

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

**LOK SABHA
UNSTARRED QUESTION NO. 118
TO BE ANSWERED ON 16/11/2016**

MISLEADING ADVERTISEMENT

118. SHRI A.P.JITHENDER REDDY:

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) whether the Government has taken notice or received complaints of misleading and vulgar advertisements being aired on television channels and other mediums in the country and if so, the details thereof;
- (b) whether the Government has advised TV channels to discontinue the telecast of such advertisements and taken action against them and if so, the details thereof; and
- (c) other corrective measures taken by the Government in this regard and the details thereof?

ANSWER

**MINISTER OF STATE IN THE MINISTRY OF INFORMATION & BROADCASTING
[COL RAJYAVARDHAN RATHORE (Retd.)]**

(a) to (c) As per existing regulating framework, all programmes and advertisements telecast on TV channels and transmitted/retransmitted through the Cable TV network are required to adhere to the Programme and Advertising Codes prescribed under the Cable TV Networks (Regulation) Act, 1995 and Rules framed thereunder. Action is taken as per rules suo-motu as well as when violation of Codes is brought to the notice of the Ministry. These codes contain a range of parameters to regulate programmes and advertisements including provisions to address content of obscenity, vulgarity and misleading advertisements.

Ministry has constituted an Inter Ministerial Committee (IMC) to look into the violations suo-motu or whenever violations of the Programme and Advertising Codes are brought to the notice of this Ministry in respect of private satellite TV channels. IMC has representatives from the Ministry of Home Affairs, Defence, External Affairs, Law, Women and Child Development, Health and Family Welfare, Consumer Affairs and a representative from the industry in Advertising Standards Council of India (ASCI). IMC meets periodically and recommends action in respect of violations reported, whenever warranted.

A list showing details of action taken against TV channels for telecasting advertisements in violation of Rule 7(5) regarding misleading advertisements is at **Annexure-I**. Details of action taken on violation of Programme Code by private TV channels for telecast of content of obscenity, vulgarity and nudity in TV programmes during the last three years and the current year are enclosed at **Annexure-II**.

Government has encouraged self-regulation of advertising industry in electronic media. The Advertising Standards Council of India (ASCI), a voluntary self-regulatory body of Advertisement Industry, self-regulates advertising content to monitor and decide on complaints against objectionable advertisements. During the year 2015-16 the Consumer Complaints Council (CCC) of ASCI deliberated on complaints against a total of 2020 advertisements and upheld complaints against 1271 advertisements.

In so far as Print Media is concerned, Press Council has stated that whenever it receives complaint on misleading advertisement it takes action as per the Press Council Act.

The Department of Consumer Affairs has informed that they have launched a portal on 18.03.2015 for registering online complaints for Grievances Against Misleading Advertisement (GAMA). One can register a complaint (including the complaints given in regional language) along with the copy/video/audio of such advertisement in the portal. Advertising Standards Council of India (ASCI) handles the complaints received through the GAMA portal of the Department.

ANNEXURE AS REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA UNSTARRED QUESTION NO. 188 FOR 16.11.2016

Details of action taken year-wise in respect of misleading advertisements as per the Advertising Code.

Year 2013

Sl.No.	Advertisements	Action Taken
1.	The advertisement of Madhunashni asserted that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time.	ASCI upheld the complaint.
2.	The advertisement of 'Easy Slim Tea' claims that "Have Easy Slim Tea and lose weight – don't need to exercise, don't need to eat healthy", "Lose weight become healthy", "Prevent extra marital affairs" The ad promotes bad health advice which can be dangerous.	ASCI upheld the complaint.
3.	The advertisement of Musli Power Xtra asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time.	ASCI upheld the complaint.
4.	The advertisement of Madhur Milap asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time.	ASCI upheld the complaint.

Year 2014

Sl.No.	Advertisement	Action Taken
1.	The complaint against advertisement of Zaitoon Tara Edible Oil was deliberated by Consumer Complaints Council (CCC) of ASCI who concluded that the claim, "Edible oil prevents cancer, diabetics, acidity, cholesterol, etc.' was not substantiated and was misleading, thus in breach of the law, particularly the Drug & Magic Remedies Act. The complaint was Upheld but advertiser did not comply with orders of CCC	The Ministry advised on 26.06.2014 all TV channels not to carry the said advertisement.
2.	The Ministry received complaints against advertisement of 48 products in different categories which were deliberated upon by Consumer Complaints Council (CCC) of ASCI concluding that the claim made by the advertisers were misleading and contravened the prescribed Codes, but advertisers did not comply with orders of CCC.	The Ministry advised on 21.08.2014 all TV channels not to carry the said advertisements.

Year 2015

Sl.No	Advertisement	Action Taken
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	NIL	NIL

Year 2016 (January to October)

Sl.No.	Advertisement	Action Taken
	NIL so far.	NIL

ANNEXURE-II**ANNEURE AS REFERRED TO IN PARTS (a) TO (c) OF LOK SABHA UNSTARRED QUESTION No. 188 FOR 16.11.2016****Action Taken on violation of Programme and Advertisement code by Private TV channels for telecasting content depicting vulgarity, obscenity in last three years and current year.****Year – 2013**

Sl. No.	Name of the Channel	Reason for Show Cause Notice	Details of action taken
1.	FTV	Telecast of an advertisement of Vodka on 2.3.2011 in a programme Fashion TV Launch Party	An Advisory dated 17.01.2013 was issued to the channel.
2.	IBN 7	Telecast of the Advertisement of "Axe Shower Gel" containing vulgar and indecent content.	Order dated 29.05.2013 was issued directing the channel to furnish an undertaking regarding not airing such ads in future.
3.	MTV	Telecast of the advertisement of "Axe Shower Gel" containing vulgar and indecent content.	Order dated 17.06.2013 was issued directing the channel to furnish an undertaking regarding not airing such ads in future.
4.	VH1	Telecast of advertisement of "Axe Shower Gel" showing obscene and women denigrating content	Order dated 17.06.2013 was issued directing the channel to furnish an undertaking regarding not airing such ads in future.
5.	Colors	Telecast of advertisement of "Axe Shower Gel" showing obscene and women denigrating content	Order dated 17.06.2013 was issued directing the channel to furnish an undertaking regarding not airing such ads in future.

Year – 2014

Sl. No.	Name of the Channel	Reason for Show Cause Notice	Details of action taken
		NIL	

Year – 2015

Sl. No.	Name of the Channel	Reason for Show Cause Notice	Details of action taken
		NIL	

YEAR- 2016

Sl. No.	Name of the Channel	Reason for Show Cause Notice	Details of action taken
		NIL	
