

**GOVERNMENT OF INDIA
MINISTRY OF HEALTH AND FAMILY WELFARE
DEPARTMENT OF HEALTH AND FAMILY WELFARE**

**LOK SABHA
UNSTARRED QUESTION NO. 2095
TO BE ANSWERED ON 31ST JULY, 2026**

DRUGS AND MAGIC REMEDIES ACT 1954

2095. THIRU DR. S JAGATHRATCHAKAN:

Will the **Minister of HEALTH AND FAMILY WELFARE** be pleased to state:

- (a) the action taken by the Government regarding compliance of Big Tech platforms and digital intermediaries with the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954;
- (b) the initiatives undertaken by the Government to prevent circulation of misleading advertisements relating to therapeutic, medical and health-related claims across online platforms;
- (c) the arrangements put in place by the Government for monitoring, investigation and enforcement of provisions of the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 in the digital ecosystem;
- (d) the measures implemented by the Government to strengthen accountability, transparency and responsible advertising practices among online service providers and advertisers in the country; and
- (e) the progress achieved by the Government and further initiatives proposed for protecting citizens from harmful, deceptive and unsubstantiated claims relating to health and medical treatments in the country?

**ANSWER
THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY
WELFARE
(SMT. ANUPRIYA PATEL)**

(a) to (e): Advertisements concerning drugs are regulated under the provision of Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954, which is administered by the State Governments. The Drugs & Cosmetics Rules, 1945 were amended in 2015 and a provision was made to the effect that no advertisement of drugs specified in Schedule H, Schedule H1 and Schedule X (i.e. Prescription drugs) shall be made except with the previous sanction of the Central Government.

State Licensing Authorities are empowered to take action in case of non-compliance. As and when matter regarding misleading advertisement is received by CDSCO, the same is

forwarded to the concerned State Licensing Authorities, for taking appropriate action in the matter.

As per existing regulatory framework, all advertisements telecast on private satellite TV channels are required to adhere to the Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and rules framed thereunder. Rule 7(5) of the Advertising Code inter alia 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 super-natural property or quality, which is difficult of being proved.’ Appropriate action is taken against the private TV channels when violation of any provision of the Advertising Code is found. Ministry of Information & Broadcasting also issues advisories from time to time to broadcasters for ensuring compliance to the Advertising Code.

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

Central Consumer Protection Authority (CCPA), in exercise of the powers conferred by Section 18 of the Consumer Protection Act, 2019, issued “Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022”. These guidelines provide for conditions for non-misleading and valid advertisement, bait advertisement, prohibition of surrogate advertisement, children targeted advertisement, disclaimer in advertisement and duties of manufacturer, service provider, advertiser and advertising agency.
