

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

**LOK SABHA
UNSTARRED QUESTION NO. 2557
TO BE ANSWERED ON 27/12/2018**

MISLEADING ADVERTISEMENTS IN MEDIA

2557. SHRI SISIR KUMAR ADHIKARI:

Will the Minister of **INFORMATION AND BROADCASTING**

be pleased to state:

- (a) whether the Government is aware of the misleading advertisements in different medias of the country and if so, the details thereof;
- (b) whether the Government has received any complaint against such campaigns and if so, the details thereof and the action taken thereon;
- (c) the role and evaluation report of the Advertising Standard Council of India (ASCI) on the said issue, if any; and
- (d) the proposals and the directions of the Government in this regard?

ANSWER

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

(a) & (b): The Department of Consumer Affairs (DoCA) has informed that a portal was launched in March 2015 to enable consumers to register Grievances Against Misleading Advertisements (GAMA). Complaints received through this portal are evaluated by Advertising Standards Council of India (ASCI) and are processed through its Consumer Complaints Council. In more than 90% of the advertisements where the complaints are upheld, the advertisers ensure compliance. In case such assurance by way of withdrawing or modifying the advertisement is not done in a time bound manner, ASCI forwards such complaints to the Regulator concerned to take necessary action.

Details regarding number of complaints registered on GAMA portal and action taken from March, 2015 to November, 2018, are given below.

COMPLAINT STATUS	MARCH 2015 – MARCH 2016	APRIL 2016 – MARCH 2017	APRIL 2017- MARCH 2018	APRIL 2018- NOVEMBER 2018
NEW				
RESOLVED	730	1402	2362	1048
REJECTED	270	493	788	749
IN PROCESS			3	688
ESCALATED TO REGULATORS	46	457	497	125
TOTAL	1046	2352	3650	2610

Contt.....2/-

In so far as advertisements telecast on private satellite TV channels are concerned, all such advertisements are regulated in accordance with the Advertising Code prescribed under Cable Television Networks Rules, 1994 which are available on Ministry's website mib.nic.in. Rule 7 (5) of the Advertising Code provides 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 Government has constituted an Inter-Ministerial Committee (IMC) to take cognizance suo-motu or look into specific complaints regarding violation of the Programme Code and Advertising Code, and make appropriate recommendations for action by the Government.

In so far as Print Media is concerned, the Press Council of India (PCI), set up under the Press Council Act, 1978 is mandated to maintain and improve the standards of newspapers and news agencies in India and also to inculcate principles of self-regulation among the press.

(c) & (d): The Advertising Standards Council of India (ASCI) is a voluntary Self-Regulatory Organization, to protect the interest of consumers by promoting ethical advertising and to keep out false, misleading, offensive, irresponsible and unfair advertisements.

The ASCI looks into complaint across all media such as Print, TV, Radio, hoardings, SMS, e:mailers, Internet / web-site, product packaging, brochures, promotional material and point of sale material etc.

ASCI has also entered into MOU with the following Ministries/Departments:

- i) Department of Consumer Affairs (DoCA) w.e.f. March 2015 to co-regulate misleading advertisement and process complaints being received on the DoCA's GAMA (gama.gov.in) portal.
- ii) Ministry of AYUSH w.e.f. January 20, 2017 to screen misleading advertisements from the AYUSH sector as well as for processing of complaints received from General Public and / forwarded by AYUSH.
- iii) Food Safety and Standards Authority of India (FSSAI) w.e.f. April 2016 to screen misleading advertisements from the Food and Beverages sector as well as for processing of complaints received from General Public and / forwarded by FSSAI.
