

ASCI upholds 90% complaints made against advertisements in August-September

Mumbai, November 12, 2020: In August and September 2020, the Advertising Standards Council of India (ASCI) looked into complaints against **317** advertisements, of these **64** were promptly withdrawn by advertisers on ASCI's intervention. The Independent Consumer Complaints Council (CCC) of ASCI evaluated the remaining **253**, of which complaints against **221** advertisements were upheld. Of these 222 advertisements, **101** belonged to the **education** sector, **77** to healthcare, **eight** to **food and beverage**, **seven** to **personal care**, **three** to **finance and investments** and **25** were from **other** categories. Complaints against **32** advertisements were not upheld as they were found to not be in violation of the ASCI code.

In August and September both, the education sector saw a sharp rise in institutes making misleading and false claims in their advertisements, claims such as top of their field, Ranking No. 1, 100% job placements, best institute, 100% passing rate, were the most used claims that violated ASCI's code. One online learning app claimed to be the best and pioneer of live online classes. Many educational institutions didn't have substantial data and surveys to support the claims they were making and the CCC recommended that these advertisements be declared misleading.

ASCI also upheld misleading ad claims made on various digital platforms like Instagram, Twitter and Facebook. Many such claims were taken up by ASCI suo motu. Many advertisers leverage consumers' fears and insecurities, especially in this pandemic situation, to lure them to make product purchases. These ads were mostly related to the health sector, with brands falsely claiming to cure or prevent COVID-19. Working together and synergizing efforts with the Ministry of AYUSH, ASCI has constantly been working towards eliminating such false claims for consumer protection. In August and September 59 such cases were flagged off to the regulator.

We also looked into non- healthcare advertisements, in one case a company claimed that their paint protected home owners from germs, a clothing company claimed to kill 99% germs, ASCI also looked into an ad claiming their fabric was anti-corona, .There was even a case of a sweet confectionery that claimed their sweets could combat COVID 19 and improve the immune system. There was a grocery chain that said they would refund their full grocery bill if their customer tested positive for COVID-19 within 24 hours of shopping at their store. In the context of COVID-19 pandemic, these claims were misleading, and advertisers were told to modify such claims or withdraw their advertisements.

Manisha Kapoor, Secretary General of ASCI said: "ASCI, is now in its 35th year since inception. COVID-19 related claims as well as misleading education claims continued to dominate the kind of complaints we received at ASCI during this period. The independent consumer complaints council (CCC), which comprises members of civil society as well as industry, jointly view such advertisements and adjudicate. The CCC goes deep into understanding the underlying complaint and the advertiser response and justification before an opinion is given. ASCI's only goal is to promote responsible advertising which safeguards consumers."

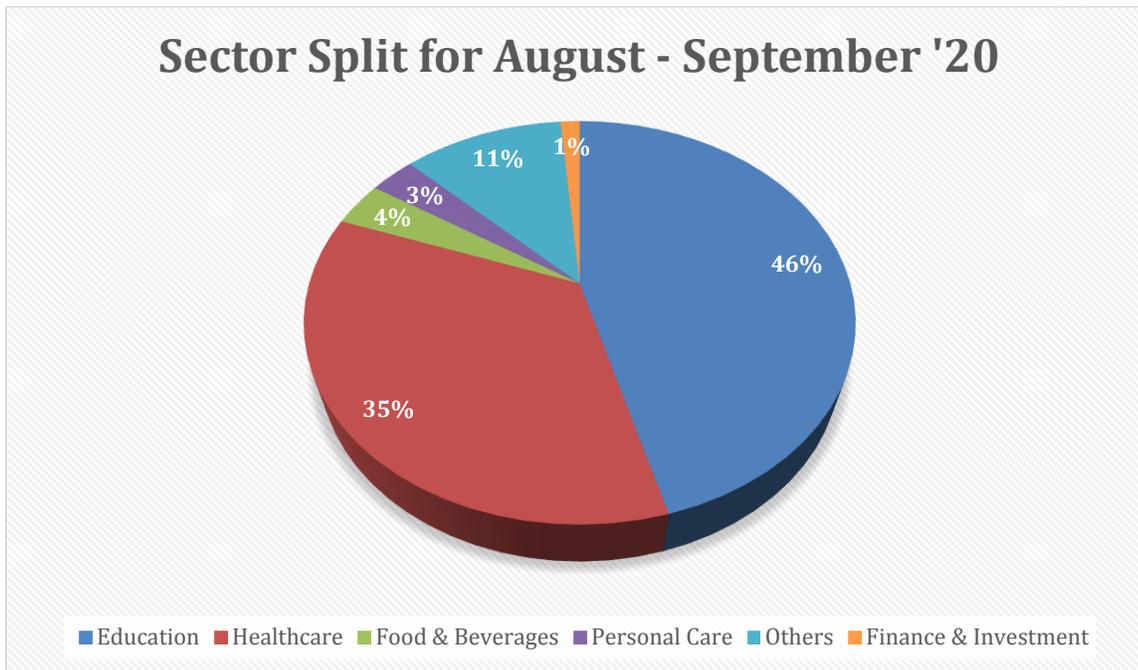
Along with the healthcare and education sectors, the finance and investment sector had some interesting cases too. ASCI received a unique direct complaint from a consumer regarding a campaign TVC run by a leading loan company. The TVC had people covering their mouth only till their nose with the mask. The CCC concluded that such advertisements misuse the COVID-19 situation and upheld the complaint.

Link to the Consumer Complaints Council Recommendations:

[August 2020 Recommendations](#)

[September 2020 Recommendations](#)

Below are the Sector wise division of the Upheld complaints for August and September - 2020



EDUCATION: - 101 advertisements complained against

Direct Complaints (three advertisements)

Suo Motu Surveillance by ASCI (98 advertisements)

HEALTHCARE: - 77 advertisements complained against

Direct Complaints (Two advertisements)

Suo Motu Surveillance by ASCI (75 advertisements)

Food & Beverages - eight advertisements complained against

Direct Complaints (Five advertisements)

Suo Motu (three advertisement)

PERSONAL CARE: -Seven advertisements complained against

Direct Complaints (Three advertisement)

Suo Motu (Four advertisements)

OTHERS: - 25 advertisements complained against

Direct Complaints (11 advertisements)

Suo Motu Surveillance by ASCI (14 advertisements)

Finance and Investment: Three advertisements complained against

Direct Complaints (two advertisements)

Suo Motu Surveillance by ASCI (one advertisement)

About The Advertising Standards Council of India (ASCI)

The Advertising Standards Council of India (ASCI), established in 1985, is committed to the cause of self-regulation in advertising ensuring the protection of the interest of consumers. ASCI seeks to ensure that advertisements conform to its Code for Self-Regulation, which requires advertisements to be legal, decent, honest and truthful and not hazardous or harmful while observing fairness in competition. ASCI looks into complaints across ALL MEDIA such as Print, TV, Radio, hoardings, SMS, Emailers, Internet / web-site, product packaging, brochures, promotional material and point of sale material etc. In January 2017, the Supreme Court of India in its judgement affirmed and recognized the self-regulatory mechanism as an effective pre-emptive step to statutory provisions in the sphere of advertising content regulation for TV and Radio in India. ASCI's role has been acclaimed by various Government bodies including The Department of Consumer Affairs (DoCA), Food Safety and Standards Authority of India (FSSAI), Ministry of AYUSH as well as the Ministry of Information and Broadcasting (MIB). MIB issued an advisory for a scroller providing ASCI's WhatsApp for Business number 77100 12345, to be carried by all TV broadcasters for consumers to register their grievance against objectionable advertisements. ASCI is a part of the Executive Committee of International Council on Ad Self-Regulation (ICAS). Among several awards bestowed by the European Advertising Standards Alliance (EASA), ASCI bagged a Gold Global Best Practice Award for the Mobile App "ASCIonline" (2016). As well as a special recognition for its "Guidelines for Celebrities in Advertising" at the first-ever 'Global Awards for Effective Advertising Self-Regulation' hosted by the ICAS (2019)

For further information, please contact:

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