

DISTRIBUTION (PROF. K.V. THOMAS): (a) to (c) Food Safety and Standards Authority of India functioning under the administrative supervision of Ministry of Health has laid down the labelling regulation which inter alia provides for mandatory information on nutrient content and calorific value on pre-package food.

Compensation for loss due to misleading advertisements

†2035. SHRI JAI PRAKASH: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

(a) whether it is a fact that neither compensation in case of loss caused due to misleading advertisements is possible nor there is any effective law for stopping such advertisements completely; and

(b) if so, what steps are being taken by Government to deal with such misleading advertisements?

THE MINISTER OF STATE OF THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K.V. THOMAS): (a) and (b) Under the provisions of the Consumer Protection Act, 1986, consumer complaints can be filed in the appropriate Consumer Fora against 'unfair trade practices' adopted by any trader or service provider. The practice of making any statement, whether orally or in writing or by visible representation, which falsely represents that the goods are of a particular standard, quality, quantity, grade, composition, style or model, and misleading advertisement are also covered under the definition of 'unfair trade practices'. Hence, compensation can be claimed in Consumer Fora in case of loss caused by any unfair trade practice. Further complaints against misleading advertisements can be made under the following legislations:-

- (i) The Drugs and Cosmetics Act, 1940 (Administered by Ministry of Health)
- (ii) The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1955 (Administered by Ministry of Health)
- (iii) Food Safety and Standards Act, 2006 (Administered by Ministry of Health)
- (iv) The Cigarettes and other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Supply and Distribution) Act, 2003¹ (Administered by Ministry of Health)

†Original notice of the question was received in Hindi.

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

The Advertisements aired on private satellite TV channels are regulated under the Advertising Code prescribed in rules framed under Cable Television Network (Regulation) Act, 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.

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 journalists, NGOs and consumer activists was held on 4th August, 2011. Meeting deliberated on various ways and means to tackle the issue.

Storage facilities

2036. SHRI KANJIBHAI PATEL: Will the Minister of CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION be pleased to state:

- (a) whether it is a fact that Government does not have sufficient godowns for storage of foodgrains, with the result that large quantity of foodgrains get spoiled in the open;
- (b) if so, the details thereof;
- (c) whether Government proposes to build new godowns for storage of foodgrains;
- (d) whether Government has received any complaint that warehouses meant for storage of foodgrains are being used for storage of other items;
- (e) if so, the details thereof; and
- (f) what action has been taken by Government in the matter?

THE MINISTER OF STATE OF THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K.V. THOMAS): (a) and (b) The Food Corporation of India has a storage capacity of 333 lakh MTs in Covered and Cover and Plinth (CAP) capacities both owned and hired with a capacity utilization of 74% as on 01.10.2011. The storage capacity with state agencies as on 1.10.2011 was 295 lakh tonnes including both covered and CAP capacity. Thus, a total quantity of 628