

Ministry of Information and Broadcasting



Advertising codes prohibit advertisements claiming miraculous or supernatural properties of products

The Central Consumer Protection Authority (CCPA) guidelines mandate due diligence for approval and also prescribe conditions for advertisements.

Posted Date: 11 MAR 2026 3:28PM by PIB Delhi

As per the existing regulatory framework , all advertisements broadcast on private satellite TV channels are required to comply with the Advertising Code prescribed under the Cable Television Networks (Regulation) Act , 1995 and the rules made thereunder. Rule 7(5) of the Advertising Code , inter alia, provides that " no advertisement shall contain any reference which may lead the public to believe that the advertised product or any of its ingredients possesses any special , miraculous or supernatural properties which are difficult to prove. " Appropriate action is taken against private TV channels found violating any provision of the Advertising Code. The Ministry also issues advisories from time to time to broadcasters to ensure compliance with the Advertising Code.

The Central Consumer Protection Authority (CCPA) has been established under Section 10 of the Consumer Protection Act , 2019 to regulate matters relating to violation of consumer rights , unfair trade practices and false or misleading advertisements and to protect and enforce the rights of consumers.

The Central Consumer Protection Authority (CCPA) has issued the "Guidelines for Prevention of Misleading Advertisements and Prohibition of Approval of Misleading Advertisements , 2022" in exercise of the powers conferred by Section 18 of the Consumer Protection Act , 2019. These guidelines lay down conditions for non-misleading and legitimate advertisements , prohibition of tempting advertisements , sham advertisements , advertisements targeted at children , disclaimers in advertisements and duties of the manufacturer , service provider , advertiser and advertising agency.

Clause 13 of the above guidelines further provides: Due diligence is required before advertisements are displayed , i.e. any claim made in an advertisement must reflect the genuine and current opinion of the person , group or organisation representing it and must be based on sufficient knowledge or experience of the goods , products or services in question and must not be misleading. Further , the guidelines also state that if Indian professionals are prohibited under any law from endorsing any advertisement relating to any profession , then foreign professionals of the same profession will also not be permitted to endorse such advertisement.

This information was given by Dr. L. Murugan, Minister of State for Information & Broadcasting and Parliamentary Affairs, in a written reply to a question by Shri Dr. M.K. Vishnu Prasad in Lok Sabha today.

PK / KC / NS

(Release ID: 2238403) Visitor Numbers: 83

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