

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 1156
TO BE ANSWERED ON 22ND DECEMBER, 2017**

MISLEADING ADVERTISEMENTS

**1156. SHRI P.V. MIDHUN REDDY:
SHRI SANJAY HARIBHAU JADHAV:**

Will the Minister of **HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) whether the Government has taken note of the increase in the number of misleading advertisements in Health Care sector and if so, the details thereof; and
- (b) whether the Government has any proposal to bring any legislation to check such advertisements and if so, the details thereof?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND
FAMILY WELFARE
(SHRI ASHWINI KUMAR CHOUBEY)**

(a) & (b): Advertisements concerning drugs are regulated under the provisions of Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 which is administered by the State Governments. Further, advertisements telecast on TV channels are required to adhere to the Advertising Code prescribed under the Cable TV Networks (Regulation) Act, 1995 and Rules framed thereunder. Advertising Standards Council of India (ASCI), a self regulatory body of advertisement industry, has set up Consumer Complaints Council to deal with advertising content and decide on complaints against advertisements making misleading, false and unsubstantiated claims. ASCI had informed the Ministry of Information & Broadcasting that some channels carried out some objectionable advertisements that made unsubstantiated claims and also violated provisions of Drugs & Magic Remedies(Objectionable Advertisements) Act, 1954. Accordingly, an advisory was issued by the Ministry of Information & Broadcasting advising all TV channels not to telecast advertisements which were found to be violating provisions of the Cable Television Networks Rules, 1994; ASCI Code and also Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954.

To undertake comprehensive monitoring of the quality of advertisements pertaining to Ayurveda, Siddha, Unani and Homoeopathy drugs in print & TV media, the Ministry of AYUSH has signed an MoU with ASCI. Thereafter, ASCI has taken up suo-moto monitoring of the ASUSH drugs related advertisements and the defaulters are being advised to either modify or withdraw such advertisements. Those who do not comply with such advice are reported to the concerned State Licensing Authorities for taking action in accordance with the legal provisions of Drugs & Magic Remedies (Objectionable Advertisement) Act, 1954 as well as Drugs & Cosmetics Act, 1940 and Rules made thereunder.