

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

LOK SABHA
UNSTARRED QUESTION NO. 2907
TO BE ANSWERED ON 17.12.2025

MISLEADING AND FAKE ADVERTISEMENTS

2907. SHRI SURESH KUMAR SHETKAR:

Will the Minister of **CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION** be pleased to state:

- (a) whether it is a fact that Food Safety and Standards Authority of India (FSSAI) related fake advertisements continue to circulate widely on social/digital platforms despite repeated public alerts and if so, the details thereof;
- (b) whether any action has been taken by the Government against the companies & influencers involved in fake advertisements especially FSSAI related;
- (c) the number of cases of misleading advertisements that have been registered by the Central Consumer Protection Authority (CCPA) & FSSAI during the last three years & the current year along with the details of the penalties which were imposed on various entities/companies regarding fake advertisements;
- (d) whether digital platforms still allowed to publish fraudulent investment ads and if so, the details thereof;
- (e) whether the platform-level accountability measures has been enforced by the Government and if so, the details thereof;
- (f) whether the Government has updated consumer-protection frameworks to address today's online world where AI-generated content, paid influencers, doctored testimonials & stealth advertising mislead millions daily; and
- (g) if so, the details thereof and if not, the reasons therefor?

ANSWER
THE MINISTER OF STATE
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(SHRI B.L. VERMA)

(a) to (g) : FSSAI has introduced Food Safety and Standards (Advertising and Claims) Regulation, 2018, to establish fairness in claims and advertisements of food products and make food businesses accountable for such claims /advertisements so as to protect consumer interests. The said regulation laid down provisions related to redressal of non-compliance of any misleading advertisement and claims made on food products. Any person who advertises or is a party to the publication of any advertisement or claims not complying with this regulation is liable for penalization as per Section 53 of the Food Safety and Standards Act, 2006 which has the provision for penalty which may extend to ten lakh rupees. The details of the enforcement action taken in last three years including labelling/misleading defects is placed at **Annexure .**

Department of Consumer Affairs is continuously working for consumer protection and empowerment of consumers by enactment of progressive legislations. Under the provisions of the Consumer Protection Act, 2019, the Central Consumer Protection Authority (CCPA) is designed to intervene for preventing actions detrimental to consumer interest arising from unfair trade practices and to initiate class action(s), including the enforcement of recalls, refunds and return of products. It has the mandate to prevent and regulate false or misleading advertisements which are prejudicial to the public interest.

The CCPA has also notified the Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 9th June, 2022. These guidelines inter-alia provide for; (a) conditions for an advertisement to be non-misleading and valid; (b) certain stipulations in respect of bait advertisements and free claim advertisements; and, (c) duties of manufacturer, service provider, advertiser and advertising agency. According to these Guidelines endorser, social media endorser/virtual endorsers includes an individual or a group or an institution making endorsement of any goods, product or service in an advertisement whose opinion, belief, finding or experience being the message which such advertisement appears to reflect. These Guidelines state that due diligence is required for endorsement of advertisements, such that any endorsement in an advertisement must reflect the genuine, reasonably current opinion of the individual, group or organisation making such representation and must be based on adequate information about, or experience with, the identified goods, product or service and must not otherwise be deceptive.

Since its inception CCPA has realized penalties to the tune of Rs. 1,33,35,500. with respect to violation of rights of consumers, unfair trade practices and false or misleading advertisements in various sectors such as coaching institutes, consumer durables, health, wellness & hygiene claim, cosmetic products, false warranty claims, E-commerce sectors etc.

To safeguard consumers from unfair trade practices in e-commerce, the Department of Consumer Affairs has also notified the Consumer Protection (E-commerce) Rules, 2020 under the provisions of the Consumer Protection Act, 2019. These rules, inter-alia, outline the responsibilities of e-commerce entities and specify the liabilities of marketplace and inventory e-commerce entities, including provisions for consumer grievance redressal.

Security and Exchange Board of India (SEBI) (Prohibition of Fraudulent and Unfair Trade Practices relating to Securities Market) Regulations, 2003 addresses emerging concerns of manipulation, fraud and unfair practices related to publishing of advertisements. Practices constituting market manipulation, deceptive methods or devices and misleading advertisements are prohibited as fraudulent and unfair trade. The regulation provides for suspension and cancellation of registration for the violations.

In order to protect users in India and the Indian internet at large from emerging harms due to the misuse of technologies and to ensure accountability towards law of the land, the MeitY in exercise of the powers given under the IT Act has notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. The IT Rules, 2021 cast specific legal obligations on intermediaries, including social media intermediaries and platforms, to ensure their accountability towards safe & trusted Internet including their expeditious action towards removal of the unlawful information listed under Rule 3(1)(b), including those which are harmful, defamatory, obscene, pornographic, paedophilic, or violative of any law, or on the basis of grievances received against any information under Rule 3(2).

Various provisions of the IT Rules, 2021 that focus on enhanced safety of users including senior citizens, women and children include *inter alia* the following:

- a) Prohibiting transmission of unlawful information violative of Rule 3(1)(b) of the IT Rules, 2021.
- b) Immediate termination of user account engaged in unlawful activity against violation of Rule 3(1)(c) of the IT Rules, 2021
- c) Time-bound removal of unlawful information under Rule 3(1)(d) of the IT Rules, 2021
- d) Time-bound Grievance Redressal Mechanism under Rule 3(2) of the IT Rules, 2021
- e) Enhanced Grievance Redressal through appealing mechanism under Rule 3A – Establishing Grievance Appellate Committees (GAC)
- f) Enabling traceability of the first originator of unlawful information in India on specific grounds upon receipt of lawful order under Rule 4(2) of the IT Rules, 2021
- g) Deployment of automated tools under Rule 4(4) of the IT Rules, 2021 to proactively identify and remove unlawful information and curb their virality
- h) Appointment of designated officers based in India and publishing physical address to be in India by SSMI under Rule 4(1) of the IT Rules, 2021 to assist in enforcement of rules & laws of the land
- i) Loss of exemption from liability for third party information

Recognising the increasing availability of generative AI tools and the resulting proliferation of synthetically generated information (commonly known as deep fakes), the potential for misuse of such technologies to cause user harm, spread misinformation, manipulate elections, or impersonate individuals IT Rules, 2021 aim to strengthen due diligence obligations for intermediaries, particularly social media intermediaries (SMIs) and significant social media intermediaries (SSMIs), as well as for platforms that enable the creation or modification of synthetically generated content.

ANNEXURE

ANNEXURE REFER IN REPLY TO PARTS (a) TO (g) OF LOK SABHA UNSTARRED QUESTION NO.2907 FOR 17.12.2025 REGARDING MISLEADING AND FAKE ADVERTISEMENTS.

Details of Enforcement for last three year									
Year	No. of Samples Analyzed	No. of Samples found non-conforming	Non-Conforming Samples					Civil Cases	
			Unsafe	Sub Standard	Labelling defects/ Misbranded	Misleading claims	Others	Decided with Penalty	Penalties Raised (Cr Rs.)
2024-25	170535	34388	7945	22516	3319	91	521	30142	35.74
2023-24	170513	33808	6782	22603	3261	592	570	29586	74.12
2022-23	180290	44630	6537	21972	14749	947	436	28544	23.93
