

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

**LOK SABHA
UNSTARRED QUESTION NO. 656 (OIH)
TO BE ANSWERED ON 06.12.2023**

GUIDELINES FOR MISLEADING ADVERTISEMENTS

656. SHRI RAMESH CHANDER KAUSHIK: SHRI SUNIL KUMAR PINTU: SHRIMATI NAVNEET RAVI RANA: SHRI AJAY KUMAR MANDAL:
(OIH)

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 issued any new guidelines to restrict misleading advertisements and to conduct appropriate scrutiny before giving approval to advertisements;
- (b) if so, the details thereof;
- (c) whether any advisory has been issued to the State Governments and public to be vigilant in view of the misleading and alluring advertisements appearing in electronic media and newspapers and if so, the details thereof;
- (d) the number of such cases reported as well as the action taken against such advertisements; and
- (e) the details of the action taken against those advertisements which flout the guidelines and moralities and aims to mislead the innocent public?

ANSWER

**उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण राज्य मंत्री
(श्री अश्विनी कुमार चौबे)**

**THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI ASHWINI KUMAR CHOUBEY)**

(a) to (e): The Central Consumer Protection Authority (CCPA) has been established under Section 10 of the Consumer Protection Act, 2019 for regulating matters relating to violation of the rights of the consumers, unfair trade practices and false or misleading advertisements that are prejudicial to the interests of the public and consumers and to promote, protect and enforce the rights of consumers as a class.

In exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, CCPA has notified Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 with the objective to curb misleading advertisements and protect the consumers, who may be exploited or affected by such advertisements.

Based on the notices issued by the CCPA against misleading advertisements by companies, 33 companies have withdrawn misleading advertisements and 9 companies have agreed for corrective advertisement. The CCPA has also imposed penalties on 22 companies for their misleading advertisements.

As per the existing regulatory framework, all programmes/ advertisements telecast on private satellite TV channels are required to adhere to the Programme Code & Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. Rule 7(5) of the Cable Television Networks Rules, 1994 specifically provides that no advertisement shall contain references that 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 to prove.

Appropriate action is taken against the private satellite TV channel(s) when violation of any provision of the Advertising Code is found. The Ministry of Information & Broadcasting also issues advisories from time to time to private satellite TV channel(s) for ensuring strict compliance with the Programme Code and the Advertising Code.
