

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

UNSTARRED QUESTION NO:2793
ANSWERED ON:11.12.2012
MISLEADING ADVERTISEMENTS
Sayeed Muhammed Hamdulla A. B.

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

- (a) whether some companies are reportedly cheating the consumers with lucrative offers, charging huge prices for cheaper and poor quality products, often harmful for human use, by giving misleading advertisements;
- (b) if so, the details thereof and the reaction of the Government thereto;
- (c) whether the Government proposes to amend the Standards of Weights and Measures (Packaged Commodity Rules) Act, 1976 to check such practices; and
- (d) if so, the details thereof?

Answer

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

- (a) : Yes Madam, a large number of misleading advertisements come through various media. Details of such advertisements are not centrally available.
- (b) : 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 and Family Welfare & Family Welfare)
 - (ii) The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1955 Ministry of Health and Family Welfare & Family Welfare)
 - (iii) Food Safety and Standards Act, 2006 (Ministry of Health and Family Welfare & Family Welfare)
 - (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 and Family Welfare & Family Welfare)
 - (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 1955. 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 Press Council Act 1978. The Food Safety and Standards Authority also provides for penal action against misleading advertisement pertaining to food products.
- (c) & (d): The Standards of Weights and Measures (Packaged Commodities) Rules, 1977 has been repealed by the Legal Metrology (Packaged Commodities) Rules, 2011 w.e.f. 1st April, 2011. These Rules lay down specifications and standards for products sold in packaged condition.