



ASCI CCC Recommendations: April 2017
ASCI UPHELD COMPLAINTS AGAINST 130 OUT OF 199
ADVERTISEMENTS

Mumbai, July 3rd, 2017: In April 2017, ASCI's Consumer Complaints Council (CCC) upheld complaints against 130 out of 199 advertisements. Out of 130 advertisements against which complaints were upheld, 73 belonged to the Healthcare category, 30 to the Education category, followed by 13 in the Food & Beverages category, 4 in Telecommunication sector, 3 in the Personal Care category, and 7 advertisements from other categories.

HEALTHCARE:-

The CCC found the following claims of 73 advertisements in health care products or services to be either misleading or false or not adequately / scientifically substantiated and hence violating ASCI's Code. Some of the health care products or services advertisements also contravened provisions of the Drugs & Magic Remedies Act and Chapter 1.1 and III.4 of the ASCI Code. Complaints against the following advertisements were UPHELD.

- 1. Perfect Point:** The advertisement's claims, "Fat Freezing to Permanent Reduction of Fat Cells - No Side Effects" and "Cavitation Ultra Sound - Fat Eliminator", were not substantiated. The claim, "Perfect Point - Introducing First time in Udaipur Cryolipolysis", was not substantiated with supporting proof. Also, the claims are misleading by exaggeration.
- 2. Vibes Healthcare Ltd. (Vibes Centre):** The advertisement's claim, "Treatment for Hair Re-Growth - Stem Cell Technology", was not substantiated with supporting clinical evidence, and with treatment efficacy data. Also, the claim is misleading.
- 3. Vardan Speech & Hear Diag Cent:** The advertisement's claim, "Rajdhani's No.1 Hearing Centre", was not substantiated with any verifiable comparative data versus other similar clinics in the same category or any third party validation or research to prove this claim. Also, the claim is misleading by exaggeration.
- 4. Medinn Belle Herbal Care Pvt. Ltd. (Endura Mass):** The advertisement's testimonial claim, "..... But, I found a new identity with Endura Mass which gave me the right weight. So, if you are also underweight, start taking Endura Mass today", and the claim, "Gain Weight. Stay Fit", were inadequately substantiated and are misleading.



5. **Unique International (Dr Richas Unique Clinic):** The advertisement's claim, "Complete Solution for Obesity" is considered to be, prima facie, in violation of the Drugs & Magic Remedies (DMR) Act and the Drugs & Cosmetics (D&C) Rules.
6. **Kudos Laboratories India Limited (IME-9 Tablets):** The voice over of the advertisement states, "Your diabetes will be cured completely". The advertisement is considered to be, prima facie, in violation of the DMR Act and D&C Rules.
7. **Renovision Exports Pvt. Ltd. (Hypower Musli Capsule):** The advertisement's claim, "Use hypower muslin oil for more power," and the visual in the advertisement read in conjunction with the claims in the advertisement imply that the product is meant for enhancement of sexual pleasure. This is considered to be, prima facie, in violation of the D&C Rules.
8. **Cenozoic Remedies Pvt. Ltd. (Ceno Gathia Oil/Capsule):** The advertisement's claim, "Treatment of Rheumatic, Arthritis from the roots," is considered to be, prima facie, in violation of the DMR Act.
9. **Charak Ayurvedic Panchkarma Clinic:** The advertisement's claim, "Treat diseases like sterility, kidney stone, obesity, high blood pressure, piles, fistula, fissure etc. through most successful diagnosis method," is considered to be, prima facie, in violation of the DMR Act and D&C Act.
10. **Cenozoic Remedies Pvt. Ltd. (Diaba Dops Range of Products):** The advertisement's claim, "Treat Diabetes from the roots" is considered to be, prima facie, in violation of the DMR Act and D&C Act.
11. **Shubham Homeo Clinic:** The advertisement's claim, "Treat congenital deafness permanently without operation" is considered to be, prima facie, in violation of the DMR Act and D&C Act.
12. **Noor Cancer Care:** The advertisement's claim, "Treatment of cancer without operation" is considered to be, prima facie, in violation of the DMR Act and D&C Act.
13. **Ambey Clinic:** The advertisement's claims, "Successful treatment of weakness of nerves due to excessive masturbation, lack of sex in growing age, lack of strength in penis, lack of sperm & semen, sex phobia, discharge, nightfall, impotence, small penis, sloppy penis, syphilis, gonorrhoea, sterility," are considered to be, prima facie, in violation of the DMR Act and D&C Act.
14. **New Model Clinic:** The advertisement's claim, "To provide successful ayurvedic treatment for sex problems. Also claims to remove weakness and increase strength & vigour," and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement of sexual pleasure. This is considered to be, prima facie, in violation of the D&C Rules.

- 15. Classical Homeopath (Dr. Shivshankar Meetwar Clinic):** The advertisement's claim, "Permanent treatment of diabetes, thyroid, blood pressure and mental diseases," is considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 16. Shree Hari Clinic:** The advertisement's claim, "Without operation, ayurvedic treatment for sterility in men and women," is considered to be, prima facie, in violation of the DMR Act.
- 17. Ganga Clinic:** The advertisement's claims, "Increase sex hold back time upto 50 minutes", "Sure shot ayurvedic treatment for increasing penis length/thickness, sugar, loose organ, thinness, sloppy organ," and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement of sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 18. Surya Ayurveda Hospital & Yoga Centre:** The advertisement's claim, "Guaranteed treatments for asthma, piles, varicose, sugar, etc." is considered to be, prima facie, in violation of the D&C Rules.
- 19. Naik Homoeopathy:** The advertisement's claim, "Successful Treatment on Kidney Failure / Stone, Heart diseases & Liver failure, Cancer / Mental diseases, Infertility prevention/ Sexual problems, Arthritis / Spondylosis. Skin Diseases / Psoriasis, Allergy / Asthma/ scabies, Depression / mentally challenged children," is considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 20. Arogyam Acupuncture & Naturopathy Clinic:** The advertisement's claim, "Children suffering from Cerebral Palsy, Down syndrome please visit. The only clinic where incurable diseases are treated without medicine," is considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 21. Rajnish Hot Deals Pvt. Ltd. (Playwin Capsule):** The advertisement's claims, "Enjoy a happy married life", "Helps prevent Premature Ejaculation" and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 22. Rajnish Hot Deals Pvt. Ltd. (Playwin Capsule):** The advertisement's claim, "Helps you gain power, stamina, strength and prevents premature ejaculation" and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.

- 23. Rajnish Hot Deals Pvt. Ltd. (Playwin Capsule):** The advertisement's claims, "The storms of immense vigour that will make your partner enjoy", "Helps prevent Premature Ejaculation" and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 24. Rajnish Hot Deals Pvt. Ltd. (Playwin Capsule):** The advertisement's claim, "Enjoy a happy married life" and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement for sexual pleasure. This claim is considered to be, prima facie, in violation of the D&C Rules.
- 25. Shree Maruti Herbal (Stay On Oral Liquid):** The advertisement's claim, "Weakness, lack of strength, Excitement, Stimulation?" and the visual in the advertisement read in conjunction with the claim objected to imply that the product is meant for enhancement of sexual pleasure. Further the advertisement provides the link to the website, where the product is promoted with reference to claims like, "making love", "Kamasutra", "boosting libido" and "Premature ejaculation, erectile dysfunction, lack of libido etc. are all a distant memory". These claims were considered to be, prima facie, in violation of the D&C Rules.
- 26. Shree Maruti Herbal (Stay On Oral Liquid):** The visual in the advertisement implies that the product is meant for enhancement of sexual pleasure. Further the advertisement provides the link to the website, where the product is promoted with reference to claims like, "making love", "Kamasutra", "boosting libido" and "Premature ejaculation, erectile dysfunction, lack of libido etc. are all a distant memory". These were considered to be, prima facie, in violation of the D&C Rules.
- 27. Shree Maruti Herbal (Stay On Power Capsule):** The advertisement's claims, "Experience of power, every day, every moment!", "'Stay-On' which will give you a different experience of youthfulness, Resistance power, pep, vigour, excitement and strength" and the claims on the website linked with the advertisement states, "...Countless number of people have, rediscovered, the lost joy, back in their interpersonal relationship. Premature ejaculation, erectile dysfunction, lack of libido etc. are all a distant memory". Further the visual in the advertisement and packaging read in conjunction with the claims objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 28. Shree Maruti Herbal (Stay On Power Capsule):** The advertisement's claims, "The unique power capsule effective in rejuvenating, revitalising and boosting energy" and the claims on the website linked with the advertisement states "...Countless number of people have, rediscovered, the lost joy, back in their interpersonal relationship. Premature ejaculation, erectile dysfunction, lack of libido etc. are all a distant memory". Further the visual in the

advertisement and packaging read in conjunction with the claims objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.

- 29. Shree Maruti Herbal (Stay On Power Capsule/Oil):** The advertisement's claims, "For excitement, passion, strength. You will get a feeling of youthfulness, resistance power, pep, excitement, strength and Passion in your body," and the claims on the website linked with the advertisement states "...Countless number of people have, rediscovered, the lost joy, back in their interpersonal relationship. Premature ejaculation, erectile dysfunction, lack of libido etc. is all a distant memory". Further the visual in the advertisement and packaging read in conjunction with the claims objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 30. Shree Maruti Herbals (Stay-On Oral Liquid):** The advertisement's claim, "To give charging for new happy moments" and the visual in the advertisement read in conjunction with the claim in the advertisement implies that the product is meant for enhancement of sexual pleasure. Also, the advertisement provides link to website which refers to "making love", "Kamasutra", boosting libido". These are considered to be, prima facie, in violation of the D&C Rules.
- 31. Shree Maruti Herbals (Stay-On Power Capsule):** The advertisement mentions the product website which claims, "Countless number of people have, rediscovered, the lost joy, back in their interpersonal relationship, Premature ejaculation, erectile dysfunction, lack of libido etc are all a distant memory". Also the visual in the advertisement read in conjunction with the claims in the advertisement imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 32. Poona Preventive Cardiology Centre:** The advertisement's claims, "Say No To Angioplasty & Bypass Surgery", "Effective Therapy That Can Prevent Angioplasty & Bypass Surgery" and "Effective In Heart Failure Patients," were considered to be, prima facie, in violation of the DMR Act.
- 33. Rishabh Hospital:** The advertisement's claim, "Successful Treatment of Childlessness," is considered to be, prima facie, in violation of the DMR Act.
- 34. 34 Heart Care:** The advertisement's claims, "Freedom from heart diseases, treatment without surgery" and "Survive from future heart attacks," were considered to be, prima facie, in violation of the DMR Act.
- 35. Oval Healthcare Pvt. Ltd. (Aveya IVF):** The advertisement's claim, "Fertility: Turning Patients into Parents," is considered to be, prima facie, in violation of the DMR Act.

- 36. Chaudhary Piles Hospital:** The advertisement’s claim, “Successful treatment of piles, fissure, fistula” is considered to be, prima facie, in violation of the DMR Act.
- 37. Innovative Cure Beauty & Health Clinic:** The advertisement’s claim, “Increase height upto five centimetres” and the before and after visuals imply treatment for height increment and breast enhancement. These were considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 38. Innovative Joints Rejuvenation Centre:** The advertisement’s claim, ““Avoid joint replacement and regenerate cartilages”, was inadequately substantiated and is misleading by implication and exaggeration.
- 39. Clove Dental:** The advertisement’s claim, “180,000 Satisfied Customers”, was not substantiated and is misleading by exaggeration.
- 40. Muktha Laboratories Pvt. Ltd. (Catche must-quit-o):** The advertisement’s claims, “Safe and natural”, “A revolutionary way to reduce mosquitoes in your surrounding”, “Bite free environment”, “Free from dengue, malaria, chikungunya”, “No insecticides and pesticides”, “Purifies air”, “Reduces 90% bacterial load in the room” and “Nontoxic as per OECD guidelines” were inadequately substantiated. Also the claims, “Traps only female mosquitoes which bites”, “Free from wheezing, congestion and headache”, “Breathe fresh, stay fresh” and “World’s first non-toxic and eco-friendly” were not substantiated.
- 41. K. Patel Phyto Extractions Pvt. Ltd. (Dot Shot):** The advertisement’s claims, “Helps to reduce inevitable side effects next morning post party - No laziness - No headache - No acidity - No body cramps”, were inadequately substantiated, and the claims “No laziness - No headache - No acidity - No body cramps” are misleading by gross exaggeration.
- 42. Lion Dates Impex Ltd. (Lion Dates Syrup):** The advertisement’s claim, “Protects from dengue”, which was not substantiated with supporting scientific data and with evidence of product efficacy, and is misleading by exaggeration.
- 43. Nirmal Kayaz:** The advertisement’s claims, “It treats chronic diseases and even cancer” and “Removes even 99% heart blockage in a few days by treating the patient by using 5000 years old siddha and ayurvedic remedy and medicine” are considered to be, prima facie, in violation of the DMR Act.
- 44. Amomi Herbal Tablet:** The advertisement’s claim, as translated into English, “Successful treatment for obesity without abstinence or exercise” is considered to be, prima facie, in violation of the DMR Act.

- 45. Wings IVF Hospital:** The advertisement's claim implies cure for childlessness is considered to be, prima facie, in violation of the DMR Act.
- 46. Amandeep Hospital:** The advertisement's claim, "Successful treatment of varicose veins through advanced laser technique" is considered to be, prima facie, in violation of the DMR Act.
- 47. Chahal Hair Clinic:** The advertisement's claim, "100% Effective Treatment of all problems related to hair like baldness", was not substantiated with clinical evidence and with treatment efficacy data, in particularly about baldness and is misleading by gross exaggeration.
- 48. Ayurwin Pharma Pvt. Ltd. (Nutrslim plus Range of Products):** The advertisement's claims, "Now it's very easy to be slim", was not substantiated with product efficacy data and evidence of "ease of slimming" with the advertised product. Also the claim, "Approved by Ayush Dept.", was not substantiated with supporting evidence, and are misleading by ambiguity and implication.
- 49. Dr. Batras Positive Health Clinic (Dr. Batras Homeopathic Clinic):** The advertisement's claim, "World's largest chain of Homeopathy clinic", was not substantiated with authentic comparative worldwide data versus other similar clinics or any third party validation or research to prove this claim. Also, the claim is misleading by exaggeration.
- 50. Dr Batras Homeopathic Clinic:** The advertisement claims, "To be sure, scientific successful treatment on one million of patients - baldness and vitiligo", are considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 51. Dindayal Aushadhi (Original 303 Capsules):** The advertisement's claims, "Energy and Passion in your married life", "Fulfil the expectations of your life partner" and the visual in the advertisement read in conjunction with the claims objected to imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.
- 52. Dr. Dhiraj Patel (Khodiyar Ayurved):** The advertisement's claims, "Childless couples who are tired of taking medicines now need not feel dejected", "Gents with low sperm count get guaranteed relief with ayurvedic medicines", "We have given guaranteed relief to couples who have not had children after 11 years of marriage and after trying for test tube babies thrice" and "Written money-back guarantee on stamp paper to patients", are considered to be, prima facie, in violation of the DMR Act.
- 53. Speed Height Capsule:** The advertisement's claims, "Good height makes career bright", "For boys and girls", "Inspite of being small my growth has changed, thank you", "Effective

ayurvedic medicine”, “No side effects” and “Helpful in body growth too”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

54. Speed Height Capsule: The advertisement’s claims, “Good height makes career bright”, “For boys and girls”, “Go ahead with more than double speed”, “Effective ayurvedic medicine”, “No side effects” and “Helpful in body growth too”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

55. Zee Laboratories Ltd. (Brexelant): The advertisement’s claims, “Growth and shaping Breast Cream” and “Bust enhancement”. Also, the advertisement provides link to the website which refers to the following claims, “Firming, Lifting and Enhancing Bust”. These were considered to be, prima facie, in violation of the DMR Act and D&C Rules.

56. Care and Cure Herbals (Shots Xtra Time and Desire Capsules and Gel for Men): The advertisement claims, “To be unmatched formula for energy and capacity” and “For beautiful moments of love”. Also the visual in the advertisement read in conjunction with the claims in the advertisement imply that the product is meant for enhancement for sexual pleasure. These claims are considered to be, prima facie, in violation of the D&C Rules.

57. Positive Homeopathy: The advertisement’s claims, “Get rid of kidney stones through homeopathy treatment” and “Increase in Fertility”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

58. Positive Homeopathy: The advertisement’s claims, “Permanent treatment for kidney stone problems through homeo [without operation]” and “Best Solution for Infertility”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

59. Divyatej Ayurvedic: The advertisement’s claim, “Get rid of deafness permanently through ayurvedic specialist”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

60. Dr. Tomar Ayur Spine Care & Panchkarma Center: The advertisement’s claims, “To treat incurable diseases from roots through ayurvedic medicines and panchkarma – White Spots, lack of sperm, impotence”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

61. Medikom Healthcare & Ayurvedic Centre: The advertisement’s claims, “Boon for people with sexual problems” and “to get rid of sex weakness, premature ejaculation, nightfall, lack of time, loose nerves, small organ, sloppy organ, lack of sperm”, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.

- 62. Chetan Herbals:** The advertisement's claims, "Increase breast size, see the difference in 15 days", "To make undeveloped and tightening small breast in shape" and "attractive and beautiful". Also the visual in the advertisement implies that the product is meant for increase in size of female bust, are considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 63. Dr P K Jain Clinics:** The advertisement's claims, "Successful Treatment for Masculine weakness, Early Ejaculation, lack of sperm, Sexual debility, Lack of sex, loose organ, Sexual Weakness and Undeveloped male organs, Infertility", are considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 64. Rajput Clinic:** The advertisement claims, "to provide satisfied treatment of masculine weakness" and "Increase height", are considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 65. Ayushman Homeopathic Center:** The advertisement's claims, "Treatment for Diabetes, Blood Pressure and Cancer is possible", "Treatment without operation for Kidney Stone", "No need to bear pain of Arthritis" and "Ultimate solution of all diseases". The advertisement's references to conditions of, "Obesity, Female Diseases, increase in Height, Infertility in minimum cost", are considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 66. Arogyadham:** The advertisement's claim relating to obesity states, "Get rid of excessive weight, shapeless body and cellulite", is considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 67. Shree Dhanvantri Ayur Hospital:** The advertisement's claims, "Get complete cure from piles, fistula & fissure through ayurveda kshara sutra procedure" and "get permanent cure for asthma, sexual dysfunctional through ayurveda panchkarma", are considered to be, prima facie, in violation of the D&C Rules.
- 68. Sri Jwala Ayurved Bhavan (Jwala Arshantak Set):** The advertisement's claim, "Sure shot treatment for piles", also the product name, "Arshantak Set" implies cure for Piles, are considered to be, prima facie, in violation of the D&C Rules.
- 69. Naik Hospital:** The advertisement shows baldness as indication and claims, "to grow the natural hair from roots". This is considered to be, prima facie, in violation of the D&C Rules.
- 70. B K Stones and Urology Clinic:** The advertisement's claim, "Get freedom from stones", is considered to be, prima facie, in violation of the DMR Act and D&C Rules.
- 71. VLCC Personal Care Ltd.:** The advertisement's claims, "Let your slimmer self out in just 90 mins" and "Get instant enviable results with insta Tone", were not substantiated with clinical

evidence and with treatment efficacy data, and are misleading by implication and gross exaggeration.

72. Aakruti Physiotherapy & Slimming Centre: The advertisement's claims accompanied by diagrammatic representation of a shrinking hour glass figure, "Reduce weight" and "Lose upto seven to ten kilograms within 40 days" were not substantiated with supporting clinical evidence, and with treatment efficacy data among statistically significant sample size, and are misleading by gross exaggeration. Also, the visual in the advertisement is misleading by implication. While the advertiser referred to the award "Physiotherapy Based Slimming Centre Accredited by Consumer Protection", they did not provide a copy of the award certificate. In the absence of such details, it was concluded that the claim, "Kerala's No.1", was not substantiated and is misleading by exaggeration.

73. Emami Limited (Keshking ayurvedic oil): The advertisement's claim, "Kesh King shampoo deto kesh galnaipasun humkaas mukhttha" ("Kesh King Shampoo gives freedom from Hair loss"), was false and the claim is misleading by exaggeration.

EDUCATION:-

The CCC found following claims in the advertisements by 30 different advertisers were not substantiated and, thus, violated ASCI Guidelines for Advertising of Educational Institutions. Hence complaints against these advertisements were UPHELD.

1. Manya Education Private Limited (GMAT Coaching): The advertisement's claims, "India's No.1 GMAT coaching", "India's largest GMAT coaching company", Website Ad claims, "India's largest GMAT preparation that provides you a score improvement guarantee", "Apart from GMAC, We are the only company that gives students true computer adaptive tests", "The only company in India to have the most stringent teacher selection process that is globally recognized, "We are the only company that provides unlimited extra help* to all students and a Unique Satisfaction guarantee", were not substantiated. Also the claim, "700+ score in GMAT assured with TPR", was not substantiated with supporting evidence of students who obtained 700+ score in GMAT. Also, the claims are misleading by exaggeration.

2. Jamboree Education Pvt. Ltd.: The advertisement's claims, "India's No.1 coaching institute for GMAT, GRE, SAT and Admission Counselling", "Highest scores since 1993", "Best results since 1995", "GMAT: highest number of 700+ scores on GMAT in India", "GRE: highest number of 325+ scores on GRE in India", "SAT: highest number of 1900+ scores on GRE in India", "The most experienced trainers in the industry", "Most Exhaustive Collection of Questions and Mock Tests", "The ONLY Curriculum and Teaching Methodology Customized for Indian Test-

takers”, and “Satisfaction 100% Guaranteed”, were not substantiated with verifiable claim support data. Also, the claims are misleading by exaggeration and implication.

3. **National School of Business:** The advertisement’s claim, “3rd Best for return-on-investment in India” and “5th Best for Highest Salary in South India”, were inadequately substantiated. The claims are misleading by omission of the reference to indicate source of ranking and by implication as it is adjacent to a reference to a Forbes survey.
4. **Laksh Coaching School:** The advertisement’s claim, “True Claim 100% Guaranteed”, is likely to mislead the students as it implies 100% guarantee for future admission to IIT/medical. The claim is misleading by ambiguity and implication.
5. **National Institute of Event Management:** In the absence of appropriate documentary evidence, it was concluded that the claim, “Asia's First & Best Event Management Institute”, and reference to Limca Book of Records was inadequately substantiated and is misleading by ambiguity and omission. Also the advertisement’s claim, “Won Best Event Institute Award Eemax Global Award”, was not substantiated and misleading by implication.
6. **Narayana IIT/NEET Academy:** The advertisement’s claims, ““Always No.1” and “Trust the Leader”, were not substantiated with year wise verifiable comparative data versus other similar institutes in the same category or any third party validation or research to prove these claims. Also, the claims are misleading by exaggeration.
7. **ZEE Interactive Learning Syst:** The advertisement’s claim, “India's No.1 Pre School”, was not substantiated with any verifiable comparative data versus other similar institute in the same category or any third party validation or research to prove this claim. Also, the claim is misleading by exaggeration and by ambiguity and omission.
8. **EuroKids International Private Ltd.:** The advertisement’s claim, “Most Trusted Pre-School Brand”, was inadequately substantiated. The claim is not qualified by mentioning the source and date of research and is misleading by omission.
9. **J. K. Shah Classes:** The advertisement’s claims, “India's no.1 CA & CS coaching class”, “1st Choice of all CA & CS students”, “National level Best faculties”, were not substantiated with any verifiable, authentic comparative data versus other similar institutes in the same category or any third party validation or research to prove these claims. Further the claim, “A total of 1221 All India Rankers including 289 All India CPT/Foundation/PE-1 Rankers since 2001”, was not substantiated with verifiable claim support data. Also, the claims are misleading by exaggeration and implication.
10. **Made Easy Institute:** The advertiser’s claim that toppers were from their coaching institutes was not substantiated with authentic evidence, and is misleading by gross exaggeration.

- 11. IES Master:** The advertiser claim that toppers were from their coaching institutes was not substantiated with authentic evidence, and is misleading by gross exaggeration.
- 12. National Academy of Event Management & Development:** The advertisement's claim, "Asia's First & Best Event Management Institute", and reference to Limca Book of Records was not substantiated and is misleading by ambiguity and implication. Also the claim, "Best Institute for Event Management - Asia Education Summit & Awards 2017", was not substantiated. The claim is also misleading by ambiguity.
- 13. Bhanwar Rathore Design Studio:** The advertisement's claims, "1734 BRDS students selected (138 in NID, 495 in NIFT, 92 in CEPT, 146 in UID, 68 in PEARL, 22 in IIT, 685 in NATA, & 87 in GLS)" and "Faculty are NID / NIFT / CEPT Alumni", were not substantiated with verifiable claim support data, and are misleading by exaggeration. Also the claims, "Highest selection record from BRDS as compared to any coaching institute in India" and "BRDS is the only institute which publishes year-wise results in Newspapers", were not substantiated with verifiable comparative data versus other similar institutes, and are misleading by exaggeration.
- 14. Adithya IAS Academy:** The advertisement's claim, "For 100% Victory comes to Adithya", is not substantiated and is misleading by implication that the students would qualify for IAS.
- 15. Sun Info systems Pvt Ltd:** The advertisement's claim, "Get scholarship up to 100%*", was not substantiated with authentic supporting data such as evidence of 100% scholarships availed by any of their students. Also, the claim is misleading by exaggeration and ambiguity regarding the amount of scholarship and the total number of scholarships being offered.
- 16. NEEV Coaching (NGP)-NEEV Coaching:** The advertisement's claim, "100% Result In All Previous Batches", was not substantiated with verifiable supporting data of the results of their students specific to Entrance exams, and is misleading by exaggeration.
- 17. Achievers Academy:** The advertisement's claim, "Upto 100% Scholarship", was not substantiated with authentic supporting data such as evidence of 100% scholarships availed by any of their students. Also, the claim is misleading by exaggeration and ambiguity regarding the amount of scholarship and the total number of scholarships being offered.

Complaints against advertisements of all educational institutes listed below mostly are UPHELD because of unsubstantiated claims that they 'provide 100% placement/AND/OR they claim to be the No.1 in their respective fields':

M V Shipping Management Services (P) Ltd. (MV Shipping Academy), Ramappa Police Academy, Sona College of Technology, Winners Study Circle (Telangana Winners Study Circle), AKB Inst Of Finance &

Mgmt, Babu Banarsi Das Institute of Technology, Sujas (SKR)-ML, Gurukul Sansthan, Nishant Classes, Management Development Institute Murshidabad, Vaikunth Mehta National Institute Of Co-Operative Management, Krupajal Group of Institutions and Dr. Gaur Hari Singhania Institute of management & research.

PERSONAL CARE:-

- 1. Vini Cosmetics Pvt. Ltd. (Fogg Roll on Deodorant):** The advertisement's claims, "Triple protection against sweat, bacteria and odour" and "eliminate 96% bacteria", were inadequately substantiated with evidence of product efficacy, and are misleading by exaggeration.
- 2. Godrej Consumer Products Ltd. (Cinthol):** It was noted that "Buy 3 Get 1 Free**", is prominently displayed on the front of pack. However, this declaration is misleading by ambiguity and omission as the fourth pack is not of the same size. While the said claim was qualified by a disclaimer to declare the details of the free offer - "Buy 3 units of 125g soaps and get 1 unit of 75g free", the placement position of the disclaimer was not on the same panel of the packaging as the claim made. It was concluded that the packaging claim, "Buy 3 Get 1 Free", contravened Chapter I.4 of the ASCI Code and Clause 4 (III) of ASCI Guidelines for Disclaimers ("Placement position of disclaimers of a claim on packaging should be in prominent and visible space and could be ideally on the same panel of the packaging as the claim made.")
- 3. Hindustan Unilever Limited (Pepsodent Germi Check):** The advertisement showing frequent consumption of sugary food by children (laddoos, ice cream, chocolates) and a voice over stating, "jahan lagataar 12 mahiney sweet eating ho, wahan Pepsodent Germicheck ki lagataar 12 ghanthey cavity wale germs per dishoom dishoom zaroori hai", the pack visual claim in the advertisement "12 hour protection", was inadequately substantiated. The advertisement is misleading by implication and omission of other measures required to be taken for protection from caries after eating sugary food.

FOOD & BEVERAGES:-

- 1. Adani Wilmar Limited (Raag Gold Refined Palmolein Oil):** For the advertisement's claims "Zyada Seyath" and "Zyada Fry", the data submitted by the advertiser recommends use of Palmolien as a MUFA "To Help Inhibit Metabolic Syndrome,.....". The data also mentions that consuming repeatedly heated oils causes post prandial inflammation which is a rider to the earlier statement of usefulness of Palmolein Acid. Nowhere is there any indication that one should consume more (zyada) Pamolein for health which the advertisement mentions. Also there is no disclaimer that the repeated heating should be avoided because it is highly

undesirable because of the harm it causes. The vivid picturisation of deep fried food in the advertisement is also likely to mislead the consumers in the absence of the above disclaimer. Thus the advertisement's claims, "Zyada Seyath" and "Zyada Fry" are misleading by exaggeration, implication and omission.

2. **Doctor Rice:** The advertisement's claims, "Sugar Free Rice", "Doctor Rice", "Diabetic Rice" and "Low GI Rice", were not substantiated, with supporting clinical data, and are misleading by exaggeration. Also the claim, "1st Time in India", was not substantiated with verifiable comparative data versus other similar products in the same category. Also, the claim is misleading by exaggeration.
3. **Hatsun Agro Product Ltd. (Arokya Curd):** The advertisement's claim, "Keeps fresh till the last drop", was false and misleading.
4. **Amazon.com Inc. (Gits Instant Dahivada Snack Mix):** The price offer "MRP ~~Rs.130.00~~, Offer Price Rs.67.00, You Save Rs.63.00 (48%)" of Gits Instant Dahivada Snack Mix 200g in the advertisement is false and misleading, as the actual MRP of the product is Rs.65, at which it is being sold.
5. **Organic India Private Limited (Organic Honey):** It was noted that there was a discrepancy in the name of the advertised product, product mentioned in the Scope Certificate and that mentioned in the FSSAI licence. The advertisement's claim "Organic" was not substantiated for the advertised product. As honey comes from flower's nectar, honey procured non-organically will not differ from the organic one in terms of vitamin and minerals content. The claim, "Our certified Organic Honey is naturally complete with healthful Minerals and Vitamins" is misleading by implication. Furthermore, it was not clearly established as to how the honey collection was made exclusively from flowers that were not sprayed with chemicals. For the claim, "The good nectar is sustainably harvested and collected in the purest way from the Himalaya region where flowers are not sprayed with chemicals" was inadequately substantiated and is misleading by ambiguity.
6. **Shree Shyam Chemical Industry Roller Flour & Rice Mills (Dalmia Gold Chakki Fresh Atta):** The claim on iron and vitamin fortification of Atta was not substantiated with a quantified test report confirming the iron and vitamin content, and is misleading.
7. **CavinKare Pvt. Ltd. (Cavins Milk Shake):** The visual in the advertisement showing the boy throwing away milk in the plant pot, and in the cat's milk bowl, and the mother saying "Ab boring regular milk ko bye kahiye, healthy aur tasty Cavin's Milkshake dijiye", disparages milk and suggests that Cavin's Milkshake is a better food option. The advertisement was inadequately substantiated and is misleading by ambiguity.

8. **United Biscuits P. Ltd. (McVities Whole wheat Marie):** The CCC noted that “Whole Wheat Marie” does not appear to be an established or recognized industrywide category name. The predominant ingredient in the product is maida (50.9%) and the content of Wholewheat flour is 10.9%. The product nomenclature is likely to mislead consumers regarding the contents. It was concluded that in the context of a biscuit having maida as predominant ingredient the packaging claim, “McVitie’s Wholewheat Marie”, is misleading by ambiguity and implication.
9. **United Breweries Ltd. (Kingfisher):** The twitter advertisement is for the product “packaged drinking water”, for which the Advertiser did not provide the annual market sales data of the product/service advertised. Based on the reference to 2017 Cricket Edition, it was concluded that the advertisement depicting the Kingfisher Premium brand name is a surrogate advertisement for promotion of a liquor product – Kingfisher Premium Beer. The advertisement is misleading by implication and contravened the ASCI Code (“Whether there exists in the advertisement under complaint any direct or indirect clues or cues which could suggest to consumers that it is a direct or indirect advertisement for the product whose advertising is restricted by this Code.”). Also, the advertisement did not meet the requirements as per ASCI's Guidelines for Qualification of Brand Extension Product or Service of the ASCI Code (“Whether the unrestricted product which is purportedly sought to be promoted through the advertisement under the complaint is produced and distributed in reasonable quantities, having regard to the scale of the advertising in question, the media used and the markets targeted.”)
10. **United Biscuits Pvt. Ltd. (McVities Digestive biscuits):** In the context of a biscuit having maida as predominant ingredient, the packaging claim, “Whole wheat at its heart”, is misleading by ambiguity and implication. Also the claim, “Yeh habit hai fit”, is misleading by implication that it is a good habit to eat biscuits and it would contribute to physical fitness.
11. **Britannia Industries Ltd. (Britannia Nutrigo Choice Essentials Oat Cookies):** The advertisement’s claim, “Clinically Proven” is not substantiated with studies for the advertised product among diabetic population, and the graph showing blood sugar levels (albeit graphically and not actually), and picture of a Biscuit on X Axis is misleading by implication that the product provides benefits of reducing the overall sugar levels.
12. **ITC Limited (B Natural Pomogranate Juice):** The advertisement depicts open pot boiling (Ubalassana). In absence of a disclaimer of this depiction being a “Creative visualization” of the actual process of making a concentrate, it was considered this visual to be misleading by ambiguity.
13. **Nutricia International Private Limited (Protinex Grow):** It was noted that the last frame of the advertisement states Protinex Grow *taaki badhne ka mauka miss na ho*. While the

advertisement does not state that only 50% more protein contributes to growth, it is misleading by implication and omission of reference to other factors that contribute to growth such as heredity, exercise and balanced diet, etc.

TELECOMMUNICATION:-

1. **Reliance Communications (Fastest 4G network):** The advertisement's claim, "Fastest 4G Network", was not substantiated and is misleading by exaggeration.
2. **Maxis Communication (Aircel):** In view of the capping for other networks of daily 200 minutes, weekly 1000 minutes, the advertisement's claim for Aircel stating, "249; unlimited local calls" is misleading. The advertisement contravened the ASCI Code as well as Clause 1 of ASCI Guidelines for Disclaimers ("A disclaimer can expand or clarify a claim, make qualifications, or resolve ambiguities, to explain the claim in further details, but should not contradict the material claim made or contradict the main message conveyed by the advertiser or change the dictionary meaning of the words used in the claim as received or perceived by a consumer.")
3. **Vodafone India Ltd.:** In view of the limit of 300 minutes / day as mentioned in the advertisement, the claim, "Rs.328 + Unlimited Local / STD Calls for 28 days", is misleading. The advertisement contravened the ASCI Code as well as Clause 1 of ASCI Guidelines for Disclaimers ("A disclaimer can expand or clarify a claim, make qualifications, or resolve ambiguities, to explain the claim in further details, but should not contradict the material claim made or contradict the main message conveyed by the advertiser or change the dictionary meaning of the words used in the claim as received or perceived by a consumer.")
4. **Reliance Communications Ltd.:** The advertisement's claim, "Truly Unlimited Local + STD calls only on RC 152 28 days", is not substantiated and is misleading by ambiguity.

OTHERS:-

1. **Amazon India (Woodland Wallet for Men):** It was viewed that the disclaimer, "Terms & Conditions apply" is not relevant and in fact is contradictory to the claim of "100% Original Products". While Amazon asserts that they have a robust system in place to prevent unscrupulous seller from operating through their platform, in this instance Amazon was not able to ensure that the product is genuine. Based on the evidence provided by the complainant, it was concluded that the claim, "100% Original Products" is not substantiated and is misleading by ambiguity. The YouTube advertisement contravened the ASCI Code as well as Clause 2 of ASCI Guidelines for Disclaimers ("A disclaimer should not attempt to hide

material information with respect to the claim, the omission / absence of which is likely to make the advertisement deceptive or conceal its commercial intent”)

2. **Mobitech Creations Pvt. Ltd. (OnePlus 3T – Best Smartphone Contest):** It was noted that the advertisement begins with a large display / logo of “Best Smartphone Contest”, even though the question is specifically based on consumer ratings i.e. “Which is the best rated smartphone in India?” with a disclaimer, that the question is based on current model smartphone ratings on Amazon.in. This is likely to create confusion in viewers’ minds that the ratings on smartphone *on Amazon.in* are equivalent to ratings of the *Best Smartphone* across *India*. The number of those rating OnePlus 3T on Amazon may not be an indication of special preference of OnePlus 3T; but merely that of an exclusive relationship that the brand historically had with Amazon. Other brands are retailed through multiple channels; and only those customers who have purchased from Amazon are invited to rate the brand purchased on their website. No verification or validation of customer responses on Amazon website has been done to ensure that those offering their ratings for display on their website are genuine, independent buyers. Claims used in advertising need to be clearly shown as being impartially collected, independent of the sponsor. No such proof has been offered. It was also observed that in fact, Nielsen has specifically mentioned in their disclaimer that they “don’t hold any claim related to the methodology, accuracy, respondent profile, representativeness, etc. of the customer ratings”. Two other Apple brands (iPhone 5c and iPhone 6s) also have the 4.4 customer rating that has been obtained by OnePlus 3T on Amazon. Since the commercial begins with a prominent logo of the “Best Smartphone Contest” and then has 100% of the audience going for OnePlus 3T, the ‘shaming’ of every other smartphone is implicit. Thus it was concluded that the claim, “One Plus 3T is the best rated smartphone in India”, is misleading by ambiguity and implication.
3. **Pisces eServices Pvt. Ltd. (Foodpanda):** The advertisement’s claim, “Upto 50% off”, is not substantiated with supporting evidence of the advertised product being available for sale at discounted price and evidence of genuine customers who have availed of this offer on KFC and Pizza Hut with 50% off, and is misleading.
4. **Housing Development Finance Corporation Ltd. (HDFC ERGO General Insurance):** The advertisement’s claim, “Cashless Hospitals in Purba Midnapore”, was not substantiated with supporting data, evidence of genuine customers who have availed of this cashless facility. Also, the claim is misleading by omission of appropriate qualifiers for the cashless services offered by them.
5. **The Emirates Group (Emirates Airlines):** The advertisement’s claim, “We’re offering special introductory fares starting from INR 68,800 in Economy class offering an additional piece of luggage (total of 3 pieces) to Newark”, was not substantiated with supporting evidence of the



advertised offer being available and evidence of genuine customers who have availed of this offer. Furthermore, the claim is misleading.

6. **J G Hosiery Private Limited (Sporto Red Track Pants):** It was noted that the actions shown in the advertisement of a boy crossing the road on a busy road with vehicles plying and a boy jumping over a road divider, are performed on normal streets, and in traffic conditions. These cannot be considered as “stunts” and the actions are contradictory to the disclaimer made in the advertisement – “The stunts are performed by professionals or under the supervision of professionals. Do not try this at home”. It was concluded that though the overall advertisement is not objectionable, regardless of the disclaimer, these specific visuals encourage dangerous practices, manifest a disregard for safety and encourage negligence.

7. **Rajam Industries Pvt. Ltd. (Oorvasi Detergent Cake):** The advertisement’s claim, “No.1 Detergent”, was not substantiated and is misleading by exaggeration.

About The Advertising Standards Council of India (ASCI)

ASCI is a self-regulatory organization for the advertising industry to promote, maintain, monitor and uphold fair, sound, ethical and healthy principles and practices of advertising for the protection of interest of consumers and the general public. Established in 1985, ASCI’s role has been acclaimed by various Government agencies. The Govt. bodies including The Department of Consumer Affairs (DoCA), Food Safety and Standards Authority of India (FSSAI) and Ministry of AYUSH have partnered with ASCI to address all misleading advertisements in their respective sectors. The Supreme Court of India in its recent judgement has also affirmed and recognized the self-regulatory mechanism put in place for advertising content by ASCI. On the global platform, ASCI is a part of the Executive Committee of International Council on Ad Self-Regulation (ICAS). ASCI has also bagged six awards at the European Advertising Standards Alliance (EASA) Global Best Practice Awards.

ASCI & its Consumer Complaints Council (CCC) deal with Complaints received from Consumers and Industry against Advertisements which are considered as False, Misleading, Indecent, Illegal, leading to Unsafe practices, or Unfair to competition, and in contravention of the ASCI Code for Self-Regulation in Advertising. Under its National Advertisement Monitoring Service (NAMS), ASCI proactively monitors over 80% of new print and all new TV advertisements released in the country every month, for contravention of Chapter I of the ASCI code. (Source: www.ascionline.org)





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