

Government of India
Ministry of Consumer Affairs, Food and Public Distribution
Department of Consumer Affairs

LOK SABHA
UNSTARRED QUESTION NO. 656
TO BE ANSWERED ON 06.02.2018

ACTION AGAINST MISLEADING ADVERTISEMENTS

656. SHRI ADHIR RANJAN CHOWDHURY: SHRI PANKAJ CHAUDHARY:
SHRI P. NAGARAJAN:

Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्री be pleased to state:

- (a) whether the Government has received any reports/complaints regarding misleading/fake advertisements appearing in the electronic and print media making false and exaggerated claims, if so, the details thereof indicating the number of cases reported/identified, companies held responsible;
- (b) the action taken against the persons/companies involved therein, during each of the last three years and the current year;
- (c) whether the Government has also received any complaints regarding fake advertisements on various consumer items including food, drinks and other equipments etc., to attract more consumers from domestic as well as foreign companies, if so, the details thereof including the total number of such complaints received and action taken on these complaints during the last three years;
- (d) whether the Union Government has any plan to give severe punishments to these companies for such fraudulent advertisement, if so, the details thereof; and
- (e) whether the Government is formulating any scheme for taking stringent action against such misleading advertisements of products in the country, if so, the details thereof including the steps being taken by the Government to address the complaints of consumers being duped by misleading advertisements?

ANSWER

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री सी. आर. चौधरी)

THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI C.R. CHAUDHARY)

(a) to (c) : In so far as the Ministry of Consumer Affairs, Food and Public Distribution (Department of Consumer Affairs) is concerned, a portal called “Grievance Against Misleading Advertisements (GAMA)” has been launched to deal with the complaints relating to misleading advertisements. Under an MoU, the Department has assigned the task of processing the complaints received through the GAMA portal to the Advertising Standards Council of India (ASCI) as per its code. Complaints received through this portal are evaluated by ASCI and are processed through its Consumer Complaints Council. In cases where the complaints are upheld, the advertisers are asked to modify or withdraw the misleading advertisements. In case of non-compliance, ASCI forwards such complaints to the Regulators concerned to take necessary action. During the period April, 2015 to January, 2018, 6230 complaints have been received in the GAMA portal. While 1262 complaints have been rejected, 3146 complaints have been resolved, 1148 complaints have been referred to the Regulators concerned for taking further action.

(d) & (e): The Government introduced the Consumer Protection Bill, 2018 in the Lok Sabha on 5.1.2018. The Bill seeks to provide for establishment of an executive agency to be called the “Central Consumer Protection Authority (CCPA)” to deal with unfair trade practices and misleading advertisements. The Bill empowers the CCPA to issue directions to the concerned trader or manufacturer or endorser or advertiser or publisher to discontinue the misleading advertisement or to modify the same and to impose penalties against false or misleading advertisements. The Bill also makes provisions for imprisonment by a Court to any manufacturer or service provider who causes a false or misleading advertisement which is prejudicial to the interest of consumers.
