

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

UNSTARRED QUESTION NO:1647
ANSWERED ON:04.12.2012
MISLEADING ADVERTISEMENTS
Viswanathan Shri P.

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government has received any complaints regarding misleading advertisements of companies, both in private and public sector;
- (b) if so, the details thereof and the action taken thereon;
- (c) whether the Government proposes to bring in a new legislation incorporating various existing legislations;
- (d) if so, the details thereof; and
- (e) the role of the Advertising Standards Council of India (ASCI) in this regard and the details of cases referred by the Government to ASCI and the action taken by ASCI in each case during each of the last three years and the current year?

Answer

THE MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF INFORMATION & BROADCASTING (SHRI MANISH TEWARI)

(a) & (b) Some instances of misleading advertisements shown on private satellite/cable television channels and published in print media have come to the notice of the Government. Detail of action taken against private satellite TV channels for violation of Advertising Codes during each of the last three years and the current year is annexed (Annexure-I). The details of the complaints against misleading advertisements in print media as received by the Press Council of India (PCI) during each of the last three years and the current year are also enclosed (Annexure-II).

(c) & (d) Telecast of advertisements on private satellite/cable TV channels is regulated as per the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. 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 supernatural property or quality, which is difficult of being proved.

So far as print media is concerned, the Press Council of India (PCI), a statutory autonomous body has been set up under the Press Council Act, 1978 for the purpose of preserving the freedom of press and for maintaining and improving the standards of newspapers and news agencies in India and also to inculcate principles of self-regulation among the press. Accordingly, PCI have formed Norms of Journalistic Conduct under section 13(2)(b) of the Press Council Act, 1978 which covers the principles and ethics of journalism. These norms should be adhered to by the print media while accepting advertisements.

There is no proposal to bring any new legislation at present.

(e) Advertising Standards Council of India (ASCI) is a self-regulatory body of advertisers. The Code adopted by the ASCI has been incorporated in the Advertising Code stipulated in Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. ASCI has set-up a Consumer Complaints Council (CCC) to consider complaints in regard to advertisements. A list of cases which were referred to the ASCI by the Ministry and the action taken thereon by ASCI is annexed (Annexure-III).