



ASCI CCC Recommendations: June 2017

ASCI UPHELD COMPLAINTS AGAINST 62 OUT OF 126 ADVERTISEMENTS

Mumbai, September 8th, 2017: In June 2017, ASCI's Consumer Complaints Council (CCC) upheld complaints against 62 out of 126 advertisements. Out of 62 advertisements against which complaints were upheld, 23 belonged to the Healthcare category, 17 to the Education category, followed by 10 in the Food & Beverages category, six in the Personal Care category, and six advertisements from other categories.

DIRECT COMPLAINTS

ASCI processed complaints against the following advertisements from general public, industry as well as from the Department of Consumer Affairs' Grievances Against Misleading Advertisements (GAMA) Portal. Out of 99 advertisements, complaints against 38 advertisements were upheld.

HEALTHCARE:-

The CCC found the following claims of 14 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 (DMR Act), Drugs and Cosmetics Rules (D&C Rules) and Chapter I.1 and III.4 of the ASCI Code. Complaints against the following advertisements were UPHELD.

- 1. Rediscover Clinic Pvt. Ltd. (Rediscover Laser, Slimming, Skin and Hair Clinic):** The advertisement's claim, "Lose upto five kilograms weight with 21 centimetres from overall body", was not substantiated with supporting clinical evidence, and with treatment efficacy data, and is misleading by exaggeration.
- 2. SBS Biotech (Unit-II) Ayurvedic Division (Dr. Ortho Capsules & Ointment):** The advertisement's claim, "getting rid of Joint Pains by using Dr. Ortho Capsules" was entirely unsubstantiated and misleading by exaggeration; the advertiser had not submitted any authentic data, nor substantiated with clinical evidence, in particularly about the efficacy of the said Dr. Ortho Capsules in curing joint pains; and is hence misleading by gross exaggeration.



3. **Shree Maruti Herbal (Stay On Power Capsules):** The advertisement's claims, "Weakness, lack of strength, tiredness, lack of energy, early aging" and "For energy, vigour and strength stay on power capsule for men" were considered to be, prima facie, in violation of the D&C Rules.
4. **Shree Baidyanath Ayurved Bhawan Pvt Ltd (Pirrroid):** The advertisement's claims, "Haemorrhoids?", "Results shown from first day" and "Proven for Piles" were considered to be, prima facie, in violation of the D&C Rules.
5. **Dindayal Aushadhy (303 Capsules):** The advertisement's claims and statements such as, "99% of women get more excited by their partners than by shopping discounts", "Dindayal 303 increases stamina and improves vitality in men. Sufficient reason to get their partners excited" were considered to be, prima facie, in violation of the D&C Rules.
6. **Chaturbhuj Pharmaceutical Company (Japani Tel):** The advertisement's claims, "Token of Love", "Specially for men for strength", "Popular and effective" and "For better results use Japani M Capsule with Japani Tel", were considered to be, prima facie, in violation of the D&C Rules.
7. **Sheth Brothers (Kayam Tablets):** The advertisement's claims, "Constipation, acidity, gas? Kayam Tablet", "100% Ayurvedic", "No side effects" and "Non habit forms", were not substantiated with product efficacy data, and are misleading.
8. **Sheth Brothers (Kayam Tablets):** The advertisement's claims (in Gujarati) as translated into English, "India's No. 1 brand for (relief from) constipation", "100% Ayurvedic", "No side effects", "Non habit forming", "Best solution for constipation, acidity, gas", "Most trusted of the country", "Crores of people have got relief from constipation due to this" and "It is safe and most effective", were not substantiated and are misleading by exaggeration.
9. **Hamdard Laboratories (India) (Hamdard Safi):** For the claim in the advertisement relating to "giving your liver, thyroid, and ... the support they need..." seen along with the response of the advertiser in this regard together with the expert's opinion, it was concluded that the specific claims in the advertisement relating the efficacy of the product in respect of liver and thyroid functioning were not adequately validated with clinical data. It was noted that the advertiser states that the product description as well as information given or reviews on platforms such as Amazon are not endorsed by Hamdard as there is no prior approval taken by these online sellers from Hamdard. Therefore it was concluded that this part of the claim in the advertisement is misleading.
10. **Chaturbhuj Pharmaceutical Company (Japani Tel):** The advertisement's claims in Gujarati, as translated into English, "Feel the energy, ability and power", "Specially for men for strength", "Popular and effective" and "For better results use Japani M Capsule with Japani Tel", were not substantiated with product efficacy data, and are misleading by exaggeration. In the

absence of any claim support data, the claim, “Zealous (shaukeen) persons can also try and see the results”, was considered to be misleading by ambiguity and implication that this product could enhance sexual pleasure.

11. Multani Pharmaceuticals Ltd. (Multani Rhumed SG Tablets): In respect to the advertisement’s claim, “Multani Rhumed S G Tablet is Govt. of India’s Invention to get Rid of Joint Pain” it was opined that the agreement entered into by the advertiser with the NRDC mandates that, “The Licensee shall at its own cost affix a label or plate or inscribed in a conspicuous manner upon every article, box or packet containing the article, its components and spares, the legend or inscription “*KNOWHOW developed by CCRAS, New Delhi and licensed by NRDC*” and similarly, every advertisement, publicity material/ customer literature/hoardings etc. in respect of the ARTICLE shall include the same legend in bold letters as aforesaid at a conspicuous place in such advertisements /publicity material/ customer literature /hoardings, etc. Whereas the advertiser on their own were using a claim “Invention of CCRAS, Ministry of AYUSH, Government of India”. The CCC therefore concluded that the advertiser had violated the agreement that they had entered with the NRDC. Further, the advertisement’s claim “get rid of pain” was not substantiated. Therefore, this claim was false and misleading by exaggeration.

12. OPTM Health Care (P) Ltd.: The advertisement’s claims, “unlike cheap and contaminated Ayurvedic formula, OPTMs phytomedicine uses USA patented and clinically tested ingredients,” denigrated the entire class of Ayurvedic medicine and its practitioners, and contravened the provisions of Chapter IV.1(e) of the ASCI Code (“advertisement does not unfairly denigrate, attack or discredit other products, advertisers or advertisements directly or by implication”). Also, the claims, “India’s best and most scientifically advanced clinic for Joint care” was not substantiated by the advertiser with any comparative data of other clinics in the country in this area of medical specialization; nor was any independent assessment or certification provided for their claim of being “India’s best and most scientifically advanced”. Therefore it was concluded that the advertiser’s claim was misleading by ambiguity and exaggeration. Also, it was concluded for the claim related to “the display of X-Ray images of joints in their ads ... to substantiate as a form of evidence for their supposedly successful treatment methodology” by the advertiser was entirely unsubstantiated and false. Further the claim, “Awarded by AYUSH minister for outstanding research done on pain and phytomedicine in the last 30 years”, was not substantiated with supporting evidence and is therefore misleading by gross exaggeration. Thus, it was concluded that the advertiser had failed to substantiate any of the objected claims they had made in their advertisement.

13. OPTM Healthcare Private Ltd.: In respect of the complaint that the advertiser had falsely claimed that their treatment system has been certified by AYUSH Department, the advertiser stated in their response that they had only mentioned about receiving an award from the AYUSH minister Sri Shripad Yesso Naik in a Conference held in Goa; and they had not mentioned of receiving any certification from the AYUSH department. However, it is seen that

the title of the advertisement given by the advertiser in Bengali language reads: “Ministry of Ayush honoured the innovative treatment procedure for arthritis invented by OPTM”; and a part of the body of the advertisement reads: “Recently in a conference held in Goa, innovative Phytotherapy used by OPTM, was praised by Central government’s Ministry of Ayush and Central Council for Research in Ayurveda and Siddha. Central Ayush minister Sri Sripada Nayak awarded Apurba Ganguly for relentlessly spending 30 years for the research of pain treatment. This is one of the most prestigious recognition for OPTM Healthcare’s innovative Phytomedicine treatment as well”. From this it is clear that the advertiser had misrepresented the fact of receipt of an award from the Ayush Minister who was the chief guest in that function, as “Ministry of Ayush honouring OPTM”. The advertiser’s claims, “OPTM Healthcare relentlessly continues (to) try treating arthritis pain...”, it was opined that regardless of whether the claim of “cure” was used or not, in the absence of any evidence of product efficacy, the claim is misleading by implication. Further for the claim, “certified by EMA European Medical Association as the Best Medical Practice in the field” it is seen that the advertiser has not made any substantiation of the specific claim; they instead stated in a vague manner that they “have made no claims of product which can cure all kinds of joint problems”. It was further opined that several references to ‘scientific outcome’, ‘inventions’ and ‘Nobel prize winner’ were not relevant and were misleading by implication. In respect of the complaint on the claim relating to the Chief Scientist, Mr. Apurba Ganguly curing patients from joint pain problems, and that there is no documentary evidence with Mr. Apurba Ganguly for stating himself as a Scientist, let alone Chief Scientist, the advertiser stated that “Apurba Ganguly was a researcher who has many published research papers in peer reviewed international medical journals and also supervises Ph.D students from esteemed University”. However, it is noticed that the advertiser had not given any details of the qualifications, experience details or publications of the said individual. It was concluded that the various claims of the advertiser made in their advertisement were not substantiated by any reliable data, and that the advertisement was misleading by ambiguity and implication.

- 14. Alchem International Pvt. Ltd. (Phytorelief-CC):** The advertisement’s claims, “70% reduction in the frequency of Cold N Flu episodes”, “83% reduction in bacterial count within three days”, “The PhytoAdvance technology uses an advanced process to extract plant actives that are high on bioavailability and thus more effective than usual plant based medicines”, “(Phytomedicine Gen3 is the latest generation of phytomedicine, which have undergone international clinical studies.) These published clinical studies conclusively establish their effectiveness across a range of ailments” and “Effective, clinically proven defense against Flu & Cold virus”, were not adequately substantiated with robust, large scale clinical studies and with more specific evaluations among statistically significant sample size.

FOOD & BEVERAGES:-

- 1. PepsiCo India Holding P. Ltd. (Pepsi Gatecrash):** It was noted that the font size of the disclaimer in the advertisement was in font size of 6 which is illegible and unreadable. Thus, it



was concluded that it is clear that the advertisement had violated the ASCI Guidelines for Disclaimers by using a much smaller font for the disclaimers in the TV advertisement.

2. **Narang Group (Ocean Active Water):** For the advertisement's claims, "Is Your Water Keeping up with your Lifestyle", "Inspiring Smarter Hydration" and "Get Smarter Hydration Everyday" it was opined that the advertised product, compared with normal water and further considering the sugar levels in the product, could not be promoted as an equal or better alternative than normal drinking water. The advertiser has chosen the comparison in such a way as to bestow an artificial advantage on the advertised product. Therefore, it was concluded that the advertisement was false and misleading by ambiguity and implication. Further, regarding the objection on the supers in the advertisement, the advertiser admitted that the supers were smaller than the required size. Thus, the advertisement violated the provisions of the ASCI Codes as well as ASCI Guidelines on Disclaimers.
3. **Coconut Development Board (Coconut Oil):** The advertisement's claim, "Highly nutritious, rich in fibre, vitamins and minerals" was not adequately substantiated and was false and misleading by exaggeration. Also, the claim, "A natural antiseptic boosts energy immune system", is not adequately substantiated with authentic clinical data and was misleading. Further, the claim, "Restore thyroid function and increases metabolic rate" was not adequately substantiated and was misleading by exaggeration. The claim, "Reduces obesity", was not acceptable since obesity is due to several reasons such as heredity, food habits, hormonal functions, etc.; and further, the claim is not substantiated by clinical research data conducted by independent agency with requisite scientific rigour. The claim was not adequately substantiated, and was misleading by exaggeration. Also, the claim in the advertisement, "An antioxidant, improves digestion and bowel movement" was not adequately substantiated and supported with clinical research data and was misleading. Further the claim, "Good for Kidney" has not adequately been substantiated, and was false, and misleading by exaggeration. Also the claim, "will not increase cholesterol and heart attacks", was not adequately substantiated and therefore was false and misleading by exaggeration.
4. **Amazon.com, Inc. (Our Organik Tree - Jaggery powder):** The advertisement's claim of the Jaggery product being a "Blood Purifier", is unsubstantiated with any scientific clinical evidence and product efficacy data, and is misleading by exaggeration.
5. **N.V.K. Mohamed Rowther Sultan & Sons (Roja Pakku):** The advertisement showcasing visuals of children/young teenagers promoting pakku (areca nuts) shows an unsafe practice, which is likely to encourage minors to consume the product which could cause harm to them. Also, the advertisement is misleading by omission of a cautionary message/warning.
6. **Pioma Industries Private Limited (Rasna):** The advertiser had failed to substantiate their claims made in the advertisement, i.e.: that firstly, their product was made in Gujarat, and

loved by the world; secondly, that their product was the world's largest selling instant drink concentrate; and thirdly, their product was India's most trusted family owned brand, with any assessment and certification by independent market research organizations. Therefore the claims in the advertisement were misleading by exaggeration.

7. **Coca-Cola India Pvt. Ltd. (Maaza):** It was noted that the disclaimers in the advertisement were not legible. Thus it was concluded that the advertisement had violated the ASCI Guidelines for Disclaimers.
8. **Coco Cola India Inc. (Fanta):** It was noted that the disclaimers in the advertisement were not legible and also not in the same language as the audio of the advertisement (English). Thus, it was concluded that the advertisement had violated part of the ASCI Guidelines for Disclaimers.
9. **Coco Cola India Inc. (Sprite):** The font size of the disclaimer in the advertisement was written in 5 pixel and hence the advertisement violated the ASCI Guidelines for Disclaimers ("For high definition images, the height of the text lower case elements shall be NOT LESS THAN 18 pixels [18 lines] in a 1080 line raster.").
10. **Coco Cola India Inc. (Thumbs Up):** It was noted that the disclaimers in the advertisement were not legible. Thus, it was concluded that the TV Commercial had violated the ASCI Guidelines for Disclaimers.

PERSONAL CARE:-

1. **Lotus Herbals Ltd. (Lotus Herbals Limited Safe Sun UV Screen Matte Gel):** The advertisement's claim, "*Lotus safe sun karega harmful rays se fight*", suggests that Lotus Safe Sun products including Matte GEL SPF 50 will protect skin from harmful rays of the sun as well as harmful rays from the stadium floodlights. Further, another advertisement of the product shows UVA and UVB rays getting reflected from the model's face thereby implying that the product provides protection from UVA and UVB rays. These claims made in the advertisements were not substantiated with scientific evidence of product efficacy, and with technical tests/trials reports from an independent third party. Also, these claims are misleading by implication and exaggeration.
2. **Emami Limited (Emami Kesh King Ayurvedic Oil):** The advertisement's claim, "No hair-fall, dandruff or dryness" was considered to be an absolute claim. Also, the advertiser did not substantiate the claim of "weak matrix cells in the roots of the hair are activated by this oil". Further in respect of the claim, "pictures and names of two doctors and one hair expert from India, Japan and Australia" in the advertisement, saying "Recommended by world's best hair experts", the advertiser had stated in their response in respect of this complaint that

they had modified this claim to "renowned hair experts", however this being a regional advertisement, the meaning of few words/statements have been slightly changed from what was handed to them in Hindi. It was disagreed with the advertiser's submission as it was observed that the complaint under reference was in Gujarati and it continued using the claim which was found objectionable earlier as it was considered as false and misleading. Further, in respect of the exaggerated claims said to be made in the testimonial by Juhi Chawla, and that it is misleading and creates undue influence on buyers, it was observed that the advertiser has used a testimonial by a celebrity which states that she believes in the product and trusts it. The advertiser did not submit any evidence of the celebrity lending her name to this particular communication and any of the claims therein. Also, several claims in the same communication by the celebrity were considered to be unsubstantiated and misleading. It was not agreed upon with the advertiser's argument that the celebrity had only expressed her satisfaction with the usage of their products and its benefits; and that this is not a claim made by them but a satisfaction statement. Also it was opined that the said statement or declaration of satisfaction by the celebrity, made in praise or commendation of the product and publicised through an advertisement, becomes an advertisement in the understanding of the common man, since the consumers are most likely to be influenced by such publicity. Lastly, it was noted that there was no information or evidence submitted by the advertiser to show that the celebrity concerned has had "adequate information about, or experience with the product or service being advertised". In view of the above overall factors, and in the absence of any document submitted by the advertiser in support of the apparent commendation given by the celebrity, it was concluded that this claim in the advertisement has contravened the provisions of ASCI's Guidelines for Celebrities in Advertising.

3. **Emami Ltd. (Kesh King Shampoo):** The claims made in the advertisement through inclusion of statement of a customer as 'testimonial', i.e., "I feel Kesh King Oil is more effective in controlling my hair fall than Ashwini Hair Oil and Sesa hair Oil. I am telling from my personal experience that I can think of nothing else other than Kesh King for controlling my Hair Fall. A few months back I was having lot of hair fall, I used Sesa and Ashwini Hair Oil but my hair fall did not stop. I regularly use Kesh King Oil, Kesh King Shampoo and also used capsules. Within one month my hair fall reduced. My hair became longer and healthier. I think my search for the right product has finally come to an end. I got very much benefited after using this oil. There are many others who share similar opinions", are not adequately substantiated, and are misleading.

4. **Hindustan Unilever Ltd. (Ayurvedic Anti-Dandruff Ayush Shampoo):** The voiceover in the advertisement in Tamil as translated into English conveys, "the big problem for hair is dandruff, but on using dandruff shampoos, a bigger fear than that is hairfall". The essence of the complaint was that the suggestions/apprehensions expressed in the advertisement was that the message "use of anti-dandruff shampoo is associated with fears of hair loss in users", is not based on any evidence and is hence unsubstantiated". The essence of the advertiser's

case was that the advertisement expressed merely an apprehension and did not seek to represent the actual technical facts.

EDUCATION:-

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

- 1. Satyadeva Institute:** The advertisement's claims, "No. 1 Institute in Asansol" and "No. 1 Result Maker Institute" were not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or any third party validation; and are misleading by exaggeration. Also the claims, "Faculties from Patna", "Test the Best", and advertisements showing published photographs of students, are false and misleading by exaggeration.
- 2. Vision IAS (Vision IAS Classroom):** The advertisement's claims, "15 ranks in top 20 and 70+ ranks out of top 100 successful candidates in the Civil Services Exam 2016" which was given below the photographs of six individuals with a line above the photographs reading "OUR CSE 2016 RESULT", was not substantiated. Thus, the claims were false and misleading by gross exaggeration.

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

Krystal Institute and Appin Technology Lab (ATL Foundation).

OTHERS:-

- 1. Voltas Ltd. (Voltas All Star Inverter A/C:** The font size of the disclaimers in the advertisement measures about 13 pixels, and hence the advertisement violated the ASCI Guidelines for Disclaimers ("For high definition images, the height of the text lower case elements shall be NOT LESS THAN 18 pixels [18 lines] in a 1080 line raster.").
- 2. Bharat Petroleum Corp Ltd.:** The advertisement's claim, "Go Green with Speed for it reduces emissions", was unsubstantiated with supporting data, and therefore is misleading by exaggeration and omission.

- 3. Techno Plastic Industries (Signoraware):** The comparison claims made against ordinary steel products, “Steel might contain Cobalt 60, a radioactive isotope that causes cancer”, “Steel might contain migration of nickel (0.7 mg/kg – PPM) from metal resulting in skin allergies”, and “Steel has a higher risk of rusting and violates the requirement of a minimum of 16% chromium”, were not substantiated with supporting evidence. Further it was opined that these claims are likely to mislead consumers to believe, without any justifiable basis, that the product - Signoraware is superior to ordinary steel products, thus thereby denigrating the entire category of steel ware.
- 4. Honda Motorcycle and Scooter India P. Ltd. (Honda Activa 4G):** The advertisement showcases the pillion rider wearing a helmet without the ISI mark which headgear conforms to the standards of Bureau of Indian Standards (BIS). In the absence of any data to indicate that the helmet worn by the pillion rider is BIS marked, it was concluded that the advertisement contravened the provisions of Chapters III.3 and III.4 of the ASCI Code (“Advertisements shall not, without justifiable reason, show or refer to dangerous practices or manifest a disregard for safety or encourage negligence”).
- 5. Visual Eyes Specs World Technologies Pvt. Ltd. (Visual Eyes Lens):** The Twitter advertisement of the brand showcasing the #BackToSchool contest states that the person with maximum likes wins. Upon careful consideration of the complaint, and the evidence provided by the complainant (URL and screenshot of the twitter post #BackToSchool, showing more likes received by the complainant than the announced winner), and in the absence of any comments or response from the advertiser, it was concluded that the twitter advertisement – contest is misleading as the terms of the contest were not met with.
- 6. Times Network Ltd. (Times Now):** For the advertisement’s claim, “The Ruling No. 1”, while the graphical representation appears to be in line with BARC principles and the figures shown are technically correct, the relative share data shown is itself not a permissible extrapolation and is therefore misleading, and is not compliant with BARC Guidelines.

SUO MOTO ACTION

The advertisements given below were picked up through ASCI's Suo Moto surveillance of print and TV media via National Advertisement Monitoring Services (NAMS) project. Out of 27 advertisements, total of 24 advertisements were considered to be misleading. Of these 24 advertisements against, 13 belonged to the Education category, nine belonged to the Healthcare category and two were from the Personal Care category.

HEALTHCARE:-

The CCC found the following claims of nine 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 (DMR Act), Drugs and Cosmetics Rules (D&C Rules) and Chapter I.1 and III.4 of the ASCI Code. Complaints against the following advertisements were UPHELD.

- 1. Total Dental Care Pvt. Ltd. (Sabka dentist):** The advertisement's claim, "Sabka Dentist is India's largest and most accessible chain of dental clinics...." was inadequately substantiated and also misleading by exaggeration.
- 2. Rediscover Clinic:** The advertisement's claim, "No pain, no surgery, no downtime, no scar, permanent reduction of stubborn fat & clinically proven, and no side effects. Lose five to eight centimetres through LYPO-R (Non-invasive, painless)" was not substantiated with any clinical evidence and with treatment efficacy data and was therefore false and misleading by gross exaggeration.
- 3. Sunflower Women's Hospital:** The advertisement's claim, "Most trusted IVF Centre" was not substantiated with any information or authentic comparative data vis-à-vis the data of other similar clinics within that city or region; or any third party validation or research to prove this claim. The claim was therefore considered to be false and misleading by gross exaggeration.
- 4. Thareja Home Nursing:** The advertisement's claim, "Treat alcohol addicted without consultation" was entirely unsubstantiated and misleading by gross exaggeration. Also the claim, "the only institution of Alwar and Bharatpur which gives riddance from bidi, cigarrate, tobacco, laudanum, alcohol, and hemp" was not substantiated with any authentic comparative data vis-à-vis data from other similar clinics of these two towns, or other towns, or any third party validation or research to prove this claim. Thus, the above claims were concluded to be false and misleading.

5. **Dr Malik Ayurvedic Research Centre:** The advertisement's claims relating to the cure of diseases like stone, piles, sexual problems in just seven days, also the claims to give definite results for all stomach related diseases, are considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
6. **Kangra Herb Pvt. Ltd. (Kangra Herb Health Centre):** The advertisement claims that for any kind of heart problems, high blood pressure, coronary artery blockage, angina like problems has an overwhelming treatment without any operation and cures heart diseases from its roots. The claims are considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
7. **Dr Batra's Positive Health Clinic:** The advertisement's claims, "Clinical studies conducted in Europe had shown that after homeopathic treatment, 83 per cent of women patients with polycystic ovarian syndrome had no signs of ovarian cysts and there was a marked reduction in their hair loss too" were inadequately substantiated. In respect of the second claim, "The recurrence rate of patchy hair loss (alopecia areata) was found to be just 9.1 percent in patients treated with homeopathy, against 50 percent in patients who took conventional treatment for the disorder", it was observed that the book that was shown as scientific evidence was authored by Dr. Akshay Batra, who is an interested party in the advertiser, Dr. Batra's Clinic. It was further seen that the study that apparently formed the basis for the book had not been published in any reputed peer-reviewed journal. It was concluded that the substantiations offered by the advertiser for their claims were not acceptable, and that the claims made by the advertiser in the advertisement are false and misleading.
8. **Apollo Hospitals Enterprise Ltd. (Apollo Heart Inst.):** The advertisement's claim, "World's largest solid organ transplant programme", is not adequately supported. Also, the claim is misleading by exaggeration.
9. **Care and Cure Herbals (Shots Capsules and Gel):** The advertisement's claims, "Unmatched energy booster" and "Only for men," were considered to be, prima facie, in violation of the D&C Rules. Also the visual on the product packaging read in conjunction with the claim objected to implies that the product is meant for enhancement of sexual pleasure.

EDUCATION:-

The CCC found following claims in the advertisements by 13 different advertisers were not substantiated and, thus, violated ASCI Guidelines for Advertising of Educational Institutions. Hence complaints against these advertisements were UPHELD.

1. **Ambition School of Competitive Education:** The advertisement's claim, "Most trusted Institute @ Purnea, Bhagalpur & Muzaffarpur" was not substantiated with any comparative

data of their institute vis-à-vis other similar institutes in the three towns mentioned in the advertisement; nor was any independent third-party validation or research to prove this claim submitted. Further, in respect of the claim, “Scholarship worth Rs. One Crore”, no information was submitted to show the details of the scheme including the criteria for the same, details of students who had been given such scholarships in the past, and independent third-party validation or certification to substantiate this claim. In view of the above, it was concluded that the advertiser had failed to substantiate the claims they had made in the advertisement; and therefore, the claims made by the advertiser were false, and misleading by exaggeration.

2. **Times Centre Learning Ltd. (Timespro):** The advertisement’s claim, “Trusted by Thousands for their Banking Career” was not substantiated with any evidence to prove that the advertiser’s institute is trusted by thousands for their banking career and was misleading by exaggeration.
3. **International Institution of Technology & Professional Training (IITPT):** The advertisement’s claim, “100% Money back guarantee” was not substantiated with any authentic data. Therefore it was concluded that the claim was false and misleading by exaggeration.
4. **Mukils Englio:** The advertisement’s claim, “100% Job Placement Assistance.” is misleading by implication as it was concluded that the use of 100% numerical is not relevant for “job placement assistance” claim.
5. **Sure Centre Success:** The advertisement’s claim, “Jharkhand's only trustworthy and prestigious guiding institute” was entirely unsubstantiated and therefore, the claims were considered to be false and misleading by exaggeration.
6. **Deeksha Classes Pvt. Ltd.:** The advertisement’s claims of being, “Most trusted brand in Education” and “Get upto 100% Scholarship”, the advertiser had failed to substantiate the claims they had made in the advertisement; and therefore, the claims made by the advertiser were false and misleading by exaggeration.
7. **Sri Hari Academy Gate:** The advertisement’s claim, “100% Success in AEE” was entirely unsubstantiated; the advertiser had not submitted any authentic data, nor was any independent third-party validation or certification of the claim provided. Therefore, the claim was considered to be false and misleading by gross exaggeration.

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’:



Ambition School of Competitive education, Mody University of Science and Technology, Vibrant Academy (I) Pvt. Ltd., Mothers Education Hub, SR Leaders Institution and Morning Lotus International Preschool.

PERSONAL CARE:-

- 1. X Men Instant Fairness Face Cream:** The advertisement's claims, "long-lasting fairness, spot reduction, and contained SPF 15", were unsubstantiated and misleading by gross exaggeration.
- 2. Tianjin Tianshi India Pvt. Ltd. (Airiz Sanitary Napkin):** The advertisement's claim, "World's No. 1 Brand" was not substantiated with any relevant information, or authentic comparative data vis-à-vis the data of other similar brands, or any independent third-party validation or research to prove this claim. It was therefore concluded that the claim was false, and 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)





For further information, please contact:

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