

**F. No. N- 4407/10/2014-BC-I**  
**GOVERNMENT OF INDIA**  
**MINISTRY OF INFORMATION & BROADCASTING**  
**'A' WING, SHASTRI BHAWAN,**  
**NEW DELHI – 110001**

Dated 21<sup>st</sup> August, 2014

**ADVISORY**

Whereas, it has been brought to the notice of the Ministry of Information and Broadcasting by the Advertising Standards Council of India, (ASCI) that various Channels carried certain objectionable Advertisements as per **Annexure 1**. While deliberating on the complaints received in ASCI, Consumer Complaint Council (CCC) observed that the advertisements made unsubstantiated claims and violated the provisions of code for self-regulation as well as provisions of Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954. Therefore, the complaints were UPHELD by CCC.

2. Whereas, non-compliance of ASCI's Code of Self-regulation in Advertising is a violation under Rule 7(9) of Advertising code under Cable Television Networks (Regulation) Act, 1995 and Rules 1994. Since non-compliance of ASCI's decision was reported by ASCI, the matter was placed before IMC for its consideration.

3. Whereas, the IMC observed that the complaints upheld by ASCI and not complied by the Advertiser/ Advertising Agency on TV channels would result in violation of Rule 7 (9) of the Advertising Code as contained in the Cable Television Network Rules 1994 which states that "No advertisement which violates the Code of self-regulation in advertising, as adopted by Advertising Standard Council of India (ASCI), Mumbai for public exhibition in India, from time to time, shall be carried in the cable service". Therefore, any violation of ASCI Code also violates the Advertising Code enshrined in Cable Television Networks (Regulation) Act, 1995 and Rules 1994. Hence, ASCI's decisions are bound for compliance by the advertisers and such advertisements as found violative by ASCI cannot be carried on TV Channels. IMC also observed that ASCI has pointed to possible violation of the provisions of the Drugs & Magic Remedies (Objectionable Advertisements) Act, 1954 and rules 1955. Hence IMC recommended to advise all channels not to telecast the said advertisements as found violative by ASCI. Competent Authority has accepted the recommendation.

4. Now, therefore, all TV channels are hereby advised not to carry the said advertisements as per Annexure 1, henceforth in their respective channels and to ensure strict compliance of the aforesaid Rules & Advertisement Codes.

  
**[Neeti Sarkar]**  
**Director (BC)**  
**Tele # 2338 6536**

(नीति सरकार)  
(NEETI SARKAR)  
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सूचना एवं प्रसारण मन्त्रालय  
Min. of Information & Broadcasting  
भारत सरकार, नई दिल्ली  
Govt. of India, New Delhi

Copy for necessary action to:

- (i) Shri K. V. L. Narayanrao, President, News Broadcasters Association (NBA), ME-5, Sah Vikas Apartment, 68 Patparganj, Delhi-110092
- (ii) Shri Man Jit Singh, President, Indian Broadcasting Foundation (IBF), B-304, III Floor, Ansal Plaza, Khelgaon Marg, New Delhi 110049
- (iii) All TV Channels.

Copy for information to:

- (ii) Ms. Shweta Purandare, Secretary General, ASCI, 219, Bombay Market, 78, Tardeo Road, Mumbai- 400034.

*Neeti*  
21/8/14

**[Neeti Sarkar]**  
**Director (BC)**

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## Annexure I

### List of Advertisements violating advertising code and advertiser not complying with ASCI's decision.

<b>Product category: Skin Fairness Cream</b>		
<b>S.No</b>	<b>Product Advertised/ Claims made</b>	<b>Consumer Complaints Council (CCC) Decision &amp; due date for compliance</b>
1.	<b>Fair Look Cream (TV- Mall)</b> In the advertisement the black faces shown are doctored using computer and cannot be real faces and fooling people to believe that by using "Fair Look" people have become fair. This is a wrong claim by the company and in fact people who are saying that they were dark earlier and became fair after using "Fair Look" have a personal beneficial.	The CCC viewed the TVC and concluded that the Ad tends to create by implication, a perceived inadequacy of a physical attribute, in this case the colour of the skin, which could be objectionable to a large number of young women in India. Also the fairness claims made in the TVC were not substantiated. The advertisement contravened Chapter 1.1 and Chapter 1.5 (d) of the Code. The complaint was <b>UPHELD and compliance requested by 11<sup>th</sup> October, 2013.</b>
2.	<b>Fairpro (Telemart Shoppi Network Pvt. Ltd)</b> - The advertisement shows Fairpro "Brightens up the complexion of dark skinned people in a very short time". Projection of dark skin as something ugly or repulsive in the advertisement is objectionable. It portrays dark colour more as disability both in terms of physical beauty and even in professional and personal life. Many such false testimonials have been shown.	The CCC concluded that the claims in the TVC and the testimonials were not substantiated and were misleading by exaggeration. Also the ad derides the colour of the skin. The advertisement contravened Chapters 1.1., 1.4 and III.1 (b) of the Code. The complaint was <b>UPHELD and compliance requested by 04<sup>th</sup> November, 2013.</b>
3.	<b>Ayurvedic Roopamri (Fairness Cream/Gel WWS Skyshop P. Ltd)-</b> The advertisement shows the fairness product is used to brighten up the complexion of dark skinned people in a very short time" The advertisement is demeaning to people with a dark skin tone as it portrays only fair skinned people achieving professional success.	The CCC concluded that the claims made in the TVC were not substantiated. Also, the Ad tends to create by implication a perceived inadequacy of a physical attributes, in this case the skin complexion, which could be objectionable to Chapters 1.1 and 1.5 (d) of the Code. The complaint was <b>UPHELD</b> and compliance requested by 30 <sup>th</sup> August 2013.
4.	<b>Celebrity Lift (R.T.C. Enterprises)-</b> This advertisement "Fairness of skin", promises to remove wrinkles and double chin" This advertisement is exploiting the vulnerable situation of the people and is misleading.	The CCC concluded that the claims, "Fairness of skin", and "removes wrinkles and double chin", were not substantiated, and the claims were misleading by exaggeration. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 24 <sup>th</sup> October 2013.
5.	<b>GLO Intense Brightening System B. Lab-</b> Ad makes an impression and suggests that use of the cream lead to fairness of skin in human beings and it promises to remove wrinkles and double chin, which is misleading. This advertisement is exploiting the vulnerable situation of people.	The CCC concluded that the claims made in the TVC were not substantiated and were misleading by ambiguity. The advertisement contravened Chapters 1.1 and 1.4 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 12 <sup>th</sup> November 2013.

**Product category: Yantra/Black Magic**

1.	<p><b>Rashi Ratan Topaz Ring (Quick Telemall Marketing Pvt. Ltd.)-</b> "If Sagittarians wear Rashi Ratan Topaz Ring. It can assure male child".</p>	<p>The CCC concluded that the claim, "If Sagittarians wear Rashi Ratan Topaz Ring, it can assure male child", was not substantiated. Also, the claim appears to be a gross exaggeration which is likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code, The Complaint was <b>UPHELD</b> and compliance requested by 21st December 2009</p>
2.	<p><b>Chole wale Hanuman Ji (Telemart shop Network Pvt. Ltd.)-</b> The advertisement shows some TV actors claiming that if they buy the Chole wale Hanuman ji product, it would help the buyer to get rid of the all the problems in their life. The assurance was very high and there were a lot of guarantees being made by the TV stars.</p>	<p>The CCC concluded that the claims in the TVC were not substantiated and were so exaggerated as to lead to grave or widespread disappointment in the minds of consumers. The advertisement contravened Lchapters 1.1 and 1.5 of the ASCI Code. The complaint was <b>UPHELD</b> and compliance requested by 28th November 2013.</p>
3.	<p><b>Maha Dhan Lakshmi Yantram-Shri Maha Dhan Lakshmi Yantram</b> 'brings wealth into one's life. Keeping the yantra in one's house pleases Goddess of wealth Laxmi an thus helps an individual to get 'Gupt Dhanam' (money through secret means) and Ravalasina Dhanam (money that was supposed to be paid but has been held back for some reasons). Some actors posing as beneficiaries of this yantram tell how the product helped in improving their financial condition.</p>	<p>The CCC concluded that the claims mentioned in the TVC were not substantiated. Also, the claims appeared to be gross exaggerations and likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 04<sup>th</sup> July 2013.</p>
4.	<p><b>ShubhDhan Varsha (Quick Telemall Marketing Pvt. Ltd.)-</b> "By establishing the kit you will start earning more and more money", " All your financial problems would be solved", "The product has some sort of Divya Shakti".</p>	<p>The CCC concluded that the claims mentioned in the TVC were not substantiated. Also, the claims appeared to be gross exaggerations and likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 18<sup>th</sup> September 2013.</p>
5.	<p><b>Saral Vaastu-</b> The ad is telecast daily on the news channel by the heading of "Saralavastu" promotes vastu which is spreading blind belief and superstition and this is in complete violation of the advertisement code particularly Rule &amp; sub clauses 5.</p>	<p>The claims were misleading and appeared to be gross exaggerations likely to lead to grave or widespread disappointment in the minds of the consumers. Also, the TVC was in Breach of the law as it violated The Cable Television Networks Rules, Advertising Code Clause 7.5. The advertisement contravened Chapters 1.1, 1.5 and III.4 of the ASCI Code. The Complaint was <b>UPHELD</b> and compliance requested by 27<sup>th</sup> January 2014.</p>
6.	<p><b>Sampoarana Vastu Shanti Sangreh (AAA Teleshopping Pvt. Ltd.)</b> - The advertisement shows that some TV actors claim that this product will do Miracles and will remove all the sorrows of the buyers of this product.</p>	<p>The CCC reviewed parts of the TVC and concluded that the claims mentioned in the TVC were not substantiated. Also, the claims appeared to be gross exaggerations and likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 07<sup>th</sup> January 2014</p>

7.	<p><b>(Bhairavi Sadhana) Devishree Foundation Trust-</b> The claims are misleading and appeared to be gross exaggerations likely to lead to grave or widespread disappointment in the minds of the consumers.</p>	<p>TVC appear to be in violation of The Cable Television Networks (Regulation) Act. Also, the TVC was in Breach of the law as it violates the Cable Television Networks Rules, Advertising Code Clause 7.5. The advertisement contravened Chapters 1.1, 1.5 and III.4 of the ASCI code. The Complaint was <b>UPHELD</b> and compliance requested by 13<sup>th</sup> February.</p>
<p><b>Product category: <u>Magical curing of Ailments</u></b></p>		
1.	<p><b>Amritras (Tele Trade Shopping)-</b> The advertisement asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time.</p>	<p>This advertisement violates Rule-7(5) of the Advertising Code prescribed under "The Cable Television Networks Rules, 1994. The CCC reviewed parts of the TVC and concluded that the claims mentioned in the TVC were not substantiated. Also, with respect to claims related to diabetes, the advertisement was in Breach of the law as it violated the Drugs &amp; Magic Remedies Act. The advertisement contravened Chapters 1.1 and III.4 of the Code. The Complaint was <b>UPHELD</b> and compliance requested by 3<sup>rd</sup> October 2013.</p>
2.	<p><b>Shaktivardhan Vaccume Threapy and Oil (Vegan Skyshop)-</b> The advertisement of this product/device makes an impression an it suggests &amp; is calculated to lead to the use of such products as for the cure, mitigation, treatment or prevention of disorder/ condition of sexual impotence, premature ejaculation and spermatorrhoea and for the improvement in size and shape of the sexual organ, erectile dysfunction &amp; maintenance of erection of sexual organ in human being and thereby improvement of capacity of human beings for sexual pleasure</p>	<p>In the absence of comments from the Advertiser, the CCC concluded that the claims mentioned in the Ad were not substantiated. Also, the advertisement was in Breach of the law as it violated The Drugs &amp; Magic Remedies Act. The advertisement contravened Chapter 1.1 and III.4 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 12<sup>th</sup> November 2013.</p>
3.	<p><b>SandhiSudha Oil (Telemart Shopping Network Pvt. Ltd.)-</b> "SandhiSudha Oil cures joint pains as well as arthritis, etc."</p>	<p>Ad violates the Drug and Magic remedies Act. The CCC concluded that the claim, "cures joint pains as well as arthritis", was not substantiated. Also, the advertisement was in Breach of the law as it violated the Drugs &amp; Magic Remedies Act. The advertisement contravened Chapters 1.1 and III.4 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 24<sup>th</sup> June 2013.</p>
4.	<p><b>MadhuSanjivani (JMD Teleshopping) -</b> "Provides 100% cure for Diabetes" "Madhusanjeevani ingredient is imported from Africa" claims curing and relieving diabetes upto 100%. Diabetes is a non- curable disease.</p>	<p>The CCC concluded that the claims, "Provides 100% cure for Diabetes", "Madhisanjeevani ingredient is imported from Africa", were not substantiated. Also, the advertisement was in Breach of the law as it violated The Drugs &amp; Magic Remedies Act.</p> <p>The advertisement contravened Chapters 1.1 and III.4 of the Code. The complaint was <b>UPHELD</b> and compliance requested by 28<sup>th</sup> August 2013.</p>



5.	<p><b>MadhurMilap (Sogo Telemarketing)</b>- Ad asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time. It has also been observed that the advertisement is extremely vulgar and offensive.</p>	<p>This advertisement violates Rule-7(5) of the Advertising Code prescribed under The Cable Television Networks Rules, 1994. The CCC reviewed parts of the TVC and concluded that the claims mentioned in the TVC for MadhurMilap (powder, oil, prash) were not substantiated. Also, the advertisement was in Breach of the law as it violated The Drugs &amp; Magic Remedies Act. The advertisement contravened Chapters 1.1 and III.4 of the Code. The complaint was <u>UPHELD</u> and compliance requested by 8<sup>th</sup> October 2013.</p>
6.	<p><b>Musli Power X-Tra (Kunnath Pharmaceuticals)</b>- The advertisement asserts that the product advertised has special miraculous qualities to cure ailments and improve One's life and give results in specified time</p>	<p>The CCC reviewed parts of the TVC and concluded that the claims mentioned in the TVC were not substantiated. Also, the claims in the advertisement implying enhancement of sexual pleasure was in Breach of the law as it violated The Drugs &amp; Magic Remedies Act. The advertisement contravened Chapters 1.1 and III.4 of the Code. The complaint was <u>UPHELD</u> and compliance requested by 8<sup>th</sup> October 2013.</p>
7.	<p><b>Sanyasi Ayurveda</b>- The advertisement asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time.</p>	<p>This advertisement violates Rule-7(5) of the Advertising Code prescribed under 'The Cable Television Networks Rules, 1994. The CCC reviewed relevant portions of the revised version of the TVC submitted by the advertiser, and concluded that the claims mentioned in the TVC were not substantiated. Also, the claims appeared to be gross exaggerations and likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The Complaint was <u>UPHELD</u> and compliance requested by 21<sup>st</sup> October 2013.</p>
8.	<p><b>Deemark Mass Gainer and Muscle Builder (Teleshopping)</b>- The advertisement asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time.</p>	<p>This advertisement violates Rule – 7(5) of the Advertising Code prescribed under 'The Cable Television Networks Rules, 1994. The CCC reviewed parts of the TVC and concluded that the claims mentioned in the TVC were not substantiated. Also, the claims appeared to be gross exaggerations and likely to lead to grave or widespread disappointment in the mind of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The Complaint was <u>UPHELD</u> and compliance requested by 8<sup>th</sup> October 2013.</p>
9.	<p><b>Madhunashni (Sogo Telemarketing)</b>- The advertisement asserts that the product advertised has special miraculous qualities to cure ailments and improve one's life and give results in specified time</p>	<p>This advertisement violates Rule-7(5) of the Advertising Code prescribed under 'The Cable Television Networks Rules, 1994. The CCC reviewed parts of the TVC and concluded that the claims mentioned in the TVC were not substantiated. Also, the claims appeared to be gross exaggerations and likely to lead to grave or widespread disappointment in the minds of the consumers. The advertisement contravened Chapters 1.1 and 1.5 of the Code. The complaint was <u>UPHELD</u> and compliance requested by 8<sup>th</sup> October 2013.</p>