



## ASCI CCC Recommendations: July 2017

### ASCI UPHELD COMPLAINTS AGAINST 116 OUT OF 165 ADVERTISEMENTS

**Mumbai, October 16<sup>th</sup>, 2017:** In July 2017, ASCI's Consumer Complaints Council (CCC) upheld complaints against 116 out of 165 advertisements. Out of 116 advertisements against which complaints were upheld, 51 belonged to the Healthcare category, 31 to the Education category, 10 in the Personal Care category, followed by 5 in the Food & Beverages category, and 19 advertisements from other categories.

### **DIRECT COMPLAINTS**

ASCI processed complaints against the following advertisements from the general public, industry as well as from the Department of Consumer Affairs' Grievances Against Misleading Advertisements (GAMA) Portal. Out of 73 advertisements, complaints against 32 advertisements were upheld.

#### **HEALTHCARE:-**

The CCC found the following claims of four 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. Vadnere Chemical Works (Dr Vadnere Teething Syrup):** The advertisement's claims (in Hindi), "93 Varsho ka Bharosa" and "Ek karod Se Jyada baccho ki Hasi Ka Raj" were not substantiated with supporting evidence or any third party validation. Further the claim, "Daat nikalne Ki Kathinai ko Badla Ja sakta hai aasani se Agar Diya Jaye baccho ko Dr. Vadnere's teething syrup", was not substantiated with product efficacy data. Also, the claims are misleading by exaggeration.
- 2. Shree Maruti Herbal (Stay On Power Capsules):** The advertisement's claim, "The 'twenty eight day' stay on course is all you need to revive vigour, vitality, stamina and energy", was not substantiated with product efficacy data and was misleading by exaggeration. The advertisement provides a link to the web-site [www.stayonpowercapsule.com](http://www.stayonpowercapsule.com) which contains product claims in violation of the DMR Act. The advertisement headline, "Twenty eight days is all it takes to be 'the man' you always wanted to be", when read in conjunction with the advertisement visual, the pack visual and reference to the product web-site implies that the



product is meant for enhancement of sexual pleasure, which is in breach of the law as it violated the DMR Act.

3. **Trophic Wellness Pvt. Ltd. (Nutrcharge Glycem Prodiet):** The advertisement's claims, "It is a supplement designed for pre-diabetes to prevent the onset of diabetes", "The chewable tablet contains 12 botanicals", "It contains high quality soy protein isolate from DuPont USA, dietary fibre, garcinia cambogia and enzymes", "Who can consume: Pre-diabetics (people with random blood sugar levels of 140 to 200 mg/dl)", "Dosage: .....Continue till the blood sugar levels become normal", were not substantiated and were misleading by exaggeration. Further, testimonial claims of a 29 year old girl saying that her random blood sugar was 180 mg/dl and her parents were diabetic so she consulted her nutritionist. The nutritionist suggested making lifestyle and dietary changes and also starting taking Nutrcharge Glychem Prodiet. After taking this for three months the random blood sugar came to 138 mg/dl, as well as testimonial were not substantiated with supporting evidence and were misleading by gross exaggeration. The advertiser did not substantiate that the video testimonial (Feny Patil) was genuine and unpaid by providing evidence from the model appearing in the same. It was also seen that while there are no endorsement statements by the celebrities themselves, the website contains images of the celebrities (Amitabh Bachchan and Sania Mirza) and when seen in conjunction with the unsubstantiated claims, these "tacit" endorsements are likely to mislead consumers regarding the product's efficacy.
4. **Lotus Slimming Centre Private Limited (Figure first):** The advertisement's claim (in Gujarati) as translated into English, "Reduce up to six kilogram in a month", was not substantiated with treatment efficacy data among a statistically significant sample and is misleading by gross exaggeration. Also, the visual in the advertisement is misleading by implication.

#### FOOD & BEVERAGE:-

1. **Tata Chemicals Ltd. (Tata Nx Zero Sugar):** The CCC opined that the term "Zero Sugar", when read in conjunction with the claim "Beneficial sugar for people with Diabetes", is contradictory and misleading by ambiguity and implication. Though the advertiser claims "zero sugar" in the advertisement, the advertiser's own communication on their website etc. presents their product as a "low-calorie sugar". Also the advertisement's claim, "low calorie sweetener" may hold true for the product, the claim, "lactose is a low calorie sweetener", was misleading by ambiguity as by the advertiser's own submission, lactose is only an excipient in the product, the main active being Stevia.

#### PERSONAL CARE:-

1. **SBS Biotech Unit II (Roop Mantra Ayurvedic Cream, Capsules & Herbal Face Wash):** The advertisement's claim (in Hindi), "Sundarta Se Zindagi Mein Muskan aur utsah Aane De", "Sirf haldi Chandan hi nahi "Roop Mantra Ayurvedic cream" mein hai aloe vera Draksha Tulsi aur



mulethi jeci 12 Jadi Butiyo ka adwitiya santulit Mishran Jo aapke Chehre ki twacha ka Rang bhitar se nikharne awam chamakdar Banane Mein Aati Sahayak hai! dark circles evam jhaiyon ko kam Karke Aap Ke Rang ko saaf rakhne me madad karta hai” and “Helpful in protecting from Jhurriya, jhaeyya, kale ghere, sawalapan, bejan tvacha”, were not substantiated with product efficacy data, and are misleading by exaggeration. Also, the visual showing the celebrity’s dark complexion becoming fair in three weeks is misleading by exaggeration.

2. **Colgate-Palmolive (India) Ltd. (Colgate Active Salt):** It was concluded that the font size of the disclaimers in the advertisement measures was less than 12 pixels, and hence the advertisement violated Clause VII.i.1 of ASCI Guidelines for Disclaimers ("For standard definition images, the height of the text lower case elements shall be NOT LESS THAN 12 pixels [12 lines] in a 576 line raster.").
3. **The Himalaya Drug Company (Himalaya Anti Hair Fall shampoo):** The advertisement’s voice over, “...phir neeta aunty ke nuskhe aazmaye, aur parlor wale treatment bhi try ki tarah tarah ke shampoos badal ke bhi koi fayeda nahi hua....” seen in conjunction with the advertisement’s visuals, implies that the advertised product is superior to all other products and parlour treatments. It was observed that the clinical study submitted was regarding efficacy of the advertiser’s own product. In the absence of comparative technical data for the product efficacy, the claim in the voice over mentioned above was not substantiated and is misleading by implication that the product is superior than the remedy provided by the parlours or other shampoos.
4. **Lotus Herbals Limited (Lotus Herbals Safe Sun UV Screen Matte Gel):** The advertisement’s claims, “Safe Sun”, “Its finger snap tested”, “Easily absorbed”, “Non-oily” and “Matte look”, were not substantiated with product efficacy data. Further the claim, “India’s 1st matte gel sunscreen”, was not substantiated with comparative market survey data with other sunscreen products. Also, the claims were misleading by exaggeration.
5. **Asian Consumer Care (Varso Aloe vera):** The advertisement’s claims, “Varso non-sticky aloe vera hair oil is enriched with almond oil and vitamin E to nourish your long and strong hair”, “This special creation protects your hair from sun and gives your hair shiny, soft feel”, “Non-sticky”, “Enriched with almond oil and vitamin E” and “Sun protection”, were inadequately substantiated, and are misleading.

## EDUCATION:-

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



- 1. CI Educate Ltd. (Career Launcher):** The advertisement's claims, "Best Results" in CLAT (Law entrance) & CAT (MBA entrance), "75/All-India Top 100 ranks in CLAT'17 are LSTians", "Top 3 ranks in CLAT'17 from Kolkata are LSTians", "3000+ IIM Calls in CAT'16 to CL kolkata students", "Most advanced learning environment" and "Closed to CAT test series", were not substantiated with verifiable supporting data. Further the claim, "Kolkata's Best Faculty", was not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, or any third party validation. Also, the claims are misleading by exaggeration.
- 2. RACE Institute for Bank & SSC Coaching:** The advertisement's claims, "India's no.1 coaching institute for Bank & SSC", "Best Competitive exam coaching institute with more than 84% success ratio", "Only institute with more than 84% success ratio", "Race is only institute to release registration id and password to differentiate us from fake results of other institutes", and "In 2016-17, about 8500 of our students have got placed in various Public sector banks", 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.
- 3. Success Ahead Services Education:** The advertiser's claim that Anahad Narain is from their institute was not substantiated with authentic evidence, and is misleading. Further the claims, "Highest Success Rate" and "Never before from a single centre", were not substantiated with any verifiable comparative data of the advertiser's institute and other similar institutes, and are misleading by exaggeration.
- 4. National School of Business:** The advertisement's claim, "100% placement track record with average salary package of 4.3 LPA for 2016 batch", was not substantiated with authentic supporting data such as detailed list of students who have been placed through their Institute, contact details of students for verification, enrolment forms and appointment letters received by the students. Also the advertiser did not provide evidence to prove that students were offered the claimed salary packages. Further, the claim is misleading by exaggeration. Also the claim, "Ranked amongst top 30 colleges in India and top 10 MBA colleges in South India for placement by Silicon India 2016", was not substantiated and was misleading by exaggeration. In respect of the complaints that the "College has just 1 building; It doesn't have any Indoor Sports Facility; This is a Fake Information and fake photograph", "the college doesn't have any Computer Lab, and that a fake photograph is uploaded", it was not agreed upon with the advertiser's contention for using a picture of not using the real and currently existing infrastructure. It was therefore concluded that the claims were not substantiated and were misleading. Also the claims, "average annual salary details of 32 alumni of this course", "Employment details of 65 alumni of this course", "3.65 lakh (INR)", were not substantiated with supporting evidence, and are misleading by exaggeration.



5. **Krishna International School:** The advertisement's claims, "Rajkot's most reputed CBSE school", "100% result every year", and "Best Education", were not substantiated with verifiable supporting data, and were misleading by exaggeration.

Complaints against the following four 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':

**Aikon Academy, G.L. Bajaj Institute of Management and Research, Galgotias University and IBT Institute Pvt. Ltd.**

#### **OTHERS:-**

1. **ARG Outlier Media (Republic TV):** It was concluded that the explanation given by the advertiser was unacceptable; and that the leadership claims of the advertiser were in violation of the guidelines made by BARC in this regard, and were therefore misleading. It was noted that as per "BARC India Ratings – Principles of Fair and Permissible Usage" the period of comparison for any claims of leadership should cover at least four consecutive weeks of data. However, as per the disclaimer put by the advertiser, the claims are based on a single week and not on four consecutive weeks of data as per BARC guidelines. Therefore it is violative of BARC guidelines. The subject matter of comparison is chosen in such a way so as to confer an artificial advantage upon the advertiser so as to suggest that a better bargain is offered than is truly the case. Thus the advertisement contravened the ASCI Code.
2. **Republic TV:** The advertisement's claims, "BARC Declares India's new leader", "Republic No.1 across all segments", "India's No. 1 channel with 43% of viewership", were not substantiated and are misleading by exaggeration. Advertiser has referred to BARC data as a source for these claims. It was noted that as per "BARC India Ratings – Principles of Fair and Permissible Usage" the period of comparison for any claim of leadership should cover at least four consecutive weeks of data. However, as per the disclaimer put by the advertiser, the claims are based on one single week and not four consecutive weeks of data as per BARC guidelines. Therefore it is violative of BARC guidelines. The subject matter of comparison is chosen in such a way so as to confer an artificial advantage upon the advertiser so as to suggest that a better bargain is offered than is truly the case. The advertisement thus contravened the ASCI Code.
3. **Wonder Cement Ltd.:** The visual of "a pillion rider on a two wheeler without a helmet" as depicted in the advertisement shows violation of traffic rules and also is an unsafe practice and hence violates the ASCI Code.
4. **Salarpuria Group (Salarpuria Sattva):** The advertisement showing a picture of an animated girl with her spoken words, "An evening with me! Choice is yours location is mine!!" objectifies



women which is likely, in the generally prevailing standards of decency to cause grave and widespread offence (especially to women) and hence contravenes the ASCI Code.

5. **Dainik Bhaskar Group (Divya Bhaskar newspaper):** The advertisement's claims, "Will open anywhere in five seconds" and "World's fastest opening news website", were false, unsubstantiated and are misleading by gross exaggeration. Further the claim, "World's No. 1 Gujarati Website", was not substantiated with any comparative / market survey data and is misleading.
6. **Eureka Forbes Ltd. (Dr. Aquaguard):** It was concluded that the claim showing the growth of the plant in the protagonist's beaker to be significantly more than the rest of the class was not adequately substantiated. Furthermore, the reference made in the advertisement – mother saying to the son "*achha boy nahin man ... Aquaguard ho toh farak dikhta hai*", was misleading as it implies that the Biotron treated water has some special properties resulting in better growth and development in children, which was not substantiated. Further it was also noted that the claim, "*Paani Ka Doctor Aquaguard*" was not accompanied by TM / R qualification and hence was misleading by implication in the context of the advertisement. The disclaimers in the advertisement are not in the same language as the audio of the advertisement (Hindi), and the hold duration of the disclaimers are not in compliance with the ASCI Guidelines for Disclaimers.
7. **Kent RO System Ltd. (Kent RO Water Purifier):** The website claim, "Only KENT RO Water Purifiers recover 50% pure water and store rejected water in a separate tank, whereas other RO purifiers can recover only 20% of water" was not substantiated. Further the claims made in the print advertisements, headline claim - "100% purity with No Water Wastage", as well as claim in body copy "Kent is the first RO purifier in the world...that helps you save water with 100% purity", "Save Water Technology", were misleading by ambiguity, exaggeration and omission of key information regarding only 50% of the water output being potable and optional purchase of storage tank for Kent Grand+ and Kent Pearl models. Also the TVC claim, "Paani hota hai 100% pure who bhi Bina wastage ke", was not true as only 50% water is potable and the claim was misleading by ambiguity, implication and omission of key information.
8. **I.T.C Limited (Classmate Note Books):** The advertisement's claim, "Classmate notebook par likhoge Toh teacher neatness Ke 2 extra marks degee", was misleading, since neatness is not connected to writing on a sheet of white paper and one can be neat even on an ordinary notebook paper. Further, it was observed that the advertisement is targeted at children and it exploits their vulnerability.
9. **Haptik India:** The advertisement's claim, "Get 100% Cashback", was misleading by ambiguity as it is subject to terms and conditions that 100% cashback is limited to only Rs.500/-.

- 10. Idea Cellular Ltd.:** The font size of the disclaimer in the advertisement was very small font and was found to be unreadable. Upon carefully viewing the advertisement, it was concluded that the advertisement contravenes Clauses (VII) (i) (1) and (2) of the ASCI Guidelines for Disclaimers (“For standard definition images, the height of the text lower case elements shall be not less than 12 pixels (12 pixels lines) in a 576 line raster.” and “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.”) .
- 11. Bharti Airtel Ltd. (Airtel - The Smartphone Network):** The font size of the disclaimer in the advertisement was written in a very small font which was found to be unreadable. Upon carefully viewing the advertisement, it was concluded that the advertisement had violated Clauses (VII) (i) (1) of the ASCI Guidelines for Disclaimers (“For standard definition images, the height of the text lower case elements shall be not less than 12 pixels (12 pixels lines) in a 576 line raster.”) for the SD version of the advertisement.
- 12. Amazon Inc. (Lenovo Zuk Z1):** The Amazon website’s claim regarding the technical details of the product as “Android OS V5.1.1(Lollipop) planned upgrade to V6 O”, is a misrepresentation of facts and is misleading through provision of false information on the features of the product.
- 13. Godrej Consumer Products Ltd. (Godrej ACs):** The advertisement’s claim, “India’s most power saving green inverter AC”, was false and was misleading by ambiguity.

### 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 92 advertisements, total of 84 advertisements were considered to be misleading. Of these, 47 advertisements belonged to the Healthcare category, 22 in Education category, five in Personal care category, four in Food & Beverage category and six were from other categories.

#### **HEALTHCARE:-**

The CCC found the following claims of 48 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. Kolors Health Care India Pvt. Ltd. (Kolors Slimming and Beauty):** The claims in the advertisement that “it is a single session treatment; it results in permanent fat reduction and



hence causes no weight fluctuations, has no side effects and gives 100 percent desired result” contravened the provisions of the ASCI Code. It was further opined that the material given by the advertiser were woefully inadequate to substantiate their claims in the advertisement; and that the advertisement was misleading by ambiguity.

2. **Jolly Health Care (Jolly Tulsi 51 Drops):** The advertisement’s claims, “Natural immunity booster and its consumption along with any kind of medicine for any kind of ailment gives more better results”, and “One medicine for 100 diseases and keeps family away from diseases, gives healthy, disease free and long life”, were not inadequately substantiated and are misleading by exaggeration.
3. **Nisargalaya Herbals (Phyto X-tra Power):** The advertisement’s claim, “Controls early and dream ejaculation” and the visual in the advertisement read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure. These claims were considered to be, prima facie, in violation of the D&C Rules.
4. **Chaturbhuj Pharmaceutical Company (Japani Tel):** The advertisement’s claims, “The gift of love” and “To be the popular and effective for strength in men” and the visual in the advertisement read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure. These claims were considered to be, prima facie, in violation of the D&C Rules.
5. **Shree Kalyan Ayurvedashram:** The advertisement’s claims, “To remove white spots,” and “To change the colour of your chronic spots and removes it from the roots and mixes into the skin colour,” were considered to be, prima facie, in violation of the D&C Rules.
6. **Khodiyar Ayurvedic:** The advertisement’s claim, “To cure chronic piles, fissure without operation from the roots through vegetable leaves and ayurvedic medicine and get sure shot result” is considered to be, prima facie, in violation of the D&C Rules.
7. **Hashmi Dawakhana:** The advertisement’s claims, “To provide successful treatment of thinness, small organ, increasing length of organ” and “To get desired sex capacity, size and satisfaction”, also the visual in the advertisement read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure. These claims were considered to be, prima facie, in violation of the D&C Rules.
8. **Dr. Jonwals Niramay Ayush Panchkarm Health Institute and Research Hospital:** The advertisement’s claims, “to cure without operation the following diseases Brain Diseases, Obesity, Stroke Paralysis, Diabetes, High BP, Asthma, Hepatitis, Infertility, Rheumatism Arthritis, Cancer, AIDS, Spondylosis, Heart Blockages, Heart Attack, Heart Fail, Ulcer, Kidney Stone, and Piles Fistulae” were considered to be, prima facie, in violation of the DMR Act and the D&C Rules.

- 9. My Vitaa Health Care (Top masti Plus):** The advertisement's claims, "To remove physical weakness and tiredness" and "To rejuvenate your body and mind to energize you", also the visual in the advertisement and packaging read in conjunction with the claims objected to imply that the product is meant for enhancement of sexual pleasure. These claims were considered to be, prima facie, in violation of the D&C Rules.
- 10. Wonder Herbals Pvt. Ltd. (Wonder Slim):** The testimonial claims, "My weight was 100 kilograms but when I fell in love with a girl my weight reduced to 50 kilograms. Same thing does not happen with others so use Wonder slim. Use it and reduce", made in the advertisement were not substantiated with evidence of product efficacy for weight reduction, and are misleading by implication and exaggeration.
- 11. Gautam Clinic Pvt. Ltd.:** The advertisement's claims, "Gautam Clinic is famous and one of the best sexologist in Asia", "Dr Gautam has achieved many rewards and recognition for his services for multi-specialty treatments through all possible methods like allopathic, homeopathy and Ayurvedic", were not substantiated with copy of the qualifications of Inderjit Singh Gautam, details, references of the awards received such as the year, source and award certificates, and the authenticity of the body issuing the awards (APS ResearchnMedia). Further it was concluded that the claims were misleading by gross exaggeration.
- 12. Sudarshan TV Channel Ltd. (Sudarshan Nasha Muktam):** The advertisement's claim, "Helps 100 percent in de-addiction of addictive substances", was not substantiated with product efficacy data, and is misleading by exaggeration.
- 13. Dr P K Jain Clinic Pvt. Ltd. (Dr. P. K. Jain Clinics):** The advertisement's claim, "World's No. 1 top ranking sexologist", was not substantiated with comparative survey data. The source for this claim was not indicated in the advertisement. Further the claim, "One and only experienced and highly qualified doctor and has been awarded with national and international awards", was not substantiated with copy of the award certificates, details, references of the awards received such as the year and source. The details of the authenticity of the body issuing the awards were not submitted. Also, the claims are misleading by gross exaggeration.
- 14. Positive Homeopathy:** The advertisement's claim, "Get freedom from piles, fissure and fistula pain" is considered to be, prima facie, in violation of the D&C Rules.
- 15. Positive Homeopathy:** The advertisement's claims, "Kidney stones can be cured completely," and "Free from Piles, Fissure & Fistula without surgery," were considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 16. Shahi Pharmaceuticals (Shahi Unani Tila):** The advertisement's claim, "For the moments when you need some extra energy" and the visual in the advertisement read in conjunction

with the claim objected to implies that the product is meant for enhancement of sexual pleasure, is considered to be, prima facie, in violation of the D&C Rules.

- 17. Shahi Pharmaceuticals (Shahi Gold Capsule):** The advertisement's claims, "Energy, strength and stamina", "For Stay Long Power" and the visual in the advertisement read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure. These claims were considered to be, prima facie, in violation of the D&C Rules.
- 18. Meeta Ayurveda:** The advertisement's claims, "Increase sex time up to 35 minutes more", "Increase organ length / increase thickness, prevent sugar, discharge, thinness, loose, treatment to sloppy organ and removes night fall from roots" and the visual in the advertisement read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure, were considered to be, prima facie, in violation of the D&C Rules.
- 19. Lord Dhanwantri Ayurvedic Hospital:** The advertisement's claims, "Get rid of arthritis from the roots and cures without operation" and "Provides 100 ayurvedic treatment to cervical spondylosis without operation and cures from roots," were considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 20. Dr Madhu Varanasi Super Speciality Homeopathy Clinic:** The advertisement's claim, "Get rid of sexual diseases with homeo treatment" is considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 21. Rajnish Hot Deals Pvt. Ltd. (Playwin Capsule and Oil):** The advertisement's claims, "Increase vigour, strength and power", "Make loose organ strong, powerful and hard", "Increase extra timing and pep" and the visual in the advertisement read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure, were considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 22. Rajnish Hot Deals Pvt. Ltd. (Playwin Plus Capsule):** The advertisement's claims, "Growth of power, extra timing, strength and warmness", "Get powerful strength in every moment", "Massage in weak nerves with few drops of Play Win Oil, it will strengthen the vital organs of the body", and the visual in the advertisement read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure, were considered to be, prima facie, in violation of the D&C Rules.
- 23. Noor Davakhana:** The advertisement's claim, "Cure cancer clot in head, cancer clot of mouth, jaw, neck, lungs, liver, stomach, uterus, chest through medicines, without operation," is considered to be, prima facie, in violation of the DMR Act and the D&C Rules.

- 24. Sun Laboratories P. Limited (Titanic K2 Plus Capsule):** The advertisement's claim, "It is the first choice of men, which gives the pleasure of masculinity for longer duration" and the visual on the product packaging read in conjunction with the claims objected to implies that the product is meant for enhancement of sexual pleasure, is considered to be, prima facie, in violation of the D&C Rules.
- 25. Homeocare International Pvt. Ltd.:** The advertisement's claim, "Will make you free from infertility and obesity," is considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 26. Aena Healo Ayurveda Protectology Clinic:** The advertisement's claim, "Piles and Fistula completely cured with treatment" is considered to be, prima facie, in violation of the D&C Rules.
- 27. Nila Pharmaceuticals (Arsamukthi):** The advertisement's claim, "Enjoy piles free life" is considered to be, prima facie, in violation of the D&C Rules.
- 28. Shree Maruti Herbal (StayOn Power Oil):** The advertisement's claims, "The realization of youthful passion", "Only for Men" and the visual in the advertisement and product packaging, read in conjunction with the claim objected to imply that the product is meant for breast enhancement. Also the advertisement provides link to website which refers to "A very important advantage of using the Stay-On Power Oil for men is that this works very effectively towards increasing the sex drive, and also sexual desire in males. By going for the recommended dosage of the Stay-On Power Oil for Men, males would find that intimate activity becomes more pleasurable, and the size of the male organ increases as well." These were considered to be, prima facie, in violation of the D&C Rules.
- 29. Ratan Ayurvedic Sansthan Pvt. Ltd. (Sudol Body Toner Capsule):** The advertisement's claim, "Enhances the beauty of women" and the visual in the advertisement and product packaging, read in conjunction with the claim objected to imply that the product is meant for breast enhancement, is considered to be, prima facie, in violation of the DMR act and the D&C Rules.
- 30. Medipulse Hospital:** The advertisement's claim, "Now get freedom from diabetes due to obesity and other diseases" is considered to be, prima facie, in violation of the DMR Act and the D&C Rules.
- 31. Body Line Inspiring Fitness:** The advertisement's claim, "No.1 Fitness Company, chain of showrooms, chain of health clubs", was not substantiated with any comparative / market research data with other similar companies and was misleading by exaggeration.

- 32. Universal Srushti Test Tube Baby Centre:** The advertisement claims for the Test Tube Baby Centre, “Up to 99% success” and “PGS 85% success”, were not substantiated with supporting evidence, and are misleading by exaggeration.
- 33. Regency Healthcare (Renal Sciences Centre):** The advertisement’s claim, “The only\* kidney transplant centre in Uttar Pradesh”, was not substantiated with verifiable comparative data of the advertiser’s institute and other similar institutes. The disclaimer indicates that the comparison is among Private sector only and the claim is misleading by ambiguity and exaggeration.
- 34. Dr. Prabha’s Glow Aesthetic Clinic:** The advertisement’s claim, “Get permanent riddance from unwanted fat through Cryolipolysis”, was not substantiated with treatment efficacy data, and is misleading by gross exaggeration.
- 35. Emami Ltd. (Zandu Gel):** The advertisement’s claims, “Zandu Gel’s ayurvedic formulation is 2.5 times more effective in giving relief from back pain”, “2.5 times better relief”, were inadequately substantiated. The claim is misleading by ambiguity and implication since the voice over says “*kamar* (waist pain)” whereas the visuals shown are that shoulder and knee pain in addition to back, when 2.5 times better relief is claimed, and the pack visual claims, “Upto 1.7x better relief from knee stiffness”.
- 36. Dr. Richa’s Unique Clinic:** The advertisement’s claim, “Best laser skin & hair clinic in Maharashtra”, was not substantiated, and is misleading by exaggeration.
- 37. Olivet Pharma Pvt. Ltd. (Ayusya Super speciality Treatment Centre):** The advertisement’s claim, “Over 3 lacs satisfied patients”, was not substantiated with supporting evidence or validation by an independent third party, and is misleading by exaggeration.
- 38. Arogyam Ayurvedic Hospital:** The advertisement’s claim as a testimonial stating, “Get freedom from knee and joint pain”, was not substantiated with supporting clinical evidence, and is misleading by exaggeration.
- 39. RJR Hospitals:** The advertisement’s claims, “Complete cure through herbal treatment”, and “Increase the immunity and gives strength to the body and prevents other diseases to enter”, were not substantiated with supporting clinical evidence and are misleading by exaggeration.
- 40. Naturoveda Health World:** The advertisement’s claim, Awarded as "the safest healthcare destination for treating lakhs of patients successfully through fundamentals of ayurveda, unani and therapeutic yoga", was not substantiated, and is misleading by exaggeration.

- 41. Arogyam Ayurvedic Hospital:** The testimonial's claim, "Got freedom from 15 years of knee and joint pain", was not substantiated with evidence of treatment efficacy, and the claim is misleading by exaggeration.
- 42. Jolly Healthcare (Jolly Fat Go Slimming Capsules):** The advertisement's claims, "Most easy, effective and ayurvedic way to stay fit", and "Trusted brand of India since 12 years to control weight", were not substantiated with product efficacy data, and the claims are misleading by exaggeration.
- 43. Elation Hair and Skin Clinic:** The advertisement's claim, "Over 4500 successful cases", was not substantiated with supporting evidence or with third party validation of the patients being treated "successfully", and was misleading by exaggeration.
- 44. Rootz Hair Studio:** The advertisement's claims, "Global leader in latest and trendiest hair treatments" and "Stem cell therapy", were not substantiated with supporting data. The claim, "Customer Service Excellence Award" was not substantiated with details, references of the award. Furthermore, the claims were misleading by exaggeration.
- 45. Angels Advanced Clinic:** The advertisement's claim, "Reduce hair falling and dandruff with hair care therapy in women and men", was not substantiated with treatment efficacy data, and is misleading.
- 46. Bengal Speech and Hearing Pvt. Ltd. (Hearing Plus):** The advertisement's claim, "Award Winning Company", was misleading by ambiguity and omission of mention of the specific award and the source and date.
- 47. Dr. Kudos Laboratories India Limited-(IME-9 Tablets):** The advertisement's claims, "Now control and monitor your diabetes with IME-9," and "The testimonials in the advertisement indicate action in 15 days with sugar level coming to normal," were considered to be, prima facie, in violation of the DMR Act and the D&C Rules.

#### **FOOD & BEVERAGES:-**

- 1. Saboo Sodium Chloro Limited (Surya Salt):** The advertisement's claim, "Surya salt being more tasty and healthy than other salts", was not substantiated with comparative data of the advertiser's product with other competitive products, or with any third party validation, and is misleading by exaggeration.
- 2. Raha Oils Pvt. Ltd. (Raha Rice Bran Oil):** The advertisement's claims, "Health benefits of Rice Bran Oil - Prevents premature ageing - Controls cholesterol - Menopausal issues - Prevent cancer - Aids weight loss - Boosts immunity - Heart friendly - Less oily", were not substantiated

with any clinical evidence and that the claims were misleading by exaggeration. Further it was noted that the claim, “World Health Organization recommends rice bran oil” was a general statement, when read in conjunction with the other health- related claims as described above, was misleading by ambiguity and implication of other health benefits.

- 3. S Narendra Kumar and Company (Everest Super Sambhar Masala):** The advertisement’s claim, “Only Everest Super Sambhar masala has 14 ingredients in the right composition/mixture”, was not substantiated with the details of the unique recipe and is misleading by exaggeration.
- 4. Frijoles India (Frijoles Green Coffee):** The advertisement’s claim, “Green coffee powder for weight loss”, was not substantiated with clinical evidence for product efficacy, and was misleading by exaggeration. Also, the visual in the print advertisement was misleading by implication that the product is beneficial for weight loss. It was also noted that the use of FSSAI logo in the print and TV advertisement which is not permitted by the FSSAI for product promotion.

#### PERSONAL CARE:-

- 1. Hindustan Unilever Ltd. (Citra Korean Pink Pearls and Japan Green Tea):** It was concluded that in the context set out in the advertisement, the claim, “Pink pearls from Korea that gives inner fairness and Japanese green tea for pimple clear skin”, was inadequately substantiated and is misleading by ambiguity and implication that the benefits being provided by the product are due to these two natural ingredients.
- 2. Nandini Herbal Care Pvt. Ltd. (Nandini Kesar Almond Goti):** The advertisement’s claim, “Make skin fair in just five days”, was not substantiated with any evidence of product efficacy and is misleading by exaggeration. Also, the visual showing the model’s dark complexion becoming fair is misleading by exaggeration.
- 3. IPSA Labs Pvt. Ltd. (Eraser Plus Cream):** The advertisement’s claim, “Makes one fair” (“Gora banaye”) was not substantiated with evidence of product efficacy, and was misleading by gross exaggeration.
- 4. Hindustan Unilever Limited (Clinic Plus Ayurveda Care Shampoo):** The advertisement’s claim, “Naya Clinic Plus Ayurveda Care Shampoo issme hai Amla, Bhibitaki aur Haritakise bana Triphala Jo Baalon ko de mazbooti Ayurved ki”, was not substantiated. The improvement of strength has not been shown to arise from the ingredients claimed, namely the three ayurvedic herbs. Connecting Triphala to the strength of the hair is misleading by ambiguity and implication.

5. **Emami Ltd. (Navratna Almond Cool Oil):** The advertisement's claim, "Badaam ke poshan ke saath", was not substantiated and is misleading by ambiguity and implication.

#### **EDUCATION:-**

The CCC found following claims in the advertisements by 22 different advertisers were not substantiated and, thus, violated ASCI Guidelines for Advertising of Educational Institutions. Hence complaints against these advertisements were UPHELD.

1. **Graphic Era University:** The advertisement's claim, "More than 10000 placements across the globe" was not adequately substantiated, and was therefore false and misleading through ambiguity.
2. **Adi Shankara Institute of Engineering and Technology:** The advertisement's claims, "Ranked No. 1 among the top prominent engineering colleges in India and No. 1 in Kerala" and "No. 5 among the top private engineering colleges in Kerala, ranked No. 10 in India for excellent industry exposure among top private colleges and No. 1 in Kerala", were not substantiated. The claims were misleading by ambiguity and omission.
3. **Birsa Inst Of Tech (Trust) - BITT Group Of Inst.:** The advertisement's claim, "Provides upto 100% Scholarship", was not substantiated with supporting evidence of 100% scholarships availed by any of their students, and was misleading by implication and ambiguity regarding the amount of scholarship and the total number of scholarships being offered.
4. **Om Harihar Services P Innovation Edu Ltd:** The advertisement's claims, "Upto 100% Scholarship", and "20% extra scholarship for girls", were not substantiated with supporting evidence of scholarships availed by any of their students. The claims are misleading by ambiguity regarding the amount of scholarship and the total number of scholarships being offered.
5. **Hindustan Soft Education Ltd. (Oxford Software Institute):** It was concluded that the use of 100% is not relevant for "placement assistance" claim. The use of "100%" as a descriptor in the claim is misleading by implication.
6. **Tamilnadu Aim Technical Training Centre:** It was concluded that the use of 100% numerical is not relevant for "placement assistance" claim. The use of "100%" as a descriptor in the claim is misleading by implication.

Complaints against 16 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’:

**St. Joseph Polytechnic College, Arcot Sri Mahalakshmi Women’s College, Jai Bharath Educational Foundation (Jai Bharath College of Management and Engineering Technology), ASET College of fire and safety Engineering, Appin Lab Technology, Prince Education Hub (Prince Defence Academy), Kongu Vellalar Institute of Technology Trust (Kongu Polytechnic College), National School Of Hotel Management, Amrita University (Mata Amritanandamayi Math), Goyal Educational & Welfare Society (Rawal Institute), Anandaloke Hospital & Neurosciences Centre (Anandaloke Sch Of Nursing), San Institutions, Sri Ramakrishna Polytechnic College, Srinivasa Educational Society - Pace Institute Of Technology & Sciences, Jainee Group of Institutions Campus - Jainee College of Nursing, Krishna International Mahalakshmi Women’s College and Jainee Group of Institutions Campus - Jainee College of Engineering and Technology.**

#### **OTHERS:-**

- 1. Shree Kuberji Builders:** The advertisement’s claim, “India’s biggest textile market making company”, was not substantiated with any data such as market survey, and is misleading by exaggeration.
- 2. Jyothi Chemical Industries (Texma Toilet Cleaner):** The advertisement’s claim, “Texma - Best product of 2016”, was not adequately substantiated and was misleading by ambiguity and omission of mention of source and date of research.
- 3. LG Electronics India Pvt. Ltd. (LG Water Purifier):** The advertisement’s comparison claim made against plastic, “It’s safer than plastic that decays with time”, was not substantiated with supporting evidence. Further it was opined that the claim was likely to mislead consumers to believe, without any justifiable basis, that stainless steel tank is superior to plastic, thereby denigrating the entire category of plastic storage tanks. Also, the claim, “India’s true water purifier”, was not substantiated with any verifiable comparative data of the advertiser’s product and other competitor products.
- 4. KD Rockland Industries (Puncture Killer):** The advertisement’s claims, “Now tyre will never get puncture because Puncture Killer will protect tyre every time”, “Puncture Killer is a Korean Formula, which contains liquid, after inserting this liquid in tyre, tyre never get punctured till the life of tyre” and “100% money back guaranteed”, were inadequately substantiated, and are misleading by exaggeration.



5. **Wox Coolers (P) Ltd. (Wox):** The advertisement's claim, "India's first cooler", was not substantiated with any proof that the advertiser's product is indeed the "first" cooler in the market. The claim was misleading by exaggeration.
  
6. **Evapoler Eco Cooling Solutions:** The advertisement's claim, "World's most energy efficient natural cooling system" was not substantiated with technical comparative data of the advertiser's product and other competitive Indian or International products, or any third party validation. The claim was misleading by exaggeration. Further the claim, "Save upto 90% on your Electricity Bills", was inadequately substantiated and was misleading by ambiguity and 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](http://www.ascionline.org))





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