

**GOVERNMENT OF INDIA
MINISTRY OF COMMUNICATIONS
DEPARTMENT OF TELECOMMUNICATIONS**

**RAJYA SABHA
UNSTARRED QUESTION NO. 1986
TO BE ANSWERED ON 23rd DECEMBER, 2022**

MISLEADING AND UNDESIRE ADVERTISEMENTS BY TELECOM COMPANIES

1986 SHRI DAMODAR RAO DIVAKONDA:

Will the Minister of Communications be pleased to state:

- (a) whether the telecom companies are disseminating obscene, misleading and undesired advertisements through e-mail, WhatsApp messenger, Facebook, etc., for their financial benefit;
- (b) if so, the details of the complaints received in this regard;
- (c) whether the said disseminated messages are against the traditions of Indian culture and society, which are adversely affecting the young generations; and
- (d) if so, the effective steps proposed to be taken to check the dissemination of the said messages?

ANSWER

**MINISTER OF STATE FOR COMMUNICATIONS
(SHRI DEVUSINH CHAUHAN)**

(a) to (d) Cyberspace is a complex environment and provides ability to post anything from anywhere at any time. As such the potential for dissemination of obscene, misleading and undesired advertisements through e-mail, WhatsApp messenger, Facebook etc. exists. As per the available records, no such specific complaint has been received by the Department against Licensed / registered Telecom Service provider(s).

However, certain cases of fraud were reported for which the complainants were advised to approach the law enforcement agencies. To deal with such matters, which are also against traditions of Indian culture and society, the salient provisions under Information Technology Act and Indian Telegraph Act provide for:

- (i) provision for prohibiting publishing or transmitting obscene material in electronic form;
- (ii) punishment for publishing or transmitting of material containing sexually explicit act etc. in electronic form;
- (iii) punishment for publishing or transmitting of material depicting children in sexually explicit act, etc. in electronic form;
- (iv) issue directions for blocking for public access of any information through any computer resource.

Further, in exercise of the powers conferred by section 18 of the Consumer Protection Act, 2019 the Central Consumer Protection Authority has notified Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022 on 10.07.22 with the objective to curb misleading advertisements and protect the consumers, who may be exploited or affected by such advertisements.

The guidelines is applicable to all advertisements regardless of form, format or medium thereby including online mode and to all manufacturer, service provider or trader whose goods, product or service is the subject of an advertisement, or to an advertising agency or endorser whose service is availed for the advertisement of such goods, product or service.
