Health Claims Nobody May Make

What Indian law forbids every health advertiser

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Law checked against the official texts on 6 November 2026. Laws change, so check before you rely on this.

Before you read

This guide explains what the law forbids anyone to claim when advertising health in India. It applies to a clinic, a hospital, a wellness centre, a therapist, a seller of remedies or supplements, and an influencer. Others who help prepare the post may also be affected (section 6).

It is also for anyone who sees a health advertisement and wonders whether it is allowed.

This guide explains what the law forbids every health advertiser to claim. It says nothing about whether any therapy may lawfully be practised. That question depends on the system of medicine, the profession and the State, and it is outside this guide.

Professional councils may set their own rules, some stricter than these, for the practitioners they register. This guide does not cover those rules. It covers only the rules that apply to everyone.

Examples in this guide are built around real-life situations; names are illustrative. This guide is general information, not advice on any advertisement, complaint or case.

1. Three laws that apply to everyone

- **The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954.** A criminal law about advertisements for drugs, remedies and "magic remedies". In this guide, "the 1954 Act".
- **The Consumer Protection Act, 2019.** It deals with misleading advertisements for any product or service, and says who answers for them.
- **The Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022**, issued by the Central Consumer Protection Authority (the CCPA). In this guide, "the CCPA Guidelines". They say when an advertisement is valid and not misleading, and what endorsers must do. An endorser is anyone who vouches for a product or service in an advertisement.

These laws look at the claim that is made. Their main rules do not depend on which system of medicine is involved.

2. Diseases a drug or remedy advertisement may not offer to treat

What the law says. Section 3 of the 1954 Act begins: "no person shall take any part in the publication of any advertisement referring to any drug in terms which suggest or are calculated to lead to the use of that drug for" any of four purposes. They are:

- (a) "the procurement of miscarriage in women or prevention of conception in women";
- (b) "the maintenance or improvement of the capacity of human beings for sexual pleasure";
- (c) "the correction of menstrual disorder in women";
- (d) "the diagnosis, cure, mitigation, treatment or prevention of any disease, disorder or condition specified in the Schedule", or of any other condition specified in rules made under the Act.

"Drug" is wide. It includes medicines. It also includes "any article, other than food", meant to affect the structure or any organic function of the body (section 2(b)). A capsule, an oil or a powder sold to change how the body works may be a "drug" under this Act.

"Advertisement" is wide too. It includes any notice, label or document, and any announcement made orally or by light, sound or smoke (section 2(a)). A post, a reel or a video can be covered.

The Schedule. These are the 54 diseases, disorders and conditions listed, as printed in the Act:

1. Appendicitis	19. Fevers (in general)	37. Nervous debility
2. Arteriosclerosis	20. Fits	38. Obsesity [sic]
3. Blindness	21. Form and structure of the female bust	39. Paralysis
4. Blood poisoning	22. Gall stones, kidney stones and bladder stones	40. Plague
5. Bright's disease	23. Gangrene	41. Pleurisy
6. Cancer	24. Glaucoma	42. Pneumonia
7. Cataract	25. Goitre	43. Rheumatism
8. Deafness	26. Heart diseases	44. Ruptures
9. Diabetes	27. High or low blood pressure	45. Sexual impotence
10. Diseases and disorders of the brain	28. Hydrocele	46. Smallpox
11. Diseases and disorders of the optical system	29. Hysteria	47. Stature of persons
12. Diseases and disorders of the uterus	30. Infantile paralysis	48. Sterility in women
13. Disorders of menstrual flow	31. Insanity	49. Trachoma
14. Disorders of the nervous system	32. Leprosy	50. Tuberculosis
15. Disorders of the prostatic gland	33. Leucoderma	51. Tumours
16. Dropsy	34. Lockjaw	52. Typhoid fever

17. Epilepsy	35. Locomotor ataxia	53. Ulcers of gastro-intestinal tract
18. Female diseases (in general)	36. Lupus	54. Venereal diseases, including syphilis, gonorrhoea, soft chancre, venereal granuloma and lympho granuloma

Some of the words are old, but the list is still in force. Rules made under the Act can add other conditions, within limits the Act sets: for example, conditions that need timely treatment by a registered medical practitioner.

What this means in practice. An advertisement for a tablet, tonic, oil or kit that suggests it treats, cures or prevents any of these conditions falls under section 3. It does not matter whether the product is modern, traditional or "natural". Section 14 of the Act has some exceptions. They are not listed here: read the section itself, and do not assume that one covers a post or a reel.

What if nothing is sold? Section 3 is about advertisements "referring to any drug". Whether it also reaches an advertisement for a service alone, with no medicine or product, is an open question; this guide cites no court decision on it. Do not rely on that gap. A service advertisement that promises to cure a serious disease is judged under consumer law (sections 4 to 6 of this guide), and that law reaches every service.

Misleading drug advertisements generally. Section 4 of the 1954 Act goes further than the Schedule. No person may take part in publishing an advertisement relating to a drug if it:

- "directly or indirectly gives a false impression regarding the true character of the drug"; or
- "makes a false claim for the drug"; or
- "is otherwise false or misleading in any material particular".

Penalty. On a first conviction, imprisonment up to six months, or a fine, or both. On a later conviction, imprisonment up to one year, or a fine, or both (section 7).

3. Claims of miraculous powers

The 1954 Act has a separate rule for "magic remedies". A "magic remedy" includes "a talisman, mantra, kavacha, and any other charm of any kind which is alleged to possess miraculous powers". The powers it is said to have may be to diagnose, cure, mitigate, treat or prevent disease, or to affect the structure or any organic function of the body (section 2(c)).

Section 5 says that no person "carrying on or purporting to carry on the profession of administering magic remedies" shall take any part in publishing an advertisement for a magic remedy which "directly or indirectly claims to be efficacious" (effective) for any of the purposes in section 3. They include every condition in the Schedule above.

Section 5 applies only to a person in that profession, and only to a claim of miraculous powers. This guide does not say whether any particular practice falls within those words. That depends on the facts of each case.

4. Words that mislead

Consumer law does not ask whether something is a drug. It applies to products and to services.

What makes an advertisement misleading. Under section 2(28) of the Consumer Protection Act, a "misleading advertisement" means an advertisement which, among other things:

- "falsely describes such product or service"; or
- "gives a false guarantee to, or is likely to mislead the consumers as to the nature, substance, quantity or quality of such product or service"; or
- "deliberately conceals important information".

When is an advertisement valid? Clause 4(1) of the CCPA Guidelines says an advertisement is valid and not misleading if, among other things:

- "it contains truthful and honest representation";
- it does not mislead consumers "by exaggerating the accuracy, scientific validity or practical usefulness" of the goods or product (this clause speaks of goods or product; clause 12 below expressly names service providers);
- it does not suggest that its claims are "universally accepted if there is a significant division of informed or scientific opinion";
- it makes sure that claims which are not independently proven, and rest only on something published, do not mislead;
- it complies with any other law that applies to that sector.

Proof on demand. Clause 12 applies to every advertiser, service provider and advertising agency. Claims of objectively ascertainable fact must be "capable of substantiation", that is, capable of proof, and the proof must be produced if the CCPA asks (clause 12(a)). Where an advertisement is expressly stated to be based on research or an assessment, it must give the source and date (clause 12(b)). No statement or picture may mislead "directly, or by implication, or by omission, or by ambiguity, or by exaggeration" (clause 12(d)).

Words that need proof you can produce. None of these words is banned on its own. Each one is a claim. Where it states a fact that can be checked, clause 12(a) requires proof on demand:

The claim	What it promises	The question to ask
"Cures", "permanent cure", "reverses"	An outcome	Is there proof that it does this, for this condition? For a product, is the condition in the Schedule (section 2)?
"Guaranteed results", "100 per cent success"	A guarantee	Can every person really expect this? A false guarantee makes an advertisement misleading.
"No side effects", "completely safe"	Safety	Is there proof? Leaving out known risks can be deliberate concealment.
"Scientifically proven", "clinically tested"	Research	Which study, when, and by whom? If the advertisement says it rests on research, clause 12(b) asks for the source and date.
"Accepted by all doctors", "recommended by experts"	Agreement	Is informed or scientific opinion in fact divided? If so, clause 4(1) forbids suggesting that it is not.
"Approved by", "certified by", an award or a logo	Someone else's backing	Did that body really approve this, and for this claim?
"Number 1", "best in the city"	A comparison	Measured how, and is the proof on file?

Examples. A weight-loss clinic posts, "Guaranteed: lose 10 kg in 30 days, no side effects." A shop posts, "Reverses diabetes in 30 days," for a bottled product. Another clinic posts, "Our programme has cured hundreds of cancer patients."

Each of these is a claim of fact that would need proof. The second and third name conditions in the Schedule. The bottled product may be a drug under the 1954 Act, unless it is a food (section 2(b)); rules for food and supplements are outside this guide. The programme is a service, so consumer law applies to it.

5. Testimonials, reviews, before-and-after pictures and influencers

Endorsements must be genuine. An endorsement "must reflect the genuine, reasonably current opinion" of the person giving it. It "must be based on adequate information about, or experience with" what is endorsed, and it "must not otherwise be deceptive" (CCPA Guidelines, clause 13(1)). A patient's story, a review, a celebrity's video and a doctor's appearance can each be an endorsement.

Paid or connected? Say so. Sometimes there is a connection between the endorser and the advertiser that "might materially affect the value or credibility of the endorsement". If the audience would not expect it, the connection "shall be fully disclosed" (clause 14). Payment, free treatment, a discount, a family tie or a business share can each be such a connection.

Before-and-after pictures are claims about results. A picture that is not genuine can mislead. So can a picture suggesting that most people will get a result they will not. Clause 12(d) forbids misleading "by implication". If the picture is for a product and the condition is in the Schedule, section 2 of this guide also applies.

Endorsers can be penalised. The CCPA can fine a manufacturer or endorser of a false or misleading advertisement up to Rs. 10 lakh. For each later contravention (breach), the fine can be up to Rs. 50 lakh. The CCPA can also bar an endorser from endorsing for up to one year, and up to three years for a later contravention (Consumer Protection Act, section 21(2) and (3)). An endorser is not liable to these penalties if they "exercised due diligence to verify the veracity of the claims" (section 21(5)).

6. Who answers for the advertisement

- **The business that advertises.** A manufacturer or service provider "who causes a false or misleading advertisement to be made which is prejudicial to the interest of consumers" commits an offence. ("Prejudicial" means harmful.) The punishment is imprisonment up to two years and a fine up to Rs. 10 lakh. For a later offence, it is up to five years and up to Rs. 50 lakh (Consumer Protection Act, section 89).
- **Anyone who publishes it, or is a party to publishing it.** The CCPA can impose a penalty up to Rs. 10 lakh (section 21(4)). It can also order the trader, manufacturer, endorser, advertiser or publisher to stop or change the advertisement (section 21(1)).
- **Under the 1954 Act,** sections 3 and 4 say that "no person shall take any part in the publication" of a forbidden advertisement. How far those words reach a person who only writes, voices, designs or posts an advertisement for someone else is for a court to decide on the facts. Take care: the risk may reach you too.

- **Companies and firms.** Sometimes a company breaks the 1954 Act. Then every person who was "in charge of, and was responsible to" the company for its business is treated as guilty along with it. That person escapes only by proving that it happened without their knowledge, or that they used "all due diligence to prevent the commission of such offence" (section 9(1)).

7. Titles and letters after a name

A title, a string of letters after a name, or a phrase such as "specialist" or "gold medallist" is a claim too. An advertisement that falsely describes a service is a misleading advertisement under section 2(28) of the Consumer Protection Act.

Which titles a person may use depends on their profession and their State, and for some titles the law is not settled. This guide does not say who may use which title.

To check. Ask what the title means and what the person can show to support it. If they say they are registered with a council or board, ask for the registration number and check that body's own register.

8. If you see a claim like this

- **Keep a copy.** Take a screenshot that shows the date, the account or page, and the full claim. Save the link.
- **Report it.** You can register a consumer grievance with the National Consumer Helpline, run by the Department of Consumer Affairs. Call 1915 (toll-free, 8 am to 8 pm) or WhatsApp +91 88000 01915. You can also use the NCH app, the UMANG app, or the website consumerhelpline.gov.in. These details were checked on 6 November 2026.
- **Drug and remedy advertisements.** Under section 8 of the 1954 Act, any Gazetted Officer authorised by the State Government can search places and seize advertisements believed to break the Act. (This means a government officer of the grade called "Gazetted" whom the State Government has authorised.) Ask your State's health or drugs department which officer deals with this where you live.
- **A practitioner's conduct.** If the advertiser is registered with a professional council, you can also write to that council about their conduct.
- **If you have been harmed,** get proper medical care first, and keep your bills, prescriptions and messages.

Reporting through these routes is better than accusing someone in public. This guide cannot tell you whether a particular advertisement breaks the law.

9. Before you publish a health claim: ten questions

1. Does the advertisement refer to a medicine, tonic, oil or other product? If so, does it suggest treating any condition in the Schedule (section 2)?
2. If it refers to such a product, does it mention miscarriage, preventing pregnancy, sexual pleasure or menstrual disorders?
3. Does it claim miraculous powers to heal?

4. Can you produce proof, today, of every claim of fact in it?
5. If it says that research supports it, does it give the source and date?
6. Does it guarantee a result, or suggest that everyone will get the result shown?
7. Does it leave out a risk, a cost or a condition that a reader would want to know?
8. Is every testimonial, review and picture genuine, current and typical?
9. Is every paid, free, family or business connection with an endorser disclosed?
10. Is every title and qualification in it true, and can a reader check it?

If any answer worries you, change the advertisement before it goes out, or do not publish it. Getting every answer right does not by itself make an advertisement lawful. This list is a prompt for thinking, not a clearance.

About this guide

Laws used: the Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954 (India Code text as on 15 April 2026), sections 2(a), 2(b), 2(c), 3, 4, 5, 7, 8, 9, 14 and the Schedule. The Consumer Protection Act, 2019, sections 2(28), 21 and 89. The Guidelines for Prevention of Misleading Advertisements and Endorsements for Misleading Advertisements, 2022, clauses 4(1), 12, 13(1) and 14. All were checked against the official texts on 6 November 2026.

Not covered: the conduct rules of each professional council; State laws, as some States have their own laws against claims of miraculous cures, so check your State; rules for food and supplement labels; and rules for television and radio broadcasters.

This guide gives general information for awareness. It is not advice on any advertisement, complaint or case.

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