

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

**LOK SABHA
UNSTARRED QUESTION NO. 6290
TO BE ANSWERED ON 12/04/2017**

VERACITY OF ADVERTISEMENTS

6290. DR. KIRIT P. SOLANKI:

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) the criteria for veracity of advertisements of products related to daily use consumer goods of different categories like food, beauty, health and entertainment, etc; and
- (b) the plan to bring in transparency in attractive offers to consumers and the penal provisions in this regard?

ANSWER

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

(a) & (b): The advertisements telecast on private satellite TV channels are regulated by Ministry of Information and Broadcasting as per Advertising Code prescribed under the Cable Television Network Rules, 1994 enshrined in the Cable Television Networks (Regulation) Act, 1995. The code contains a whole range of parameters to regulate advertisements on TV channels. Rule 7 (5) of the Advertising Code specifically deals with the misleading advertisements which prescribes that no advertisement shall contain references which are likely to lead the public to infer that the product advertised or any of its ingredients has some special or miraculous or super-natural property or quality, which is difficult of being proved. The details of action taken against TV channels in case of misleading advertisements during the last three years and the current year is at **Annexure**.

Further, Department of Consumer Affairs has stated that they have not fixed any criteria for veracity of advertisements of products related to daily use of consumer goods. However, Section 2(1)(r) of the Consumer Protection Act, 1986 provides that the practice of making any statement, whether orally or in writing or by visible representation which falsely represents that the goods are of a particular standard, quality, quantity, grade, composition style or model; falsely represents that the services of a particular standard, quality or grade, falls under unfair trade practices. A consumer can make a complaint against unfair trade practice in a Consumer Forum established under the Consumer Protection Act, 1986. If the complaint is upheld by the Forum, it can order, inter alia, for removal of defect pointed out, replacing the goods with new goods free from any defect, issuance of corrective advertisement to neutralize the effect of misleading advertisement at the cost of the opposite party responsible for issuing such misleading advertisement, etc.

ANNEXURE

ANNEXURE AS REFERRED TO IN REPLY TO PARTS (a) & (b) OF LOK SABHA UNSTARRED QUESTION NO. 6290 FOR 12.04.2017

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

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
.	NIL	NIL

Year 2016

Sl .No.	Advertisement	Action Taken
	NIL	NIL

Year 2017

Sl .No.	Advertisement	Action Taken
	NIL	NIL
