

**GOVERNMENT OF INDIA
CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
LOK SABHA**

STARRED QUESTION NO:5
ANSWERED ON:22.11.2011
MISLEADING ADVERTISEMENTS
Gaikwad Shri Eknath Mahadeo;Singh Shri Bhupendra

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

- (a) the number and details of complaints received by the Government regarding misleading advertisements making exaggerated claims about the products during each of the last three years and the current year alongwith the action taken thereon, State-wise;
- (b) whether the Government proposes to set up a body equipped with penal powers to deal with misleading advertisements in the print and the electronic media;
- (c) if so, the details thereof;
- (d) whether an inter-ministerial consultation has been held in order to prepare a draft of a regulatory mechanism in this regard; and
- (e) if so, the details thereof and the time by which the said regulatory body is likely to be set up?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) FOR CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K. V. THOMAS)

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO.5 FOR 22.11.2011 REGARDING PRICE RISE.

(a) : There are a number of legislations that have provisions to deal with misleading claims and advertisements made by companies regarding their products which include, inter alia,

(i) The Drugs and Cosmetics Act, 1940 (Ministry of Health)

(ii) The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1955 (Ministry of Health)

(iii) Food Safety and Standards Act, 2006 (Ministry of Health)

(iv) The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003 (Ministry of Health)

(v) Consumer Protection Act, 1986 (Administered by Department of Consumer Affairs)

(vi) Over and above, the Advertisements aired on private satellite TV channels are regulated under the Advertising Code prescribed in rules framed under Cable Television Network (Regulation) Acts 1995. The misleading Advertisements in print media, which are violative of `Norms of Journalistic Conducts` are being adjudicated by the Press council of India under Section 14 of the Press council Act 1978 . The Food Safety and Standards Authority also provides for penal action against misleading advertisement pertaining to food products Since a number of Ministries/Departments are administering the above legislations, number and details of complaints regarding misleading advertisements making exaggerated claims about the products, state-wise, are not centrally available.

(b): No, Madam.

(c): Does not arise in view of (b) above.

(d)& (e): The Department of Consumer Affairs is seized of the issue of misleading advertisements and its ill-effects on the consumers. A meeting of officials of various ministries dealing with the subject, eminent journalist, NGOs and Consumer Activist was held on 4th August,2011 meeting deliberated on various ways and means to tackle the issue.