expiry), and display the FSSAI license or registration number of the respective sellers on invoices, cash receipts, memos, etc.
- (g) FSSAI issued directions to States/UTs to conduct inspections of warehousing facilities owned or utilized by E-commerce FBOs.

Ministry of Ayush has launched an IT enabled online portal “Ayush Suraksha” on 30th May 2025 to capture Misleading Advertisements (MLAs)/Objectionable Advertisements (OAs) and report Adverse Drug Reactions (ADRs) related to the Ayush medicine. The portal features a centralized dashboard for real-time tracking of suspected ADRs and capturing of MLAs /OAs for prompt regulatory action and comprehensive data analysis. The portal is aligned with the National Pharmacovigilance Program and integrates data from three tier Pharmacovigilance Centers and forwards complaints to the concerned authorities, including State/UT Licensing Authorities (Ayush) and Central Govt. bodies such as Ministry of Information and Broadcasting (MoIB), Central Consumer Protection Authority (CCPA), National Commission for Indian System of Medicine (NCISM), National Commission for Homoeopathy (NCH), Press Council of India (PCI), Food Safety and Standards Authority of India (FSSAI) for its resolution.

The Pharmacovigilance Program for Ayurvedic, Siddha, Unani and Homoeopathy (ASU & H) Drugs has been implemented under Central Sector Scheme Ayush Oushadhi Gunavatta Evam Utpadan Samvardhan Yojana (AOGUSY), which work through a three-tier network of a National Pharmacovigilance Centre (NPvCC), Five Intermediary Pharmacovigilance Centers (IPvCs) and 97 Peripheral Pharmacovigilance Centers (PPvCs) established across the country. These centres are mandated to monitor and report misleading advertisements to the respective State Regulatory Authorities for suitable action against the defaulter. Objectives of this program is to keep vigilance over Ayush drugs and to reduce misleading advertisements to ensure the consumer protection and prevent the dissemination of unverified claims by Ayush product manufacturer.

The Central Consumer Protection Authority has issued “Guidelines for Prevention and Regulation of Dark Patterns, 2023” on 30th November, 2023 listing 13 specified dark patterns identified in e-Commerce sector.

To ensure smooth compliance and encourage industry responsibility, the CCPA issued an Advisory on 5th June 2025, directing all e-commerce platforms, marketplace entities, and online companies to conduct a self-audit of their platforms within three months of the issue of the advisory to detect and eliminate any presence of dark patterns. 26 leading e-commerce platforms have voluntarily submitted their self-declaration letters, confirming compliance with the Guidelines for Prevention and Regulation of Dark Patterns, 2023.

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