The Advertising Standards Council of India

ELEVENTH REPORT AND ACCOUNTS

FOR THE YEAR

1996-97

The Advertising Standards Council of India

ELEVENTH REPORT AND ACCOUNTS FOR THE YEAR 1996-97

CONSUMER COMPLAINTS COUNCIL MEMBERS:


Mr. D.R. Sopariwala


Prof. U.A. Athavankar


Mr. Anand Halve


Mr. N. Jayaraman


Ms. Swarn Kohli


Mr. K. Kurian


Mr. E.A. Kshirsagar


Mr. Asit Mehra


Ms. Zia Mody


Mr. M. B. K. Nair


Dr. Angela Rodrigues


Mr. N. G. Wagle


Ms. Usha Sukthankar

Mr. Peter Mukerj

BOARD OF GOVERNORS:


Mr. Ram Sehgal
(Chairman)


Mr. D.R. Sopariwala
(Vice-Chairman)


Mr.Rajiv Agarwal


Ms. Pheroza Bilimoria


Mr. A. Dasgupta


Mr. Pradeep Guha


Ms. Urmila Jain


Mr. Bharat Kapadia


Mr. Jacob Mathew

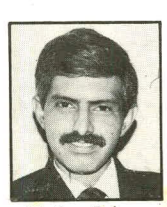

Mr. F.T. Khorakiwala


Mr. Ashok Nerker

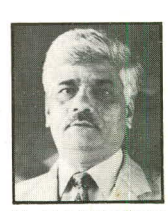

Mr. Bharat Patel


Mr. Roger C.B. Pereira


Mr. Goutam Rakshit


Mr. Sam Balsara


Mr. D.S. Soman


Mr. Mukul Upadhyaya


Mr. K. B. Srinivasan

REGISTERED OFFICE & SECRETARIAT 205, Bombay Market, Post Box No. 7939, Tardeo Road, Mumbai - 400 034. Tel.: 493 68 63, 493 70 66.

The Advertising Standards Council of India

11th Report and Account of 1996-97

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Auditors
Lalit Khanna & Co.
Commissariat Building
231, Dr. D.N. Road
Mumbai

Solicitors
Little & Co.
Central Bank Building
Mumbai

Registered Office
205, Bombay Market
Tardeo Road,
Mumbai 400 034.
Tel. : 493 6863, 493 7066 Fax : 493 6863

Attendance of the members of the Board of Governors of The Advertising Standards Council of India at Board Meetings from the 108th Meeting held on April 11th 1996 to the 121st Meeting held on March 13th, 1997.

Name of Member	Meetings Held	Meetings Applicable	Meetings Attended
Mr. Ram Sehgal (Chairman)	14	14	8
Mr. D.R. Sopariwala (V. Chairman)	14	14	13
Mr. Rajiv Agarwal	14	14	7
Mr. Sam Balsara (e)	14	7	4
Ms. Pheroza Bilimoria	14	14	9
Mr. A. Dasgupta (b)	14	9	5
Mr. Pradeep Guha	14	14	2
Ms. Urmila Jain	14	14	8
Mr. Bharat Kapadia	14	14	10
Mr. F.T. Khorakiwala	14	14	7
Mr. Harsh Mariwala (d)	14	3	3
Mr. Jacob Mathew	14	14	7
Mr. Ashok Nerker	14	14	6
Mr. Bharat Patel	14	14	7
Mr. Roger C.B. Pereira	14	14	8
Mr. Goutam Rakshit	14	14	7
Mr. S.V. Sista (a)	14	6	5
Mr. D.S. Soman	14	14	10
Mr. K.B. Srinivasan (c)	14	3	1
Mr. Mukul Upadhyaya	14	14	10

a) Resigned Sept'96
b) w.e.f. Aug'96
c) w.e.f. Jan'97
d) w.e.f. June'96
e) w.e.f. Sept'96

Attendance of the members of the Consumer Complaints Council from the 114th Meeting held on April 24th, 1996 to the 122nd Meeting held on March 27, 1997.

Name of Member	Meetings Held	Meetings Applicable	Meetings Attended
Prof. U.A. Athavankar	9	9	5
Mr. Anand Halve (e)	9	5	1
Mr. N. Jayaraman	9	9	3
Dr. P.K. Jhawer (c)	9	4	2
Ms. Swarn Kohli	9	9	6
Mr. K. Kurian	9	9	9
Mr. E. Kshirsagar	9	9	4
Mr.. Asit Mehra	9	9	2
Mr. Peter Mukherjee (f)	9	5	0
Ms. Zia Mody	9	9	0
Mr. M.K. Nair	9	9	7
Dr. Angela Rodrigues (d)	9	5	2
Ms. Usha Sukthankar	9	9	4
Mr. S.V. Sista (a)	9	3	2
Mr. D.R. Sopariwala	9	6	6
Ms. Nargis Wadia (b)	9	4	4
Mr. N.G. Wagle	9	9	5

a) Resigned Sept'96
b) Retired Aug'96
c) Retired Aug,96
d) w.e.f. Oct'96
e) w.e.f. Sept'96
f) w.e.f. Sept'96

REPORT OF THE BOARD OF GOVERNORS

We take great pleasure in presenting the Eleventh Annual Report of the Advertising Standards Council of India, together with the Statement of Accounts for the period **April 1996 to March 1997.**

During this period, the ASCI welcomed **33 new** members. The **total** number of firms and companies who were members of the ASCI as on March 31, 1997 is **255,** compared to 238 as on March 31, 1996, 16 members having discontinued their memberships.

During the 12 months period ending March 31, 1997, annual **subscriptions** from members amounted to **Rs.10,38,250/-** as compared to Rs.9,46,000/- in the previous accounting period, ended March 31, 1996.

The Consumer Complaints Council (CCC) met 9 times from April 1996 to March 1997. It considered a **total of 169 complaints,** of which **76** were **UPHELD, 89** were **NOT UPHELD,** and **4** were considered **NON-ISSUES.** Compared with last year the number of complaints has gone down whilst compliance has improved. **Eighty seven percent** of the complaints **Upheld** by the CCC, resulted in advertisements being either **withdrawn** or **modified** appropriately. A summary of these complaints is included in the Compilation of CCC decisions reported for the Year.

On behalf of all members of the Council, the **Board of Governors places on record its gratitude to each and every member of the CCC,** for the very generous contribution of their valuable time and expertise every month. During the year under review, Dr. P.K. Jhawer and Ms. Nargis Wadia completed their terms as members, after a long association with the CCC.

The Board wishes to place on record its appreciation for the services rendered, by Dr. P.K. Jhawer and Ms. Nargis Wadia. Dr. Angela Rodrigues and Mr. Anand Halve were appointed to fill these vacancies.

The Board of Governors: During the year, under the Article 38 of the ASCI Memorandum which provides for appointment of four eminent persons not being members of the Company, the **Board co-opted as Additional members** for one term, Mr. D.S. Soman (Retd DGP, Maharashtra) and Mr. K.B. Srinivasan (Retd Chief Secretary, Govt. of Maharashtra).

Mr. S.V. Sista resigned from the Board. **The Board wishes to place on record its appreciation of the valuable services rendered by him during his tenure.** Mr. Sam Balsara was co-opted by the Board to fill the consequential vacancy in Category 'C' (advertising agencies).

Regional Coordinators : In order to pursue the Council's activities more vigorously on an All India basis, the Board appointed Regional Coordinators :

South Eastern region - Mr. N. Murali, Kasturi & Sons Ltd, Chennai.

South Western region - Mr. K.N. Shanth Kumar, The Printers (Mysore) Ltd, Bangalore.

Western region - Mr Mukul Upadhyaya., Bajaj Electricals Ltd, Mumbai.

Eastern region - Mr. Ram Ray, Clarion Advertising Services Ltd, Calcutta.

Northern region - Mr. P.M. Sachdev, Nestle India Ltd, New Delhi.

The main areas for follow up were -

a) Ensuring prompt compliance with CCC decisions on complaints.
b) Sending in suo motto complaints on advertisements apparently in contravention of the ASCI Code, particularly those appearing in Regional media including local language versions.
c) Enrolling as many new members as possible in their Region, particularly those "Prospective New" members - major advertisers who are not yet members of ASCI.
d) Contacting a few existing members whose annual subscriptions have not been received on time.
e) Securing publicity for ASCI, on a 'no cost to ASCI basis', in the creation of awareness of ASCI purpose and role, ASCI Code, and particularly about proposed ASCI sponsored Workshops/Seminars for which Regional enrolment was essential.
f) Responding to and coordinating with Regional professional associations, consumer groups, chambers of commerce, practitioners in Advertising, individual media/agencies involved with advertising - to further the pursuit and observance of Self-Regulation.

The Board wishes to thank the Regional Coordinators for their support during the year.

Memberships : Our immediate **goal** is still to **double** your Council's **memberships**. This would be best achieved by **each member** helping to **enrol one new member,** and in the process generate the resources required to step up the awareness programmes which will bring in not only further memberships but will stimulate consumer interest in credible advertising. This would benefit all of us because it would constitute a firm step towards strengthening the SELF-REGULATION movement.

Implementation of CCC Decisions : As a result of prompt and effective follow up, there has been a further improvement in the degree of positive responses received from advertisers and agencies, in respect of CCC recommendations on complaints which were Upheld. **An all time high of 87% of assured compliance has been achieved** by the end of the year. There has been an increase in the number of instances wherein advertisers/agencies have withdrawn or modified their advertisements appropriately, merely on their being approached by ASCI for comments in respect of complaints received. **The clout of the acceptance of ASCI by the media,** has been demonstrated in several instances where the media have advised the advertisers/agencies that they would refrain from carrying the "offending advertisements" until modified versions were " cleared" by the ASCI.

The acceptance of ASCI's role in judging complaints against advertisements, in the interest of all Practitioners in Advertising and the consumers who are the targets of such advertisements, is demonstrated by the fact that during the year, the advertisers/agencies have failed to provide assurance of compliance in respect of only 10 complaints. The Media Releases issued by your Council periodically however, resulted in subsequent withdrawal or appropriate modification of some of these offending advertisements (Peer group pressure).

Legal Action against ASCI : In the solitary instance of a Suit being filed in the Bombay High Court by an Advertiser against the ASCI, in respect of a complaint which was Upheld by the CCC, in response to the Reliefs sought by the advertiser, the **Court order** in favour of the complainant (advertiser) **limited the ad-interim injunction** to, **"ASCI not directing only such agencies and media who are not affiliated to or concerned with the ASCI, in any manner".** This implied the right of ASCI to communicate with its members in respect of Self-Regulation in Advertising as governed by the ASCI Code. The Court observed that since ASCI does not have any statutory authority, its communications with the agencies and media are not considered as orders but as advices or requests which are not statutorily binding on the parties concerned.

Self-Regulation On Test : In January 1997, the Federation of Consumer Organisations Tamilnadu **(FEDCOT)** conducted a **Seminar** (one day) on Self-Regulation in Advertising, in **association with your Council.** The topics covered included Ethics in Advertising, Youth as Targets, Issues facing the Tobacco Industry, Surrogate Advertising of Liquor products, and perceptions of Obscenity in Advertising. Speakers representing the ASCI view point included Mr. Sam Balsara, Mr. Goutam Rakshit and Mr. S.V. Sista.

The Role of the Media : This year too, the media has responded spontaneously in support of your **Council's 3-ADS Awareness Campaign.** Over **38 publications** carried the 3-ADS in **9 languages** on an All India basis. In the months that followed there was an increase in complaints against advertisements, in regional languages and from outlying locations. On behalf of all members, the **Board expresses its gratitude for the support** provided **by the media** who willingly published the 3-ADS, **free of cost** in response to our appeal.

Analysis of Complaints decided upon by the CCC : There has been a substantial increase in the number of **intra-industry** complaints received from advertisers and agencies, in respect of comparative advertising and unfair competitive advertisements (35 were Upheld and 15 were Not Upheld). Your Council has played a fair and supportive role in ensuring that such complaints were dealt with promptly, were treated with the confidence which they deserved, and was instrumental in mediating with advertisers and agencies concerned. The net beneficial result was the **avoidance of time consuming** and **costly litigation** in many instances.

However such intra-industry complaints also called for substantial involvement of the ASCI Secretariat in obtaining technical evaluations in respect of the

claims and counter claims by advertisers and complainants, for meaningful deliberation and decision making by the CCC.

Undesirable Trends in Advertising : As there has been an increase in the number of **complaints** received regarding **financial advertisements,** your Council is in the process of addressing this problem. It would require a specific dialogue with the agencies and the media, so as to ensure the **proactive application of the Code,** in the **preparation** and **screening** of such advertisements before they are publicised.

The disturbing trend towards **exploitation of children** in advertisements covering a wide range of products, continues unabated. The audio visual media in particular appears to be exploiting children as consumers and as influencers within the family circles. Whilst the issues involved are related to **ethics** and are seen as **unfair motivations** to gullible yet persuasive children, the ASCI Code in its present form **does not provide specific guidelines** to evaluate such hidden persuaders.

There has been a marked increase in **advertisements** aired on **Channel TV** by various broadcasters, **featuring branded liquor products** and **tobacco-based products.** Your Council would need to pursue the non-observance of the Code in **such advertising,** which **evades the Code** merely on the pretext that it emanates from outside India.

Regulation of Tobacco Products Advertising : A **Draft Code** covering advertising of tobacco-based products was drawn up by a sub-commitee of your Board in consultation with the Tobacco Institute of India, and is **under finalisation** by the Institute for observance by all concerned. This Code takes into account the need for Self-Regulation in Advertising and the Govt. of India's proposal to 'restrict' advertising of tobacco-based products.

The Eleventh Annual General Meeting will be held on Friday, **September 12, 1997.** The Governors retiring from the Board, and eligible for re-election, are as follows :

Category A :	**Advertisers**
	Mr. F.T. Khorakiwala
	Mr. Bharat V. Patel
Category B :	**Press/Media**
	Ms. Pheroza Bilimoria
	Mr. Bharat Kapadia
Category C :	**Advertising Agencies**
	Mr. Rajiv Agarwal
	Mr. Ram Sehgal
Category D :	**Allied Professions**
	Ms. Urmila Jain
	Mr. Roger C.B. Pereira

In keeping with the Notice of Election issued on 14th July, the **Elections for the Board of Governors** will be held in the course of the AGM on the 12th of September, 1997.

On behalf of the **Board of Governors,**

Ram Sehgal
Chairman

Mumbai, August 14, 1997

NOTICE

A meeting of the Board of Governors shall take place immediately after the Annual General Meeting on September 12, 1997 at the same venue. The Agenda for this meeting will be as follows:

1. Election of the Chairman.
2. Election of the Vice Chairman.
3. Any other business with the permission of the Chair.

All members of the Board, including those who will be elected at the Eleventh Annual General Meeting are requested to attend this meeting.

Ram Sehgal
Chairman

Is your Advertising losing its Credibility?

The threat and the solution.

The threat.
The consumer's point of view.

An unfortunate fact of life in marketing is the quantity of false, misleading and offensive advertising.

This has resulted in consumers having an increasing disbelief in advertising, and a growing resentment of it.

This can affect all advertising - including yours.

This is one aspect of the threat.

The threat.

In a competitive frame.

Misleading false advertising also constitutes unfair competition. If you play by the rules and your competition overpromises, it could lead to marketplace disaster or even litigation. Is that something you want to face?

This is the second aspect of the threat.

The threat. Imposed regulation.

If this kind of advertising continues, it won't be long before statutory regulations and procedures are imposed which make even fair, truthful, decent advertising cumbersome if not impossible. That will certainly affect your ability to compete and grow.

This is the third and possibly the most uncomfortable aspect of the threat

The solution. A code for self-regulation.

The Advertising Standards Council of India has adopted a Code for Self-Regulation in Advertising. It is a commitment to honest advertising and to fair competition in the marketplace.

It stands for the protection of the legitimate interest of consumers and all concerned with advertising, whether they be advertisers, media, advertising agencies or others who help in the creation or placement of advertising.

Who judges?

Any advertisement that is sent to the Advertising Standards Council of India with a complaint is judged in the light of the Code for Self -Regulation in Advertising by the completely independent Consumer Complaints Council, comprising 14 eminent people-only 6 of them connected with advertising.

How are judgments implemented?

If a complaint is upheld, the Advertising Standards Council of India tries its best to ensure that the offending advertisement is either suitably modified or withdrawn.

The pressures that the Advertising Standards Council of India can exert are primarily ethical. But that doesn't make it a toothless lion, because the media is likely to refuse to carry advertisements judged to be against the Code, preventing the pollution of advertising space and time And the Council will issue releases declaring offending advertisements unethical. That alone may be enough.

The solution. The benefits.

As the Code becomes increasingly accepted and observed, three things will begin to happen.

1. Fewer false, misleading claims.
   Result : more credibility.
2. Fewer unfair advertisements.
   Result : fairer competition.
3. Increasing respectability.
   Result : less likelihood of the imposition of an onerous code.

Which, taken together, only means more freedom for you to practise your craft or carry on your business effectively.

The solution. Make it happen.

If any advertisement with which you are concerned is the subject matter of a complaint, it will be judged by the Consumer Complaints Council in the light of the Code for Self-Regulation in Advertising, whether or not you are a member of the Advertising Standards Council of India. The judgment of the Consumer Complaints Council will be completely impartial. But, as a member, you can mould the course of Self-Regulation and participate in the protection of healthy, effective advertising. You can have a say, through the Board of Governors, in the further development of the Code and future appointments to the Consumer Complaints Council.

Membership of the Advertising Standards Council of India entitles you to appoint your nominee to discharge your functions as a member, including standing for election to the Board of Governors and voting at general meetings.

Why not have a say in matters affecting your own destiny? Why not make Self-Regulation truly work?

AUDITORS' REPORT

TO THE MEMBERS OF THE ADVERTISING STANDARDS COUNCIL OF INDIA

We have audited the attached Balance Sheet of THE ADVERTISING STANDARDS COUNCIL OF INDIA as at 31st March, 1997 and the Income and Expenditure Account for the year ended on that date annexed thereto and report that :

1. The Council is a Company licensed to operate under Section 25 of the Companies Act, 1956 and accordingly the requirements of the Manufacturing and Other Companies (Auditor's Report) Order, 1988 are not applicable.

2. Further to our comments in paragraph 1 above :

   (a) We have obtained all the information and explanations which to the best of our knowledge and belief were necessary for the purpose of our audit;

   (b) In our opinion, proper books of account as required by Law have been kept by the Council so far as appears from our examination of such books;

   (c) The said Balance Sheet and the Income and Expenditure Account dealt with by the report are in agreement with the books of Account;

   (d) In our opinion and to the best of our information and according to the explanations given to us, the said accounts give the information required by the Companies Act, 1956 in the manner so required and give a true and fair view :

      (i) In the case of the Balance Sheet, of the state of the Council's affairs as at 31st March, 1997 and

      (ii) In the case of the Income and Expenditure Account, of the excess of income over expenditure for the year ended on that date.

For Lalit Khanna & Co.
Chartered Accountants

Mumbai, 10th July, 1997

Lalit Khanna
Partner

The Advertising Standards Council of India

Balance Sheet as at 31st March, 1997

	Schedule	This Year Rupees	This Year Rupees	Previous Year Rupees
I. SOURCES OF FUNDS :				
1. Corpus and Reserves				
(a) Council's Corpus	A	19,20,590		18.87,590
(b) Reserves and Surplus	B	6,73,591		2,94,715
			25,94,181	21,82,305
2. Loan Funds				
(a) Secured Loans	C			5,99,151
(b) Unsecured Loans	D	3,70,000		3,70,000
			3,70,000	9,69,151
TOTAL RUPEES			29,64,181	31,51,456
II. APPLICATION OF FUNDS				
1. Fixed Assets				
(a) Gross Block	E	20,46,103		20,44,998
(b) Less : Depreciation		5,70,609		4,73,008
(c) Net Block			14,75,494	15,71,990
2. Investments	F		18,00,000	9,00,000
3. Current Assets, Loans and Advances				
(a) Accrued Interest on Investments and Bank Deposits		1,21,674		1,45,866
(b) Sundry Debtors	G	1,000		9,000
(c) Cash & Bank Balances	H	28,332		5.83,398
(d) Loans and Advances	I	17,290		20,357
		1,68,296		7,58,621
4. Less : Current Liabilities & Provisions				
(a) Current Liabilities	J	4,79,609		79,155
(b) Provisions		–		–
		4,79,609		79,155
			(3,11,313)	6,79,466
TOTAL RUPEES			29,64,181	31,51,456

As per our report of even date attached

For Lalit Khanna & Co.
Chartered Accountants

Lalit Khanna
Partner

Mumbai July 10, 1997.

For and on behalf of the Board of Governors

D.R. Sopariwala
Vice-Chairman

Members

A. Dasgupta
Jacob Mathew
Roger C.B. Pereira
F.T. Khorakiwala
Sam Balsara
Urmila Jain
Bharat V. Patel

The Advertising Standards Council of India

Income and Expenditure Account for the year ended 31st March, 1997

Sr. No.	Particulars	Schedule	Rupees	This Year Rupees	Previous Year Rupees
	INCOME				
1.	Membership Subscription and other income	K		12,53,040	11,36,089
	EXPENDITURE				
2.	Salaries, Wages and Bonus		3,28,483		2,56,600
3.	Printing, Stationery and Xeroxing charges		1,75,442		1,41,986
4.	Interest on Secured Loan		28,506		1,21,593
5.	Bad Debts				22,000
6.	Electricity Charges		25,782		28,562
7.	Telephone Expenses		13,924		13,805
8.	Repairs & Maintenance		40,559		13,419
9.	Other Expenses	L	1,63,867		1,38,459
10.	Depreciation		97,601		1,04,950
11.	Total Expenditure			8,74,164	8,41,374
12.	Excess of Income over Expenditure for the year			3,78,876	2,94,715
13.	Balance at the beginning of the year			2,94,715	–
				6,73,591	2,94,715
Less :					
	(i) Accumulation under Section 11 (1) (a) of the Income tax Act 1961 (including Rs. 2,94,715 in respect of the previous year)		5,10,373		–
	(ii) Amount carried forward for application under clause (2) of the Explanation to Section 11 (1) of the Income tax Act 1961		1,63,218		–
				6,73,591	–
	Balance Carried to Balance Sheet			Nil	2,94,715

As per our report of even date attached

For Lalit Khanna & Co.
Chartered Accountants

Lalit Khanna
Partner

Mumbai July 10, 1997.

For and on behalf of the Board of Governors

D.R. Sopariwala
Vice-Chairman

Members

A. Dasgupta
Jacob Mathew
Roger C.B. Pereira
F.T. Khorakiwala
Sam Balsara
Urmila Jain
Bharat V. Patel

The Advertising Standards Council of India

Schedules annexed to and forming part of the Balance Sheet as at 31st March, 1997 and the Income and Expenditure Account for the year ended on that date

	This Year Rupees	Previous Year Rupees
SCHEDULE A		
Council's Corpus		
Balance as at the beginning of the year	18,87,590	18,58,590
Additions and adjustments during the year	–	–
Entrance fees received during the year	33,000	29,000
	19,20,590	18,87,590
SCHEDULE B		
Reserves & Surplus		
(i) Accumulations under Section 11 (1) (a) of the Income tax Act 1961	5,10,373	–
(ii) Balance for application pursuant to option under Clause (2) of the Explanation to Section 11 (1) of the Income tax Act 1961	1,63,218	–
(iii) Surplus as per Income and Expenditure Account	–	2,94,715
	6,73,591	2,94,715
SCHEDULE C		
Secured Loans		
Loan From Housing Development Finance Corporation Ltd		
Secured by mortgage of the office premises by deposit of the title documents	–	5,99,151
SCHEDULE D		
Unsecured Loans		
Deposits from members	3,70,000	3,70,000

The Advertising Standards Council of India

Schedules to the Balance Sheet as at 31st March, 1997 and
the Income and Expenditure Account for the year ended on that date (continued)

SCHEDULE E

SCHEDULE OF FIXED ASSETS annexed to and forming part of the Balance Sheet as at 31st March, 1997.

Description of the Assets	COST			DEPRECIATION			NET BOOK VALUE	
	As at the beginning of the year Rs.	Additions during the year	As at the end of the year Rs.	Upto beginning of the year Rs.	For the year Rs.	Upto the end of the year Rs.	As at the 31 March, 1997 Rs.	As at the 31 March, 1996 Rs.
1. Office Premises	17,96,913	-	17,96,913	3,58,555	71,918	4,30,,473	13,66,440	14,38,358
2. Computer	56,100	-	56,100	38,155	7,178	45,333	10,767	17,945
3. Air Conditioners	76,520	-	76,520	34,409	5,857	40,266	36,254	42,111
4. Fax Machine	22,065	-	22,065	3,509	2,581	6,090	15,975	18,556
5. Typewriter	6,534	-	6,534	4,358	302	4,660	1,874	2,176
6. Office Furniture	86,866	1,105	87,971	34,022	9,765	43,787	44,184	52,844
Total Rupees	20,44,998	1,105	20,46,103	4,73,008	97,601	5,70,609	14,75,494	15,71,990
Previous Year Rupees	20,36,055	8,945	20,44,998	3,68,058	1,04,950	4,73,008	15,71,990	16,67,995

	This Year Rupees	Previous Year Rupees
SCHEDULE F		
Investments		
Deposits with Housing Development Finance Corporation Ltd.		
i) Cumulative Deposit	7,00,000	1,00,000
(ii) Non Cumulative Deposit	11,00,000	8,00,000
	18,00,000	9,00,000
SCHEDULE G		
Sundry Debtors		
Subscriptions due but not received		
Unsecured considered good		
(i) Outstanding for a period exceeding six months	1,000	9,000
(ii) Other debts	–	–
	1,000	9,000
SCHEDULE H		
Cash and Bank Balances		
(i) Cash in hand	926	1,007
(ii) In Savings Account with a Scheduled Bank	20,760	71,980
(iii) In Current Account with a Scheduled Bank	6,646	10,411
(iv) In Term Deposits with a Scheduled Bank	–	5,00,000
	28,332	5,83,398

The Advertising Standards Council of India

Schedules to the Balance Sheet as at 31st March, 1997 and
the Income and Expenditure Account for the year ended on that date (continued)

	Rupees	This Year Rupees	Previous Year Rupees
SCHEDULE I			
Loans and Advances			
Unsecured considered good			
Advances recoverable in cash or in kind or for value to be received		17,290	10,357
		17,290	20,357
SCHEDULE J			
Current Liabilities			
a) Subscription received in advance		4,68,750	70,000
b) Sundry Creditors		10,859	9,155
		4,79,609	79,155
SCHEDULE K			
Membership Subscription and other Income			
(i) Membership Subscription		10,38,250	9,46,000
(ii) Interest on Investments		1,81,966	1,24,444
(iii) Interest on Bank Deposits and Savings Account		31,102	64,863
(iv) Miscellaneous Income		1,722	782
		12,53,040	11,36,089
SCHEDULE L			
OTHER EXPENSES			
(i) Staff Welfare		3,709	5,089
(ii) Society Outgoings		12,641	13,388
(iii) Conveyance		52,927	45,259
(iv) Postage and Fax		26,711	30,149
(v) Meetings Expenses		34,479	21,620
(vi) Auditors Remuneration			
Audit Fees	8,000		6,000
Taxation Matters			3,000
		8,000	9,000
(vii) Miscellaneous Expenses		25,400	13,954
		1,63,867	1,38,459

The Advertising Standards Council of India

Schedules to the Balance Sheet as at 31st March, 1997 and the Income and Expenditure Account for the year ended on that date (continued)

SCHEDULE M : Notes and significant accounting policies

1. Significant accounting policies :-
   (a) All Fixed assets are valued at cost less depreciation
   (b) Depreciation has been provided on the written down value basis at the rates and in the manner prescribed in Schedule XIV of the Companies Act,1956
2. Particulars as per Paras 4, 4A, 4C and 4D of Schedule VI to the Companies Act, 1956 - NIL
3. Previous year's figures have been regrouped and rearranged wherever necessary

SCHEDULE N

Information pursuant to Part IV of Schedule VI to the Companies Act 1956

BALANCE SHEET ABSTRACT AND COMPANIES GENERAL BUSINESS PROFILE

I Registration Details

Registration No.	37,820		State Code		11
Balance Sheet Date	31	03		1997	
	Date	Month		Year	

II Capital raised during the year (Amount in Rs. Thousands)
Not Applicable

III Position of Mobilisation and Deployment of Funds
(Amount in Rs. thousands)

Total Liabilities (including Corpus and Reserves & Surplus)	Total Assets
2,964	2,964

Sources of Funds

Corpus 1921	Reserves & Surplus 673
Secured Loans –	Unsecured Loans 370

Application of Funds

Net Fixed Assets 1475	Investments 1800
Net Current Assets (311)	Misc. Expenditure –
Accumulated Losses –	

IV Performance of Company (Amount in Rs. Thousands)

Turnover 1253	Total Expenditure (including Depreciation) 874
Profit before tax 379	Profit after tax 379
Earning per Share in Rs. Not Applicable	Dividend rate % Not Applicable

V Generic Names of Three Principal Products/Services of Company (as per monetary terms)

Item Code No.	Not Applicable
Product Description	The only activity of the Council is to monitor, administer and promote standards of advertising practices in India

Signatures to Schedules A to N

As per our report of even date attached

For Lalit Khanna & Co.
Chartered Accountants

Lalit Khanna
Partner

Mumbai July 10, 1997.

For and on behalf of the Board of Governors

D.R. Sopariwala
Vice-Chairman

Members

A. Dasgupta
Jacob Mathew
Roger C.B. Pereira
F.T. Khorakiwala
Sam Balsara
Urmila Jain
Bharat V. Patel

THE ADVERTISING STANDARDS COUNCIL OF INDIA
COMPLAINTS THAT WERE *UPHELD* BY THE CONSUMER COMPLAINTS COUNCIL
APRIL 1996 TO MARCH 1997

110

1. **GEC ALSTHOM BERGERON** - Concrete Volute Pumps

C - 1339 - 12/95

AGENCY - R.K.SWAMY/BBDO ADVERTISING P. LTD

#

Kirloskar Brothers Ltd.

NATURE OF COMPLAINT

Complaint (received in 12/95) against an Ad of "Concrete Volute Pumps", in Business India (11/95). The Ad claims, "DAHANU Thermal Power Plant (India) - Concrete Volute Pumps were manufactured in collaboration with a local manufacturer", and "Bombay Suburban Electric Supply approached GEC Alsthom Bergeron for the special pumps it needed for its 2x250 MW thermal plant at Dahanu, Maharashtra". As per complaint, these claims are false and misleading the readers. In fact, the Dahanu BSES Project has been commissioned by Kirloskar Brothers Ltd (KBL) in technical collaboration with Bergeron Rateau of France.

ASCI CODE/CCC DECISION - April 1996

Chapter I.4. Ad could create confusion in the minds of readers. Misleading. Distortion of facts.
Ad discontinued.

111

2. **JYOTHY LABORATORIES** - Ujala Supreme

C - 1340 - 1/96

AGENCY - SITUATIONS ADVTG & MKTG SERVICES (P) LTD

#

Reckitt & Colman of (I) Ltd.

NATURE OF COMPLAINT

Complaint (received in 1/96) against an Ad of "Ujala Supreme", in the Statesman (12/95), Anand Bazar Patrika (12/95) and Aajkal (12/95).
As per complaint, the Ad is misrepresentative of and derogatory to Robin Liquid Blue.
The pack shot and the price mentioned are suggestive of Robin Liquid Blue which has an inbuilt dropper mechanism and therefore does not squirt out liquid as shown in the first left hand visual.
The ingredients used in Robin Liquid Blue are Ultramarine and Fluorescer which mix evenly in water and have been proven scientifically to whiten and brighten clothes.
Clothes dipped in Robin Liquid Blue do not acquire any blue tinge, instead they come out sparkling white, whereas clothes dipped in Ujala acquire a distinct violet tinge.

ASCI CODE/CCC DECISION - April 1996

111

Chapter IV.1 (e). Ad denigrated a category of products without adequate justificaton.
Case in High Court - sub-judice.

3. **LAKME LTD** - Maximum Daily Face Wash

#

C - 1347 - 1/96

AGENCY - ENTERPRISE ADVERTISING (P) LTD

P & G Co Ltd.

* **Compliance with CCC decision NOT ASSURED.**
AD modification or withdrawal NOT EFFECTED despite ASCI reminders.

AGENCIES & MEDIA REQUESTED NOT TO PLACE OR CARRY THESE OFFENDING ADS.

Complaints that were UPHELD by the Consumer Complaints Council

NATURE OF COMPLAINT

Complaint (received in 1/96) against an Ad of "Maximum Daily Face Wash", in Femina (Dec'95). The Ad claims, "soap leaves your face with dry, taut and stretched feeling", and "soap destroys your face's protective layer of natural oils and moisture by disturbing the delicate pH balance of your skin". As per complaint, the claims are misleading, incorrect and disparaging.
Numerous scientific studies have demonstrated that soaps are not harmful to the skin. "Merely disturbing the skin's acid mantle does not by itself produce an irritation response."
"The claimed advantages of products with a neutral or acid pH in comparison to alkaline soaps with respect to their injuring effect on the skin has not been proven".

ASCI CODE/CCC DECISION - April 1996

Chapters I.4 and IV.1 (e). Misleading. Denigrated a category of products without adequate justification.
Ad withdrawn.

4.**THE BOMBAY DYEING & MFG CO LTD** - Bombay Dyeing Shirts

112

C - 1360 - 2/96

AGENCY - SEASONS ADVERTISING ASSOCIATES

NATURE OF COMPLAINT

Ms. Akhila Sivadas, Media Advocacy Group

Complaint (received in 2/96) against a TVC of "Bombay Dyeing Shirts", on Zee TV (10/95) and Doordarshan Primetime (12/95). As per complaint, the Ad portrays a derogatory image and contradicts the dignity and equal status of women. It contravenes the Indecent Representation of Women's (Prohibition) Act, 1986 and the Code for Commercial Advertising on Doordarshan.

ASCI CODE/CCC DECISION - April 1996

Chapter II. Offensive to generally accepted standards of Public Decency.
Ad withdrawn.

113

C - 1365 - 3/96

*5.**KINETIC ENGINEERING LTD** - Kinetic Pride

AGENCY - TRITON COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Mr. Pramod Naik

Complaint (received in 3/96) against a TVC of "Kinetic Pride", on Doordarshan (3/96). As per complaint, the TVC "shows the scooter flying in the air thrice, only once carried by a balloon. No scooter can fly like an aeroplane. The Ad is misleading."
Further the rider is shown driving inside a school premises - verandah, among girls. This too is dangerous and wrong.

ASCI CODE/CCC DECISION - April 1996

Complaint **NOT UPHELD** - Ad not misleading.
However Suo motto complaint **UPHELD**. Chapter III.1 (driving dangerously in and out of traffic) tend to promote disorder.
Chapter III.3 (driving inside a college or school premises/corridors) shows a dangerous and undesirable practice without justifiable reason.

6.**COCA-COLA INDIA** - Coca-Cola

C-1366-3/96

AGENCY - McCANN-ERICKSON

NATURE OF COMPLAINT

Dr. Hasmukh C. Shah

Complaint (received in 3/96) against a TVC of "Coca Cola", on Doordarshan (3/96). As per complaint, the TVC shows cricket being played at a number of places, with the words coming on the screen, "Josh Mein Rang Hai". In two scenes a gas cylinder has been shown used as stumps, and children are playing the game. This kind of dangerous act must be avoided in any Ad.
Also, children are shown running and playing among red chillies being dried. This too is a dangerous act.

ASCI CODE/CCC DECISION - April 1996

Chapter III.3. Gas cylinder being used as stumps shows a dangerous practice.
Ad modified.

7.**THE SARASWAT CO-OP BANK LIMITED** - AnyTimeMoney (ATM) Card

113

AGENCY - PEGASUS ADVERTISING

#

C-1361-3/96

Mudra Comms. Ltd.

NATURE OF COMPLAINT

Complaint (received in 3/96) against an Ad of "Saraswat Co-op Bank's AnyTimeMoney (ATM) Card", in the Times of India (2/96). As per complaint, 'AnyTimeMoney' is registered by The Hongkong and Shanghai Banking Corporation Limited under the Trademarks Act and cannot be used by anyone else.

ASCI CODE/CCC DECISION - April 1996

Chapter IV.2. Ad took unfair advantage of the goodwill attached to a trade mark of another firm.
Ad withdrawn.

115

8.**WIPRO LIMITED** - Wipro Shikakai Soap

AGENCY - EVEREST ADVERTISING PVT LTD

#

C-1370-6/96

Swastik Surfactants Ltd.

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Wipro Shikakai Soap", on Mumbai Doordarshan (4/96). As per complaint, the TVC shows a competitive brand in a shop situation and mentions that, "Wipro Shikakai is a superior product as it is pressure processed". Shikakai extracts used in all Shikakai soaps are pressure processed. Hence, a superiority claim is misleading the public.
A competitive brand is denigrated in the TVC by the model showing an identifiable pack and implying that the product is inferior.
This is unethical comparative advertising.

ASCI CODE/CCC DECISION - June 1996

Chapter I.1. Claim of superiority not substantiated.
Ad modified.
(Complaint of unfair comparison **not upheld.**)

Complaints that were UPHELD by the Consumer Complaints Council

9. **HYNOUP FOOD & OIL INDUSTRIES LTD** - Maruti Microrefined Cooking Medium

113

AGENCY - PURNIMA ADVERTISING AGENCY

C-1372-3/96

Mr. Anil B. Popat

NATURE OF COMPLAINT

Complaint (received in 3/96) against a TVC (Zee TV - 2/96), and the promotion message on the pack, of "Maruti Microrefined Cooking Medium", which states, "Maruti helps control cholesterol level and reduces the chances of coronary thrombosis".

On the pack, below AGMARK seal, "Refined cotton seed oil" is printed in very small letters. As per complaint, it should be stated prominently.

In the TVC, the product Maruti oil (cooking medium) is advertised but there is no mention (by voice or visual) that it contains 100% cotton seed oil, or that it is a mixture of oils (if any).

ASCI CODE/CCC DECISION - June 1996

Chapter I.4. Promotion message on pack misleading by omission of essential information - "100% cotton seed oil", in a prominent manner. ***This omission rectified.***
(Complaint against TVC itself **not upheld.**)

115

10. **HINDUSTAN LEVER LTD** - Lifebuoy Gold

C-1377(A)-6/96

AGENCY - AMMIRATI PURIS LINTAS

Mudra Comms. Ltd.

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Lifebuoy Gold", on Doordarshan (5/96). As per complaint, Coty's Vitacare TVC is part of a multi-media campaign developed internationally and produced well before the launch of Lifebuoy Gold in India. The baseline, "Healthy skin is Beautiful skin" is part of the Vitacare TVC which is identical to the one used abroad, prior to the launch of the same Ad campaign in India.

Similarity in the baseline Ad of 'Lifebuoy Gold' TVC, could confuse consumers. On the claim of prior usage, the complainant objects to the Ads of Lifebuoy Gold's similar baseline.

ASCI CODE/CCC DECISION - June 1996

Chapter IV.4 (a+b). Plagiarism (by Lifebuoy Gold) of an Ad slogan (Healthy skin is Beautiful skin), whose prior usage has been substantiated for Vitacare.
Ad modified.

115

11. **PIOMA INDUSTRIES** - Rasna International Instant Drink

1387-6/96

AGENCY - MUDRA COMMUNICATIONS LTD

Padukone Advtg.

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Rasna International Instant Drink", on Doordarshan (5/96). As per complaint, the commercial has over-stated the product attributes of `Rasna Instant Drink`, by derogatory remarks about the natural fruit, - "Oranges? Who needs them anyway?"

ASCI CODE/CCC DECISION - June 1996

Chapters I.4 & IV.1 (b+e). Misleading, Distortion of facts. Unfair comparison which confers an artificial advantage on the product advertised. Unfairly denigrates other products.
Ad modified.

115
C-1400-5/96
Ms. Asmita Singh

12. **PIOMA INDUSTRIES** - Rasna International

AGENCY - MUDRA COMMUNICATIONS LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Rasna International", on Doordarshan (4/96). As per complaint, in the Ad, "fresh oranges are thrown away as waste material", with the commentary, "Oranges? Who needs them?"
This Ad is offending and having a wrong influence on children.

ASCI CODE/CCC DECISION - June 1996

Chapters I.4 and IV.1 (b+e).
Same as above. Ad modified.

115
C-1402-5/96
Ms. Kamala Chowdry

13. **PIOMA INDUSTRIES** - Rasna International

AGENCY - MUDRA COMMUNICATIONS LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Rasna International", on Doordarshan (5/96). As per complaint, Rasna may be good and tasty, but to show that children, young and old people of different nations love Rasna so much that they start despising fresh oranges, and throwing them away, is objectionable. On seeing this Ad, children who may not know the value of fresh citrus fruits, will prefer Rasna although it is just a synthetic drink.

ASCI CODE/CCC DECISION - June 1996

Chapters I.4 and IV.1 (b+e).
Same as above. Ad modified.

115
C-1404-5/96
Dr. R.K. Seth

14. **PIOMA INDUSTRIES** - Rasna International

AGENCY - MUDRA COMMUNICATIONS LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Rasna International", on Doordarshan (5/96). As per complaint, the Ad shows different persons throwing away fresh oranges. This creates an impression that fresh oranges are inferior to Rasna International.

ASCI CODE/CCC DECISION - June 1996

Chapters I.4 and IV.1 (b+e).
Same as above. Ad modified.

Complaints that were UPHELD by the Consumer Complaints Council

15. **J.K. INDUSTRIES LTD** - JK Radial Tyres

AGENCY - MUDRA COMMUNICATIONS LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "JK Radial Tyres", on Doordarshan (5/96). As per complaint, the Ad shows a truck going at a high speed, and plastic drums are thrown off onto the road but the truck moves on without stopping. This is against the safety norms of driving. Even on highways in India there is a speed limit of 120 kmph for heavy vehicles. The Ad has the wording, "even at 190 kmph, radial tyres are safe". This message is dangerous.

ASCI CODE/CCC DECISION - June 1996

Chapter III.3. Without justifiable reason, shows dangerous practice.
Ad modified.

16. **J.K. INDUSTRIES LTD** - JK Ultima Steel-Belted Radial Tyres

AGENCY - MUDRA COMMUNICATIONS LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "JK Ultima steel-belted radial tyres", on Doordarshan (2/96). As per complaint, the TVC depicts a car being driven at break-neck speed in a reckless manner, sometimes on the wrong side of the road, overtaking dangerously, skirting close to obstacles, and extols the virtue of the product. The message is unmistakable: "if you drive a vehicle fitted with the product, you could do all these hazardous things and still be safe".

This is likely to influence drivers, especially the younger ones, to engage in needless and dangerous (to themselves as well as others) adventurism.

ASCI CODE/CCC DECISION - June 1996

Chapter III.3. Without justifiable reason, shows dangerous practice.
Ad modified.

17. **WIPRO INFOTECH GROUP** - Wipro Printer Service Centres

AGENCY - PENTAGON COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Complaint (received in 3/96) against a press Ad of "Wipro Printer Service Centres", (3/96). The headline states, "A step-mother can never be as caring as a mother", sub-headline, "Wipro Printer Service Centres. Genuine tender care for your printer".
As per complaint, the reference to a step-mother is considered derogatory and offensive.

ASCI CODE/CCC DECISION - June 1996

Chapter II. Likely to cause widespread offence to generally accepted standards of Public Decency.
Ad discontinued.

114

18. **PECOPP PEST CONTROL SERVICES** - Annual Contract

C-1378-4/96

Dr. Hasmukh C. Shah

AGENCY - TALCHERKARS PVT LTD

NATURE OF COMPLAINT

Complaint (received in 4/96) against an Ad of "Annual Contract", in the Times of India (3/96). As per complaint, mention of the name of a well-known personality and some business houses requires prior permission in writing from the parties concerned.

ASCI CODE/CCC DECISION - June 1996

Chapter I.3. Reference to a person without permission, confers an unjustified advantage on the product advertised. ***Ad discontinued.***

114

19. **TIMES OF INDIA** - Times Classifieds - Prime Vehicles

C-1379-4/96

Dr. Hasmukh Shah

AGENCY - KARISHMA ADVERTISING LTD

NATURE OF COMPLAINT

Complaint (received in 4/96) against an Ad of "Times Classifieds - Prime Vehicles", in the Times of India (3/96).
As per complaint, publishing in an Ad, a recognisable photograph of a well-known personality, requires prior permission in writing from the person concerned.

ASCI CODE/CCC DECISION - June 1996

Chapter I.3. Reference to a person without permission, confers an unjustified advantage on the product advertised.
Ad withdrawn.

114

20. **STATE BANK OF INDIA** - The Bank That Cares

C-1380-4/96

Bank of India

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 4/96) against the SBI's promotion car shade which states, "The Bank That Cares". As per complaint, Bank of India have been using this slogan, "The Bank that cares ..." since 1986.

ASCI CODE/CCC DECISION - June 1996

Chapter IV.3. Similarity of slogan likely to mislead the consumers.
Promotion discontinued.

115

21. **ROYAL RESTAURANT & BAR** - Orchids Cocktail Lounge

C-1388-5/96

AGENCY - BITE

4

Complaints that were UPHELD by the Consumer Complaints Council

NATURE OF COMPLAINT

Suo motto (complaint registered in 5/96) consideration of an Ad of "Orchids Cocktail Lounge", in Sunday Mid-Day (5/96).
The Ad carries an illustration of a wine glass and mentions, "choice wines... come indulge", "Orchids Cocktail Lounge", and as base line, "you will leave lighter in every way".
The Ad is considered to be in breach of the law since it is a direct promotion of alcoholic beverages.

ASCI CODE/CCC DECISION - June 1996

115

Chapter III.4. Breach of the law.
Ad withdrawn.

22. **PARIMAL MANDIR** - Aromatic Incense Sticks

C-1391-5/96

AGENCY -

Grahak Panchayat

NATURE OF COMPLAINT

Complaint (received in 5/96) against the 'misuse' of the picture of a National Leader (Mahatma Gandhiji) on a product wrapper of "Aromatic Incense Sticks".

ASCI CODE/CCC DECISION - June 1996

115

Chapter III.4. Breach of the law.
Product wrapper modified.

23. **CANARA BANK** - ATM - Any Time Money

C-1399-5/96

AGENCY -

Mudra Comms. Ltd.

NATURE OF COMPLAINT

Complaint (received in 5/96) against the Hoarding of Canara Bank which states, "ATM Any Time Money". As per complaint, "Any Time Money", is a brand slogan created and widely advertised by Hongkong Bank. This is unfair and objectionable.

ASCI CODE/CCC DECISION - June 1996

Chapter IV.3. Similarity of slogan likely to mislead the consumers.
Ad withdrawn.

115

*24. **SHAW WALLACE & CO LTD** - Haywards HiLife Soda Chargers

C-1390-5/96

AGENCY - ANTHEM COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Suo motto (complaint registered in 5/96) consideration of a TVC of "Haywards HiLife Soda Chargers", on Doordarshan (5/96). The pack illustration shown clearly in the TVC is similar to a pack of HiLife Chargers (a range of alcohol containing beverages) and the visuals portray tumblers containing amber liquid.
This appears to be a surrogate promotion of a liquor brand.

Complaints that were UPHELD by the Consumer Complaints Council

ASCI CODE/CCC DECISION - July 1996

Exparte. Chapter III.6 (b). Suggestive of an Ad for a product whose Advertising is prohibited.

25. **RPG CELLULAR SERVICES LTD** - RPG Cellular Phones

AGENCY - OGILVY & MATHER LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "RPG Cellular Phones", in the Industrial Economist (5/96). As per complaint, the Ad is misleading, inadequately substantiated and unfairly denigrates other similar products, by their allegation, "They are the ones who head for the nearest window in a building or a restaurant, trying to get better reception", and "Because only RPG Cellular is the complete cellular service".

ASCI CODE/CCC DECISION - July 1996

Chapters I.1 and IV.1 (e). Allegation in the Ad copy unfairly denigrates other products. Claim not substantiated.
Ad withdrawn.

26. **RAMADA HOTELS INDIA LTD** - Goa Renaissance Resort

AGENCY - ENTERPRISE ADVERTISING PVT LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Goa Renaissance Resort", in Bombay Times (5/96). As per complaint, the copy content of the Ad attempts to unfairly denigrate The Leela Beach, Goa by implication, as The Leela Beach Goa is a bonafide member of "The Leading Hotels of the World Ltd", a prestigious and internationally recognized self-regulatory body which ensures that all member hotels strictly adhere to the highest standards of hospitality.

ASCI CODE/CCC DECISION - July 1996

Chapter IV.1 (e). Unfair denigration of other Hotels without justification.
Ad withdrawn.

*27. **SHAW WALLACE & CO LTD** - Haywards HiLife (Soda) Chargers

AGENCY - ANTHEM COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Suo motto (complaint registered in 5/96) consideration of an Ad and an Advertorial of "Haywards HiLife (Soda) Chargers", in A&M magazine (4/96). The Ad in colour entitled "Shaw Wallace Cheer Leaders since 1886", carries an illustration of a pack entitled "Haywards HiLife Soda Chargers", with a caption, "Life's a high", and along with the copy carries an illustration of a few tumblers containing amber coloured liquid.

The Advertorial mentions specifically the introduction of "Haywards HiLife Chargers", and states, "this brand clearly targets the aspirational youth of today. The umbrella brand encompasses whisky, gin, vodka, golden rum, white rum and premixes".

Complaints that were UPHELD by the Consumer Complaints Council

The Ad as well as the Advertorial appear to be in contravention of the Code, the former being a surrogate promotion of the brand - Haywards HiLife Chargers, and the latter being a direct promotion of an umbrella brand of alcohol containing products.

ASCI CODE/CCC DECISION - July 1996

115

Exparte. Advertorial - Chapter III.4. Breach of the law.
Ad - Chapter III.6 (b). Suggestive of an Ad for a product whose Advertising is prohibited.

28. **HINDUSTAN LEVER LTD** - Pepsodent-G

C-1408-6/96

AGENCY - AMMIRATI PURIS LINTAS

Dr. Usha Usgaonkar

NATURE OF COMPLAINT

Complaint (received in 6/96) against an Ad of "Pepsodent-G", in Outlook (6/96). As per complaint, the claim that, "International dental associations certify Pepsodent-G's formulation as a breakthrough in gum protection", seems vague because the Ad does not specify which International dental association has certified the formulation as a "breakthrough".
The assertion that, "regular brushing with Pepsodent-G prevents the recurrence of gum bleeding by as much as 90%", appears baseless and exaggerated. •

ASCI CODE/CCC DECISION - July 1996

115

Chapters I.1 and I.4. Claims not substantiated. Claims appear exaggerated.
Ad modified partially.
• On review this claim substantiated.

29. **BAJAJ AUTO LTD** - Bajaj Classic

C-1409-6/96

AGENCY - AMMIRATI PURIS LINTAS

Ulka Advtg. P. Ltd.

NATURE OF COMPLAINT

Complaint (received in 6/96) against a TVC of "Bajaj Classic", on Sony Entertainment Channel (6/96). As per complaint, on the 28th of April, a campaign was launched for a new product - 'LML Supremo'. The campaign concept and headline was, "King of the road", in English, and the Hindi rendition was, "Har Rah Par Shahenshah". The All India multimedia campaign involved considerable investment.

A TVC for 'Bajaj Classic' which claimed, "Raaste Ka Shahenshah", was launched over a month and half after the above 'LML Supremo' campaign was released.

Considering that both communications are for the same product category i.e. scooters, the same message from Bajaj Classic is likely to confuse and mislead the consumers exposed to LML Supremo Ad.

ASCI CODE/CCC DECISION - August 1996

Chapter IV.3. Similarity in the claim slogan likely to mislead the consumers.
One time exposure of this very brief promo filler TV Ad for Bajaj Classic which is not part of their main Ad campaign.
Ad discontinued.

Complaints that were UPHELD by the Consumer Complaints Council

30. **INDIAN INSTITUTE OF AIRLINES AND TRAVEL AGENCIES** - Courses Commencing April '96

AGENCY - S.N.CORPN ADVTG & MKTG CONSULTANTS

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Courses commencing April'96", in the Deccan Herald (4/96). The Ad claims that Indian Institute of Airlines And Travel Agencies is "the only institute which provides individual course material and books to the students".
As per complaint, this is totally a false statement because there are other institutes which provide course material and books to the students.

ASCI CODE/CCC DECISION - August 1996

Chapter I.1. Claim not substantiated.
Ad modified.

31. **INNOVATIVE CURE HEALTH & BEAUTY CLINIC** - Visible Results on the very first day

AGENCY - SHUTTERS ADVERTISING SERVICES

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Visible Results on the very first day", in Mid-Day (5/96). The Ad offers various treatments to reduce waist/weight, body slimming etc. However, as a layman, the complainant feels that the first item in the Ad promising reduction of 3 inches of tummy (waist) in a single sitting of 15 minutes in one day, appears to be a big hoax. The complainant challenges the validity of this claim.

ASCI CODE/CCC DECISION - August 1996

Chapter I.1. No adequate medical substantiation provided.
Advertiser assured modification of the Ad in future.

32. **INNOVATIVE CURE HEALTH & BEAUTY CLINIC** - Instant Slimming Programme

AGENCY - SHUTTERS ADVERTISING SERVICES

NATURE OF COMPLAINT

Suo motto (complaint registered in 7/96) consideration of an Ad of "Instant Slimming Programme", in Mid-Day (6/96). The headline - claim, "Reduce upto 7 kgs & 15" in 15 hours, Instant Slimming Programme", is not supported by convincing details of the manner in which the slimming programme can be instant or produce such incredible results. This can mislead the reader or lead to widespread disappointment.

ASCI CODE/CCC DECISION - August 1996

Chapters I.1 and I.5. Claim not adequately substantiated on medical grounds. Likely to mislead the consumers and lead to widespread disappointment.
Advertiser assured modification of the Ad in future.

*33. **INDIA INTERNATIONAL TRADE CENTER** - Airlines & Travel Careers

AGENCY - DIASONS ADVTG PVT LTD

Complaints that were UPHELD by the Consumer Complaints Council

NATURE OF COMPLAINT

Complaint (received in 4/96) against an Ad of "Airlines & Travel Careers", in Mid-Day (3/96). As per complaint, IATA-UFTAA is a travel qualification and those seeking jobs in Cargo/Courier/Transport industry would have to do the IATA-FIATA course which is the right qualification, and not the IATA-UFTAA course. Hence, stating that by completing the so-called IATA-UFTAA Standard course (given in bold letters in the Ad), persons can get jobs in Cargo/Courier/Transport industries, is misleading.

M/s. IITC claims that their Diploma holders are working in all the leading airlines and travel agencies. This Ad is a gross misguidance through exaggerated claims.

ASCI CODE/CCC DECISION - October 1996

Chapters I.1 and I.4. Claims not substantiated. Statements misleading.

117

34. **AJANTA PHARMA LTD** - Thirty Plus

AGENCY - ZEN COMMUNICATIONS P. LTD

C-1425-7/96

Mr. R. Desikan, Fedcot

NATURE OF COMPLAINT

Complaint (received in 7/96) against a press Ad of "Thirty Plus", (probably 6/96). In the absence of any explanation itself, the complainant has questioned the truthfulness of the claims made in the Ad and has sought proof in the form of scientific studies and approval by the concerned Health Ministry. The Ad appears to be false.

ASCI CODE/CCC DECISION - October 1996

Chapter I.1. Medical rationale was inadequate. Claims not substantiated.
Ad modified.

117

35. **TATA PRESS LTD** - Tata Press Yellow Pages

#

C-1429-7/96

AGENCY - SPEER COMMUNICATIONS P. LTD

M&N Publications Ltd.

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "Tata Press Yellow Pages", in the Times of India, Delhi (7/96). As per complaint, the Ad is in very bad taste and is least expected from an institution like Tatas. An Ad should not ridicule the competitor. This is unfair.

ASCI CODE/CCC DECISION - October 1996

Exparte. Chapter IV.1 (e). Ad unfairly and directly denigrates another advertiser.
Ad discontinued.

36. **INNOVATIVE CURE HEALTH & BEAUTY CLINIC** - Instant Slimming New Technology in India

AGENCY - SHUTTERS ADVERTISING SERVICES.

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C-1441-9/96

Union Bank of India

Complaints that were UPHELD by the Consumer Complaints Council

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Instant Slimming - New technology in India", in Mid-Day (9/96). As per complaint, the claim, "Reduce upto 3 inches on the very first day in 15 minutes", is not supported by convincing details of the manner in which the slimming programme can be instant or produce such incredible results. This can mislead the reader or lead to widespread disappointment.

ASCI CODE/CCC DECISION - November 1996

Chapter I.1. No adequate medical substantiaion provided.
Ad modified.

119

37.**T.T. LTD** - Prestige Premium Non-Stick Cookware

C-1424-9/96

AGENCY - MAA COMMUNICATIONS BOZELL

Hawkins Cookers Ltd.

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Prestige Premium Non-Stick Cookware", in Filmfare (9/96). The Ad claims that, "Prestige is the only Non-Stick Cookware in India with a 2 year warranty". As per complaint, another brand has been selling Non-Stick Cookware since 1992 and has been offering a 2 year guarantee ever since the launch of their product.
This is a clear case of a false claim being made by M/s. Prestige in the Ad.

ASCI CODE/CCC DECISION - November 1996

Chapter I.1. Claim false.
Ad modified.

119

38.**PARAS PHARMACEUTICALS PVT LTD** - Moov

C-1445-9/96

AGENCY - TRITON COMMUNICATIONS PVT LTD

Smithkline Beecham Pharmas. (I) Ltd.

NATURE OF COMPLAINT

Complaint (received in 10/96) against a TVC of "Moov", on Doordarshan (7/96). As per complaint, the objectionable element is the visual representation of a well-known brand, through a bottle that is almost identical to the one used by a market leader. The shape and colour of the bottle and its distinctive green label, clearly cue the well-known brand.

ASCI CODE/CCC DECISION - November 1996

Chapter IV.1 (e). Visuals denigrated comparable products without substantiation of their own claim.
Ad modified.

*39.**MATHARU EXPORTS PVT LTD** - Viper, Formula for men

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AGENCY - CRITIQUE ADVERTISING

C-1423-8/96

Dr. Pramod Thawer, Bombay Hospital

Complaints that were UPHELD by the Consumer Complaints Council

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Viper, Formula for men", in Mid-Day (7/96). As per complaint, nothing like this exists in the medical or herbal world and it plays on the psyche of the common man. It is confusing and misleading.

ASCI CODE/CCC DECISION - November 1996

Exparte. Chapters I.1 and I.4. Claim not substantiated. Ad misleading by omission.

40. **HERO MOTORS** - Hero Shakti

AGENCY - F S ADVERTISING LTD

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Hero Shakti", in the Deccan Herald (9/96). As per complaint, the headline is an attempt at luring the customers by giving an impression that a free offer is made by the company.

In the body copy, it reads "...be it actual road conditions or test conditions, Hero Shakti gives you many kilometres more per litre than any other 2 wheeler". This statement is not quantified, or substantiated in the Ad.

ASCI CODE/CCC DECISION - November 1996

Chapters I.1 and I.4. Claim not true. Ad misleading by omission.
Ad modified.

41. **CADILA HEALTHCARE P.LTD** - Sugar Free Sweetener

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Sugar Free Sweetener", in 'Swagat' magazine (10/96). As per complaint, the Ad spreads misgivings about consumption of sugar and is likely to adversely impact on the sugar industry and millions of sugarcane farmers in the country. Numerous consumers' interest would also suffer as sugar is a high energy, cheap food item for the masses.
The growing children in particular, need adequate intake of sugar. Sugar is an essential daily item of intake. Sugar does not necessarily lead to obesity or fattening, as has been implied in the said Ad which is misleading, untruthful and an allegation against sugar consumption.

ASCI CODE/CCC DECISION - November 1996

Chapter IV.1 (e). Ad implies denigration of a generic product without adequate substantiation.
Ad discontinued.

42. **KAJARIA CERAMICS LTD** - Ceramic Wall & Floor Tiles

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Ceramic wall & floor tiles", in the Inside Outside magazine (8/96). The Ad claims that Kajaria is the only tile company in India with ISO 9002. As per complaint, this claim is blatantly false. Another Tile Co. has been awarded ISO 9002 certification in March 1996.

ASCI CODE/CCC DECISION - November 1996

Chapter I.1. Claim not true.
Ad modified.

115

C-1416-6/96

*43.**SHAW WALLACE & CO LTD** - White Mischief Shaker

AGENCY -

Mr. ARTA MISHRA

NATURE OF COMPLAINT

Complaint (received in 6/96) against the press Ad of "White Mischief Shaker", in The Statesman (6/96). As per complaint, from the illustration of 'White Mischief Shaker' in two press Ads and 'White Mischief Vodka' POS promotion material displayed in a liquor store, it is obvious that this press Ad is for a liquor product. The detailed copy on the White Mischief Shaker is almost similar to that of the illustration on the White Mischief Vodka promotion material.
The press Ad of White Mischief Shaker is against the law and is objectionable.

ASCI CODE/CCC DECISION - November 1996

117 H6

Exparte. Chapter III.6 (b). Ad was suggestive of an Ad for a product whose Advertising is prohibited.

44.**SAMSUNG INDIA ELECTRONICS LTD** - Samsung TV

C-1433-8/96

AGENCY - MUDRA COMMUNICATIONS LTD

Mr. K. Balakrishnan

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Samsung TV", in Mathrubhumi (Malayalam daily) (7/96). As per complaint, the main slogan in the Ad (in Malayalam) as translated in English conveys, "if you don't want the best television in the world, you can buy 'Sony', 'Akai', 'Panasonic' or any other brand".
This slogan is derogatory of the other brands mentioned and is an unfair comparative Ad.

ASCI CODE/CCC DECISION - December 1996

Chapters I.1 and IV.1 (e). Claim not substantiated. Unfair, unjustified denigration of competitors' products.
Ad withdrawn.

117 H6

45.**SAMSUNG INDIA ELECTRONICS LTD** - Samsung Refrigerators

C-1434 - 8/96

AGENCY - MUDRA COMMUNICATIONS LTD

Mr. R. Radhakrishnan

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Samsung Refrigerators", in the Times of India (7/96). As per complaint, the claims in the Ad, "Food stays fresh 3 times longer", and "Which cools things 4 times faster",

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are not supported with facts such as actual length of time in hours nor is a bench-mark provided to explain the comparison. These claims are vague and are likely to confuse the consumers.

ASCI CODE/CCC DECISION - December 1996

Chapter I.4. Claims based on inadequate substantiation and thus misleading.
Ad withdrawn.

118

46. **J.K. CORP LIMITED** - Lakshmi Cement

Dr. H·C. Shah 10/96
C-1453

AGENCY - EVEREST ADVERTISING P. LTD

NATURE OF COMPLAINT

Complaint (received in 10/96) against a TVC of "Lakshmi Cement", on Doordarshan (5/96). As per complaint, the Ad shows a number of cement bags opened and exposed showing various colours of cement in the bags. Then the statement is made, "ordinary cement means different quality in every bag". Next the Ad shows uniform cement in a number of bags with the statement, "Lakshmi cement gives uniform quality in every bag". This is against the principles of fair business practice and is an attempt to denigrate other products, without proof.

ASCI CODE/CCC DECISION - December 1996

Chapter I.1. Claim about competitive products not adequately substantiated.
Ad withdrawn.

119

47. **MASTERCARD INTERNATIONAL** - Smart Money

#
C-1472-11/96
Mudra Communs. Ltd.

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 11/96) against a TVC on Star Plus News (11/96) and press Ad in T.O.I.(11/96) of "MasterCard". As per complaint, MasterCard has been including the slogan, "Smart Money" in their TV Communication.
In the press Ad inviting entries for a contest, the base line clearly says "Smart Money". This is unfair. "Smart Money" is a brand created and widely advertised by Hongkong Bank.

ASCI CODE/CCC DECISION - December 1996

Chapter IV.3. Similarity of slogan likely to confuse the viewing public.
Campaign discontinued.

115

*48. **DCM BENETTON INDIA LTD** - United Colors of Benetton

C-1461-10/96
Mr. Sudhir Asher

AGENCY - EQUUS ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "United Colors of Benetton", in Femina (probably 10/96). As per complaint, the Ad which carries the unrelated picture of a horse mounting another, is bad in taste and vulgar.

Complaints that were UPHELD by the Consumer Complaints Council

ASCI CODE/CCC DECISION - December 1996

Exparte. Chapter II. Ad likely to cause widespread offence.

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49. **HUTCHISON MAX TELECOM PVT LTD** - Max Touch Cellular Phone Service

AGENCY - MUDRA COMMUNICATIONS LTD

C-1463-10/96

Trikaya Grey Advtg. (I) Ltd.

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Max Touch Cellular Phone Service", in the Times of India (10/96). The Ad claims that, "Max Touch is the best cellular service in Mumbai". As per complaint, the substantiation offered is tenuous and misleading. DOT figures of the subscriber base in Mumbai and internal market research done by Max Touch are presented as proof of the claim 'best in Mumbai' (Not validated in Ad).
BPL Mobile, the other player in the market remains todate the only one to have received the prestigious DOT clearance which is the only unbiased assessment of a mobile phone network's quality.

ASCI CODE/CCC DECISION - December 1996

Chapter I.1. Claim not substantiated.
Ad withdrawn.

50. **SAMSUNG INDIA ELECTRONICS LTD** - Samsung Multi-Flow Frost Free Refrigerators

AGENCY - MUDRA COMMUNICATIONS LTD

BPL Refrigeration Ltd.

1466-10/96

118

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Samsung Multi-Flow Frost Free Refrigerator", in Deccan Herald (10/96) and Hindustan Times (7/96). The headline of the Ad claims that, "The Samsung Multi-flow frost free cools 2 times faster than a conventional fridge". The lower part of the same Ad shows the inside of so called ordinary "frost free" compared to the Samsung "multi-flow".
As per complaint, the technology used in conventional refrigerators is totally different from the technology used in frost free refrigerators. The headline and visuals make entirely misleading comparisons.

ASCI CODE/CCC DECISION - December 1996

Chapters I.1 and I.4. Claims not substantiated. Ad misleading and likely to confuse the readers.
Ad withdrawn.

118

51. **INDIAN EXPRESS NEWSPAPERS (BOM) LTD** - Largest Circulated English Daily in Pune

AGENCY - PLUS THREE ADVERTISING

C-1467-10/96

The Times of India

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad and Hoarding of "Indian Express - largest circulated English daily in Pune", (appeared probably 9/96).
The Ad and Hoarding claims Indian Express to be the "**largest circulated** English daily in Pune".
Earlier the same Ad claimed 'Indian Express to be Pune's **highest selling** English daily'.

As per complaint, this grossly contradicts the actual ABC figures, and also misleads and misguides both advertising agencies and advertisers in Pune, and the unknowing readers as well.

ASCI CODE/CCC DECISION - December 1996

Chapter I.1. Claim false.
Ad modified.

119

52. **INDIAN INSTITUTE OF ART & FASHION TECHNOLOGY** - Fashion Designing Course

AGENCY - GRAPHICS PLUS DESIGN

C-1469-11/96
IHCTM

NATURE OF COMPLAINT

Complaint (received in 11/96) against the Ads of "Fashion Designing Course", in the T.O.I.- Education Times Suppl (6/96), Bombay Times - Career Options Suppl (6/96) and Indian Express (10/96). As per complaint, the advertiser claims to have its courses, "recognised by Fit-Wel USA". On verifying it was found that Fit-Wel is not a University or recognised institute in USA. Advertiser is misleading readers.

ASCI CODE/CCC DECISION - December 1996

Chapter I.4. Ad misleading by omission.
Ad modified.

119

53. **TELSTRA V-COMM** - DAMA. Only from Telstra V-Comm

AGENCY - iB&W COMMUNICATIONS P.LTD

C-1470-11/96
Arms Advtg. P. Ltd.

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "DAMA. Only from Telstra V-Comm", in the Economic Times (10/96). The complainant seeks substantiation of the following claims:
1)"DAMA. **Only** from Telstra V-Comm".
2)"The **only** fully-operational DAMA service provider in the country".

As per complaint, the Ad is misleading.

ASCI CODE/CCC DECISION - December 1996

Chapters I.1 and I.4. Claims false and the Ad misleading. ***Ad discontinued.***

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54. **EMAMI LIMITED** - Emami Naturally Fair Fairness Cream

Lintas

AGENCY - NAYEE DEESHA COMMUNICATIONS P.LTD

C-1446-9/96

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Emami Naturally Fair Fairness Cream", in the Filmfare magazine (Sept'96 issue). As per complaint, the claim, "Emami Naturally Fair Fairness cream promises you a silky, smooth, dew-soft, fair complexion, in just 6 weeks", is exaggerated as the product is not capable of delivering the same.

The Fairness proposition 'Sure Fairness, Pure Fairness in 6 weeks', stated in the Ad, is similar (only worded differently) to the other well-known brand proposition i.e. 'Makes you fairer. For sure', thus creating further distraction in the minds of the consumer.
The use of the sub benefit, 'Fairness from within', is stated to mislead and confuse the reader, as the main benefit of the other well-known brand is 'It works from within'. Moreover, the brand working action 'control of scattered melanin' is also similar to the other well-known brand and hence misleads the other well-known brand consumer.

ASCI CODE/CCC DECISION - January 1997

Chapter I.1. Claims not substantiated.
Under consideration for REVIEW at a forthcoming CCC meeting.

119

C-1474-11/96

*55. **BPL LIMITED** - BPL Mobilephone Service

AGENCY - TRIKAYA GREY ADVERTISING (I) LTD

Mudra Comms. Ltd.

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "BPL Mobilephone Service", in the Times of India (9/96). As per complaint, the claim, "Mumbai's number one mobilephone service", is unsubstantiated, totally false and misleading. The Department of Telecom figures quoted in the Business Standard dated 5th October 1996, authenticate the fact that Max Touch has a total of 28,912 subscribers as opposed to 25,687 subscribers of BPL Mobile.
The complainant also seeks substantiation of the claim, "The highest rated programme on air".

ASCI CODE/CCC DECISION - January 1997

Chapter I.1. Claim not substantiated.

119

56. **PARAS PHARMACEUTICALS PVT LTD** - Borosoft Antiseptic Cream

AGENCY - MUDRA COMMUNICATIONS LTD

C-1473-11/96

Ltd. Ge. D. Pharmaceuticals

NATURE OF COMPLAINT

Complaint (received in 11/96) against a TVC of "Borosoft Antiseptic Cream", on Doordarshan (11/96). The complainant deplores the direct knocking of another well-known brand (through the use of a green tube unmistakably resembling the competitive product), along with negative and disparaging comments.
The effect of the whole advertising is to invest the competitive product with a misleading and functionally untruthful ambience of ineffectiveness vis-a-vis Borosoft. The specific verbal and visual cues refer to the age of another well-known brand and the density of the competitive product - arguments which in no way establish the functional superiority of Borosoft, which would have been the legitimate objective of advertising.

ASCI CODE/CCC DECISION - January 1997

Chapter IV.1 (b). Ad unfairly denigrated a well recognised competitive brand, by conferring an artificial advantage on the product advertised.
Ad modified.

Complaints that were UPHELD by the Consumer Complaints Council

57. **CASTROL INDIA LTD** - The Castrol Advantage

AGENCY - NORVICSON ADVERTISING

NATURE OF COMPLAINT

Complaint (registered in 11/96) against an Ad of "The Castrol Advantage", in the Times of India (11/96). As per complaint, the Ad includes a number of critical statements, some of which appear unfair and denigratory of other products/manufacturers (i.e. advertisers) in related fields.
There are a substantial number of claims which are not supported in the Ad itself and would therefore require to be substantiated for deliberation by the CCC.

A) Unfair denigratory reference.
1. "Many manufacturers do make a lubricant in a kitchen kadai or at the roadside halwai by mixing additives in base oil".
2. "What separates the men from the boys" ... or you might say "the Halwais from the specialists".

B) Claims unsupported in the Ad need substantiation.
1. "Castrol Silvassa Plant is the Best in the World".
2. "The biggest and most advanced plant of its kind in Asia, incorporating the best international technology in the world".
3. "Our customers say, 'Castrol - its Simply the Best'".
4. "The Castrol Advantage" lists -
Superior Technology and Superior performance products.
Largest distribution network - over 12,000 retail outlets and 120 stockpoints/depots in India.
Only MNC with its own R&D set-up for Indian needs.
Unmatched technical service and lab check support for our customers.

ASCI CODE/CCC DECISION - January 1997

Chapters I.1, I.4, IV.1 (e), & IV.2. Ad in its entire form, presentation and content not substantiated, misleading, unfairly denigrated other comparable products/services, made unjustifiable use of the logos/associated corporate colours/schemes of the Competitors.
Ad withdrawn. MRTP inquiry - sub-judice.

58. **CASTROL INDIA LTD** - The Castrol Advantage

AGENCY - NORVICSON ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "The Castrol Advantage", in the Times of India (11/96). As per complaint, the Ad refers to "Halwais" in the first sentence as well as in the last para. The way this occupation is referred to is derogatory. This is highly objectionable. The Ad is unfair to a group of persons in an occupation or line of business.

ASCI CODE/CCC DECISION - January 1997

Chapters I.1, I.4, IV.1 (e), and IV.2.
Same as above. Ad withdrawn.

119

59. **CASTROL INDIA LTD** - The Castrol Advantage

AGENCY - NORVICSON ADVERTISING

C-1477-11/96

#

Indian Oil Corp. Ltd.

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "The Castrol Advantage", in the Times of India (11/96). As per complaint, the headline states, "What Separates the Leader ... from the Pack", the leadership status claimed by Castrol is not only factually incorrect but also not fully substantiated with the result it is misleading the readers and users of the lubricants.

Castrol is neither the largest selling range of lubricants in India, nor has it the maximum market share, to claim leadership status in this business. Even in terms of lubricant blending capacity in India, the combined blending capacity of Castrol's plants is not the highest. Thus, the leadership status is falsely claimed.

The reference to the "Pack" which though not derogatory, is obviously directed towards other competing companies. Even the colours used around the dogs' necks in the Ad, resemble the Corporate colours/schemes of competing companies, which is not in the right spirit.

ASCI CODE/CCC DECISION - January 1997

Chapters I.1, I.4, IV.1 (e), & IV.2.
Same as above. Ad withdrawn.

C-1478-11/96

#

119

60. **CASTROL INDIA LTD** - The Castrol Advantage

AGENCY - NORVICSON ADVERTISING

Indian Oil Corp. Ltd.

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "The Castrol Advantage", in the Times of India (11/96). As per complaint, the copy matter of the Ad, "Castrol's Silvassa plant is the best in the world", is not fully substantiated. So also the, "unmatched technical service and lab check support", provided by Castrol to their customers. The claim, "Castrol - its simply the Best", is also not fully supported with data. In other words, it is not clear as to who has bestowed Castrol with the "Best" status as claimed in their Ad.
The reference to the "Boys" which though not derogatory is obviously directed towards other competing companies.

ASCI CODE/CCC DECISION - January 1997

Chapters I.1, I.4, IV.1 (e), and IV.2.
Same as above. Ad withdrawn.

119

61. **CASTROL INDIA LTD** - The Castrol Advantage

AGENCY - NORVICSON ADVERTISING

C-1479-11/96

Hindustan Petroleum Corpn. Ltd.

NATURE OF COMPLAINT

Complaint (received in 11/96) against the Ads of "The Castrol Advantage", in the Times of India (11/96). As per complaint, the advertiser has made certain claims, which are questionable.

Complaints that were UPHELD by the Consumer Complaints Council

The Ads contain logos and colours which bear a distinct resemblance to logo forms of other established, recognised and reputed Oil Companies and are highly offensive.

The copy matter of the Ads make degrading references to not only the technology/marketing process of the other Oil Companies but also to their products and their usage.

ASCI CODE/CCC DECISION - January 1997

Chapters I.1, I.4, IV.1 (e), & IV.2.
Same as above. Ads withdrawn.

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62. **CASTROL INDIA LTD** - The Castrol Advantage

C-1480-12/96

Bharat Shell Ltd.

AGENCY - NORVICSON ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 12/96) against the Ads of "The Castrol Advantage", in the Economic Times & T.O.I. (11/96). As per complaint, the Ad states, 'Castrol Silvassa Plant is the best in the world'; this then goes on to say that it "incorporates the best international technology". The complainant contests the statements as they are misleading. Castrol cannot make this claim without benchmarking their plant with other lube oil plants in the world, particularly those of well-known competitors.

ASCI CODE/CCC DECISION - January 1997

120

Chapters I.1, I.4, IV.1 (e), & IV.2.
Same as above. Ads withdrawn.

63. **CASTROL INDIA LTD** - The Castrol Advantage

C-1481-12/96

Bharat Petroleum Corpn. Ltd.

AGENCY - NORVICSON ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 12/96) against the Ads of "The Castrol Advantage", in the Times of India (11/96). As per complaint, the Ads are highly objectionable on the following counts:

1)The Ads are derogatory as they are disparaging and ridiculing others' goods and manufacturing process.
2)The Ads are factually incorrect and misleading.

ASCI CODE/CCC DECISION - January 1997

119

Chapters I.1, I.4, IV.1 (e), & IV.2.
Same as above. Ads withdrawn.

*64. **NATIONAL INSTITUTE OF INDUSTRIAL RESEARCH & DEVELOPMENT** - 6 Months Diploma Course

C-1471-11/96

Mr. M.F. Hussain

AGENCY -

Complaints that were UPHELD by the Consumer Complaints Council

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "6 Months Diploma Course", in the Indian Express, Madras (8/96). As per complaint, NIIRD, in their Ad states, "Promoted by the Council of Industrial Experts from the National Institute of Human Resources Development - Recognised by Govt of India". These words are misleading and misguiding

The students community who may think that NIIRD itself is recognised. Actually, NIIRD is not recognised. Its parent body, National Institute of Human Resources Development (NIHRD) is recognised by Govt. of India.

As per All India Council for Technical Education (AICTE) norms, recognition should be awarded to those institutes whose duration of the course should be 3 years for distance education courses. Whereas NIIRD conducts only six months diploma courses.
Therefore, the question of awarding recognition to NIIRD does not arise.

ASCI CODE/CCC DECISION - January 1997

119

Exparte. Chapters I.1 and I.4. Claim not substantiated.
Implied claims are ambiguous and considered misleading.

65.**HELLO MINERALS WATER P.LTD** - Hello Aqua Mineral Water

C-1482-11/96

AGENCY - iB&W COMMUNICATIONS P.LTD

Mr. Ravikumar K.

NATURE OF COMPLAINT

Complaint (received in 11/96) against an Ad of "Hello Aqua Mineral Water", in India Today (11/96). As per complaint, the Ad describes the water as "triple sterilized" and the process of triple sterilization is explained as:
1.Purification by killing bacteria.
2.Filtration.
3.Storage in a sealed container.

By no stretch of the imagination can filtration and storage be called sterilization. Hence the description is baseless, and the claims "triple sterilized" and "triple purified" are false and misleading.

ASCI CODE/CCC DECISION - January 1997

Chapter I.4. Claims misleading.
Ad discontinued.

121

66.**J.K. CHEMICALS LIMITED** - KamaSutra Premium Condoms

Mr. Seshagiri Rao Karvy

C-1497-1/97

AGENCY - HEARTBEAT COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "KamaSutra Premium Condoms", in a Telugu weekly 'Swati' (1/97). As per complaint, the text is about the role of nail play in arousing the erotic element of the female partner.
The text does not warrant such exciting photographs showing them in a most compromising posture.
It is insulting the complainant's sense of decency.

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Complaints that were UPHELD by the Consumer Complaints Council

ASCI CODE/CCC DECISION - March 1997

Chapter II. Explicit visuals could cause widespread offence.
Agency assured compliance in future.

67. **J.K.CHEMICALS LIMITED** - KamaSutra Premium Condoms

AGENCY - HEARTBEAT COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "KamaSutra Premium Condoms", in India Today (Tamil) (1/97). As per complaint, the Ad is very offensive to his sense of decency and it is vulgar and cheap.

ASCI CODE/CCC DECISION - March 1997

Chapter II. Explicit visuals could cause widespread offence.
Agency assured compliance in future.

68. **J.K.CHEMICALS LIMITED** - KamaSutra Premium Condoms

AGENCY - HEARTBEAT COMMUNICATIONS PVT LTD

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "KamaSutra Premium Condoms", in Malayalam fortnightly 'Vanitha' (12/96). As per complaint, this indecent exposure of women is objectionable.

ASCI CODE/CCC DECISION - March 1997

Chapter II. Explicit visuals could cause widespread offence.
Agency assured compliance in future.

69. **UNITED INDIA INSURANCE CO LTD** - Happiness is being a United Indian

AGENCY - HINDUSTAN THOMPSON ASSOCIATES LTD

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "Happiness is being a United Indian", in The Hindu (1/97). As per complaint, the Ad claims, "Only United India covers every aspect of life...you name it. We insure it...total security". United India Insurance does not cover "life", hence the claim of total security by total cover is not true.

ASCI CODE/CCC DECISION - March 1997

Chapters I.1 and I.4. - The claim "***Only*** United India", is not true. Misleading by omission.
Ad campaign concluded, will not be repeated.

70. **WHIRLPOOL OF INDIA LTD** - Refrigerators & Washers - No.1 in Sales

AGENCY - CONTRACT ADVERTISING I.LTD

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "Refrigerators & Washers - No.1 in Sales", in the Times of India, Mumbai (1/97). As per complaint, the Ad is misleading and incorporates claims (No.1 in sales of refrigerators and washers) which are totally false and unsubstantiated. The Ad is calculated to create confusion amongst the trade all over the country and mislead the uninformed public.
In 1996, Whirlpool was not No.1 either in refrigerator sales or in washing machines.

ASCI CODE/CCC DECISION - March 1997

Chapter I.1. Claim not substantiated with facts.
Ad discontinued.

121

71. **WHIRLPOOL OF INDIA LTD** - Refrigerators & Washers - No.1 in Sales

C-1507-1/97

AGENCY - CONTRACT ADVERTISING I.LTD

Enterprise Advtg. P. Ltd.

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "Refrigerators & Washers - No.1 in Sales", in the Times of India, Mumbai (1/97). As per complaint, from various reports which have appeared in the press, it would seem that Videocon, Godrej, BPL, etc are the leaders in the refrigerator and washing machines market. Whirlpool's claim of selling "more refrigerators and washers (is this to mean "washing machines"?) than any other company", would need to be substantiated.

ASCI CODE/CCC DECISION - March 1997

Chapter I.1. Claim not substantiated with facts.
Ad discontinued.

122

72. **BAJAJ AUTO LTD** - Bajaj Best Value Scooter Finance

C-1511+2/97

AGENCY - AMMIRATI PURIS LINTAS

Mr. Vijay Kumar Shahu

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Bajaj Best Value Scooter Finance", in Navbharat (1/97). As per complaint, the Ad states that "Bajaj scooter is available on initial payment of Rs.3360/-, Hurry as such chance will come never again. There is no other such low interest rate (12%) and low monthly instalment of Rs.686/-. Contact any nearby dealer of Bajaj. Bajaj Auto Finance Ltd has come with this scheme for the first time and it is open upto 31/1/97".

In response to the Ad, the complainant contacted the local Dealer M/s. Vandana Auto (name mentioned in the Ad). They informed him that "they have nothing to do with this scheme, Bajaj Auto Finance is doing this and as yet there is no such office here".
This is a false and misleading Ad.

ASCI CODE/CCC DECISION - March 1997

Chapter I.1. Ad not true.
Advertiser has admitted that the particular dealer was not included in their scheme.
Advertiser assured modification of the Ad in future.

Complaints that were UPHELD by the Consumer Complaints Council

*73. **FAIR PHARMA** - Guaranteed Cure for Aids (HIV)

122
C-1526-2/97

AGENCY -

NATURE OF COMPLAINT

Suo motto consideration of an Ad of "Guaranteed Cure for AIDS (HIV)", in the Daily (Probably in Jan/ Feb'97).
As per complaint (registered in 2/97), in view of the serious and widespread implications of the morbidity and long term mortality arising out of HIV/AIDS infections, for which there are very few universally proven, cost effective medically approved treatments, the complaint raises serious doubts about the truthfulness of the claim, "Guaranteed cure for AIDS (HIV)". In the absence of brief data in the Ad itself, to substantiate this claim by authentic references to medical/clinical tests/trials, it would mislead numerous readers of the Ad in its present form.

The "Daily" had assured the Ad would not be carried in future till ASCI decision was advised to them.

ASCI CODE/CCC DECISION - March 1997

Exparte. Chapters I.1, I.5 and I.5 (d). Claim not substantiated. Claim exaggerated. Exceeds generally accepted standard or medical practice.

74. **TITAN INDUSTRIES LTD** - Titan Watches - The Titan Sale

122
C-1528-2/97
Mr. Santosh Gupta

AGENCY - OGILVY & MATHER

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Titan Watches - The Titan Sale", in Lokmat Samachar, Nagpur (2/97). As per complaint, the Ad is untrue, self-contradictory and is patently misleading.
In an Ad meant for Hindi readers it states in English, that there is "upto 40% off". In the same Ad, in the Hindi text it states a "straight 40% off on all the selected models (200) under the scheme".The fact is that the discount ranges from 10% to 40% on selected watches and not on all the 200 models, as is claimed in the Ad. At one showroom only one model was available on which the alluring 40% off was offered, on a particular day.

ASCI CODE/CCC DECISION - March 1997

Chapter I.4. Ad misleading.
Advertiser assured modification of the Ad in future.

75. **COCA COLA INDIA** - Olympic Torch Relay

122
C-1529-2/97
Mr. K. Rajendran

AGENCY - McCANN-ERICKSON P.LTD

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Coca Cola - Olympic Torch Relay", in The Hindu, Coimbatore edition (6/96). As per complaint, the Ad states, "Is there someone who's brought a little light into your life?". It also mentions that 6 winners (nominees) will be given a chance to run with the historic Olympic flame.

According to the complainant, it is not known whether Coca Cola had actually selected 6 winners for the Olympic run, as promised by them. There was no news about that subsequently. If not done as promised, that will amount to unfair advertising and unfair trade practice.

ASCI CODE/CCC DECISION - March 1997

Exparte. Chapter I.5(f). Ad failed to notify appropriately, the list of prize winners.
Advertiser assured compliance in future.

122
C-1530-2197
Mr. K. Rajendran

76. **COCA COLA INDIA** - Coca Cola Red Hot Summer

AGENCY - McCANN-ERICKSON P.LTD

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Coca Cola Red Hot Summer", in The Hindu, Coimbatore edition (5/96). As per complaint, the Ad mentions that one Mahindra Classic will be offered as prize every week for the next 6 weeks.
According to the complainant, only 3 winners were selected as against their promise of six. It is not known whether Coca Cola had actually selected 4th, 5th, 6th winners for Mahindra Classic Jeep. If not done as promised, that will amount to unfair advertising and unfair trade practice.

ASCI CODE/CCC DECISION - March 1997

Chapter I.5(f). Ad failed to notify appropriately the list of prize winners.
Advertiser assured compliance in future.

THE ADVERTISING STANDARDS COUNCIL OF INDIA

COMPLAINTS THAT WERE *NOT UPHELD* BY THE CONSUMER COMPLAINTS COUNCIL APRIL 1996 TO MARCH 1997

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1. **PARAS PHARMACEUTICALS PVT LTD** - D'Cold Rub

AGENCY - TRITON COMMUNICATIONS (P) LTD

NATURE OF COMPLAINT

Complaint (received in 3/96) against a TVC of "D'Cold Rub", on Doordarshan (2/96). As per complaint, the TVC depicts one blue colour bottle with green colour label being referred to as 'Children's Rub' which, the TVC claims, is not suitable for adults. The specific words used are, "bachhon ki sardi badon ki sardi, badon ko saath mein sardard bhi...donon ki sardi mein bahut farq hai....phir bachhon ka rub badon ko kaise kam aaaye", which translates to a "child's cold and adult cold are very different because an adult's cold is accompanied by headache....so how can a child's rub work for adults?" Then the TVC goes on to claim that D'Cold is specifically meant for adults.

The blue bottle with green label can be identified as Vicks VapoRub, a cold rub ointment.
This implies that Vicks VapoRub is meant only for children and will not work on adults. This is absolutely false, misleading and therefore derogatory to the latter brand.

COMMENT/CCC DECISION - April 1996

Ad not considered derogatory to a brand or group of products.

111

2. **ESHWARI GROUP OF COMPANIES** - Condoms

AGENCY - SUJAY ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 1/96) against the Ads for "Condoms", on Hoardings at various places in Bangalore.
As per complaint, the hoardings read as, "If you love someone prove it, It's your life, don't chuck it, and Make safe love, Use condoms Prevent Aids".
The Ads lack credibility with exaggerated claims and obscenity.

COMMENT/CCC DECISION - April 1996

Ads not objectionable in terms of the Code. Public service campaign.

113

3. **CADILA HEALTHCARE PVT LTD** - Sugar Free Sweetner

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 11/95) against an Ad of "Sugar Free Sweetner", in the Maharashtra Times (10/95).
As per complaint, the Ad is misleading.
1)"Sugar free" is an artificial sweetener containing Aspartame. It cannot be compared with sugar which is a natural sweetener.

2)As per Prevention of Food Adulteration Rules 1955, there is a restriction on use and sale of Aspartame.
3)Aspartame cannot be added to any article of food e.g. jams, jellies, tea or coffee, as stated in the Ad.
These are false claims.

COMMENT/CCC DECISION - April 1996

Ad not misleading and not in contravention of the Code. Part of the complaint factually incorrect.

4. **BENNETT COLEMAN & CO LTD** - The Choicest Offer - Femina, Filmfare, Eagle Gift

Dr. B K. Roy Chowdhury
C-1363-3/96 113

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 3/96) against an Ad of "The Choicest Offer", in The Economic Times, Calcutta (2/96). The Ad states, "Pay Rs.625, Get Rs.480 - Femina (24 Issues) + Rs.216 - Filmfare (12 Issues) + Rs.426 - Eagle Gift = Rs.1122, Save Rs.497". As per complaint, the Eagle gift value of Rs.426 is not a saving but a gift and hence this is likely to confuse the public and is therefore deceptive.

COMMENT/CCC DECISION - April 1996

Ad not deceptive or misleading. The terms of the offer were stated clearly and understandably.

5. **GODREJ GE APPLIANCES** - Godrej Refrigerators

C-1352-2/96 112
Mr. K.N. Narayanan

AGENCY - GRAND ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 2/96) against an Ad of "Godrej Refrigerators", in the Indian Express (2/96). The Ad mentions, "the offer of a fair price", "just contact any of our selected dealers", and "the best offer for your old refrigerator". As per complaint, the Ad appears to be ambiguous and is likely to confuse the consumers.

COMMENT/CCC DECISION - April 1996

114

Claims not ambiguous, confusing or misleading.

6. **BENCKISER (I) PVT LTD** - Coty Vitacare

C-1377-4/96
Lintas (I) Ltd.

AGENCY - MUDRA COMMUNICATIONS LTD

NATURE OF COMPLAINT

Complaint (received in 4/96) against a TVC of "Coty Vitacare", on DD-Metro Channel (10/95). As per complaint, in the TVC of Coty Vitacare, the slogan, "Healthy skin is Beautiful skin", is identical to what is claimed by Lifebuoy Gold, in their Ads. Since a slogan plays a vital role in the way consumers recall a brand, such similarity is certainly bound to confuse consumers.

COMMENT/CCC DECISION - June 1996

Complaint not valid, benefit of prior usage rests with Vitacare.

7. **PROLINE SPORTSWEAR PVT LTD** - Proline

C-1369-4/96

AGENCY - VENART ADVERTISING PVT LTD

Mr. A. Shanmugasundaram

NATURE OF COMPLAINT

Complaint (received in 4/96) against an Ad of "Proline", in The Hindu, Madras edition (4/96). As per complaint, the Ad is in bad taste showing vulgar exposure rather than showing the features of the product.

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COMMENT/CCC DECISION - June 1996

Ad not in contravention of the ASCI Code.

8. **ESPN TV BROADCAST** - Euro'96

AGENCY - OGILVY & MATHER LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Euro'96", in the Times of India (4/96). As per complaint, in the photograph the gestures as displayed by the players, read in conjunction with the slogan, "Ready for this?", is apparently vulgar and is highly objectionable because it is indecent and outrages public decency.

COMMENT/CCC DECISION - June 1996

115

Ad not offensive to generally accepted standards of Public Decency.

9. **ESPN TV BROADCAST** - French Open Tennis Tournament

C-1392-5/96

AGENCY - OGILVY & MATHER LTD

Mr. Debadideb Datta

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "ESPN TV Broadcast - French Open Tennis Tournament", in Anandabazar Patrika, Calcutta (5/96). As per complaint, the Ad depicts Tennis star Ms. Arantxa Sanchez Vicario lying on her back on the ground with a question, "Ready for this?".
This is in very poor taste to depict a lady lying like that, with her undergarments showing. The obscene connotations of the Ad are even more clear in its Bengali version, where the question is ".....?", which roughly translates to "Ready for this, Mister?". The question here has been specifically focussed on the male adult reader.
Such Ads are not only an insult on the women but are also likely to have an ill effect on the young readers of the newspapers.

COMMENT/CCC DECISION - June 1996

115

Ad not offensive to generally accepted standards of Public Decency.

10. **BOMBAY CHEMICALS LIMITED** - Tortoise Mosquito Coil

C-1405-5/96

AGENCY - EVEREST ADVERTISING PVT LTD

Mr. N.G. Wagle

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Tortoise Mosquito Coil", on DD Metro Channel (4/96). As per complaint, the TVC says, Tortoise Mosquito Coil - "Swasthya ke liye surakshith" (in Hindi) - meaning 'safe for health'.
No insecticide can be claimed as, "safe or to that effect", with or without a qualified phrase, "when used as directed".

COMMENT/CCC DECISION - July 1996

Claim substantiated.

115

11. **HINDUSTAN LEVER LTD** - Sunsilk Shampoo

C-1406-5/96

AGENCY - HINDUSTAN THOMPSON ASSOCIATES LTD

#
Trikaya Grey Advtg (I) Ltd.

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Sunsilk Shampoo", on DD (5/96). As per complaint, the advertiser in its commercial for Sunsilk shampoo featuring a well-known film star, has copied the visual of "hair being released from a jacket", which was used by 'Rejoice' world-wide for years and has been patented by Procter & Gamble India, as of March'95.

These visuals are advertising properties and affect the equity of the Rejoice brand.

COMMENT/CCC DECISION - July 1996

Complainant has not established prior usage of the specific visual claimed to be an advertising property. The complainant was not able to establish the patent in the branded property of the visual under reference.

12. **HINDUSTAN LEVER LTD** - Surf International

115

C-1413-6/96

Dr. H.C. Shah

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 6/96) against a TVC of "Surf International", on Doordarshan (5/96). As per complaint, the Ad shows a meeting of a company salesman with a housewife identified as 'Mrs.Manjeet Sethi'. In the beginning, the following message is heard while the meeting is in progress: "Hum maafi chahaten hain Manjeet Sethi se ki yeh episode hamne unki ijaajat ke bina shoot kiya". And the lady advocates praise for the product. In other episodes also the same is repeated with lady changing to 'Mrs. Suraiya Khan', 'Mrs. Lata Bhangavi'.

As per complaint, this kind of use of names of persons without their consent or permission is contravening the ASCI Code. The admission that the episode was shot without consent is sufficient proof that company is trying unfair means to advertise their product.

COMMENT/CCC DECISION - July 1996

Advertiser has established that written permission of the individual endorsing the product, had been obtained prior to airing of the TVC.

Complaints that were NOT UPHELD by the Consumer Complaints Council

115

13. **SMITHKLINE BEECHAM CONSUMER HEALTHCARE** - Tums

C-1412-6/96

AGENCY - OGILVY & MATHER LTD

Dr. H.C. Shah

NATURE OF COMPLAINT

Complaint (received in 6/96) against a TVC of "TUMS", on Doordarshan (6/96). As per complaint, the Ad shows a lady who has an upset stomach. She states - "ulta sidha khaya jisese badhajmi ho gai. Chemist ne tablet di aur kaha isme bhi side effect hai - **positive side effect**".
As per complaint, OTC drugs may be bought without prescription, but in the Ad nothing is mentioned. So it has to be presumed it is a prescription drug. This is objectionable.

COMMENT/CCC DECISION - July 1996

Product advertised (being an OTC) does not require a prescription.

115

14. **USHA MARTIN TELEKOM LTD** - Command Mobile Phone Service

Mr. Arta Mishra

C-1383-6/96

AGENCY - OGILVY & MATHER LTD

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Command Mobile Phone Service", in The Telegraph (5/96). As per complaint, the advertiser has brought disgrace to our National Flag by using its colours in the same order and with a caption that clearly denotes the reference to the former (National Flag). This is highly objectionable.

COMMENT/CCC DECISION - July 1996

Ad not in contravention of the Code. Complaint subjective.

115

15. **ANIL AYURPHARMA (INDIA) LTD** - Chandan Calamine Lotion

C-1381-6/96

AGENCY - CONQUERORS ADVERTISING PVT LTD

Bharat Petroleum Corpn. Ltd.

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Chandan Calamine Lotion", in Bombay Times (4/96). As per complaint, the photograph of an unclad female in rear view, is considered to be against public decency and is objectionable.

COMMENT/CCC DECISION - July 1996

115

Ad not likely to offend public decency.
Ad discontinued.

16. **BAJAJ AUTO LTD** - Bajaj 4S Champion

C-1411-6/96

AGENCY - AMMIRATI PURIS LINTAS

Mr. K. Nagesh Kumar

NATURE OF COMPLAINT

Complaint (received in 6/96) against an Ad of "Bajaj 4S Champion", in Deccan Chronicle (6/96). As per complaint, the Ad says that there will be zero maintenance cost, followed by the explanation/reason that it is because of the "free maintenance scheme for 12 months". This implies that there will be no "free" schemes after 12 months, so there will certainly be some maintenance cost, which cannot be zero, after 12 months. This is deceptive.

COMMENT/CCC DECISION - July 1996

115

Claim was clear, understandable and not misleading.

17. **ROTOMAC PENS PVT LTD** - Rotomac Pens

C-1398-5/96

AGENCY - EVEREST ADVERTISING PVT LTD

Prof. Niren Barua

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Rotomac Pens", on Doordarshan (5/96). The complainant draws attention to the "immoral and unethical" gesture inherent in the Ad of the Rotomac Pen (Likhte Likhte Love ho jaye) where a ten year old boy is shown tipping an elderly lady, a wink.

COMMENT/CCC DECISION - August 1996

115

Ad not considered objectionable.

18. **GILLETTE DIVERSIFIED OPERATIONS P.LTD** - Oral-B Toothbrush

C-1407-5/96

AGENCY - R.K.SWAMY/BBDO ADVERTISING PVT LTD

Mr. Sanjay Teckchandani

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Oral-B toothbrush", on Doordarshan (4/96). As per complaint, the Ad states that, "The toothbrush more dentists use worldwide, Now in India". This statement not only misleads people but is also incorrect.

-The Oral-B toothbrush is not being marketed in most countries of the World.
-Only two types of Oral-B toothbrushes are presently available in India.
-The unsupported basis on which the advertiser claims that Oral-B toothbrush is being used by more dentists worldwide, and whether the dentists around the world are in fact using Oral-B toothbrush of the type being marketed in India and whether they continue to use the same as of date.

COMMENT/CCC DECISION - August 1996

115

Claim was based on plurality of usage and was substantiated, with valid survey statistics.

19. **TORRENT PHARMACEUTICALS LTD** - Recruitment

C-1384-5/96

AGENCY - ENTERPRISE ADVERTISING PVT LTD

Dr. Hasmukh Shah

1384

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "Recruitment", in the Times of India (12/95). As per complaint, the Ad claims, "sixth largest pharmaceutical company", but various published sources do not show their position anywhere in the top ten Pharma companies. This is misleading.

COMMENT/CCC DECISION - August 1996

113

Claim not false.

20. **TRADE-WINGS INSTITUTE OF MANAGEMENT** - TIM's 3-in-1 Advantage

C-1374-3/96

AGENCY -

IHCTM

NATURE OF COMPLAINT

Complaint (received in 3/96) against an Ad of "TIM's 3-in-1 Advantage", in the supplement 'Career Windows' of Indian Express (3/96). The Ad of TIM for its 3-in-1 course claims to have "produced two consecutive IATA/UFTAA toppers" whilst promoting their '3-in-1 course'. As per complaint, this claim is false, baseless and not relevant to the course being offered on the following grounds:

1)The '3-in-1 course' being advertised is a private course conducted by TIM and is not offered by IATA-UFTAA.
2)The complainant is not aware of a single student from TIM who got a distinction.

COMMENT/CCC DECISION - August 1996

114

Ad not false or misleading.

21. **INDIA INTERNATIONAL TRADE CENTER** - IATA/UFTAA Standard Course Training

C-1375-4/96

AGENCY -

IHCTM

NATURE OF COMPLAINT

Complaint (received in 4/96) against an Ad of "IATA-UFTAA Standard Course Training", in the Times of India (4/96). The advertiser claims to conduct IATA/UFTAA Standard course and at the bottom of the Ad, the caption reads, "IATA Approved Training Centre".

As per complaint, IATA does not approve any private course, they merely authorize an institute to coach studeints for the IATA exams. Hence the term 'approval', is not permissible to be used by authorized centres as per the authorization document of IATA.
By stating "IATA Approved Training Centre", it is not clear whether M/s.IITC has approval for IATA-UFTAA or IATA-FIATA course. This could confuse interested readers.

COMMENT/CCC DECISION - August 1996

115

Ad not confusing or misleading.

22. **I.H.C.T.M.** - IATA/UFTAA Aspirants Beware

India International Trade Centre

C - 1397-5/96

AGENCY - SCHNELL HANS ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 5/96) against an Ad of "IATA/UFTAA Aspirants beware", in Mid-Day and Indian Express (5/96). Through the last para of the Ad, IHCTM claims that it is the only Authorised Training Center in India, for coaching students for both Travel & Air Cargo i.e. IATA/UFTAA and IATA/FIATA exams conducted by IATA, Geneva. As per complaint, this is a false claim as there are many Authorised Training Centers in India for coaching for IATA/UFTAA Standard Course. The Ad is misleading and not fair to competition.

The same Ad states that "any clarification and complaints regarding misguidance and exploitation should be directed to the advertiser personally". As per complaint, the advertiser has violated the IATA/UFTAA regulations in this respect.

COMMENT/CCC DECISION - August 1996

Ad not misleading or unfair to competition.

115

C-1403-5/96

IHCTM

23. **INTERNATIONAL AIR FARE DESK** - Courses for Travel & Tourism etc

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 5/96) against the banners of "International Air Fare Desk", put up at their office location at Colaba.
The banner states, "IATA approved courses for Travel and Tourism, Airport Management and others".
As per complaint, this statement is thoroughly misleading. IATA does not approve any courses but authorizes institutes to conduct either the IATA-UFTAA (Travel) or the IATA-FIATA (Air Cargo) courses.

COMMENT/CCC DECISION - August 1996

Ad - locational banner, not misleading.
Ad withdrawn.

115

C-1410-6/96

IATA Hdl.

24. **COLGATE PALMOLIVE (I) LTD** - Palmolive Optima Shampoo

AGENCY - REDIFFUSION DENTSU YOUNG & RUBICAM PVT LTD

NATURE OF COMPLAINT

Complaint (received in 6/96) against an Ad of "Palmolive Optima Shampoo", in the Times of India Sunday Review (5/96). The Ad claims that, "Optima's unique Keratin treatment repairs damaged hair and nourishes it from root to tip like no shampoo can".
As per complaint, a claim that Optima is a shampoo that repairs damaged hair and nourishes it from root to tip, like no other shampoo can, seems incredible.
The complainant seeks substantiation of the same.

COMMENT/CCC DECISION - August 1996

Claim substantiated with adequate technical data.

Complaints that were NOT UPHELD by the Consumer Complaints Council

115

25. **GEC ALSTHOM INDIA LTD** - GEC Ceiling Fans

C-1414-6/96

AGENCY - R.K.SWAMY/BBDO ADVERTISING P.LTD

clarion Advtg. Services hyd.

NATURE OF COMPLAINT

Complaint (received in 6/96) against an Ad of "GEC Ceiling Fans", in The Hindustan Times, New Delhi (5/96). As per complaint, the GEC Alsthom Ceiling Fans Ad is an "exact copy" of the Ads which have been developed, created and released in May'96 for the BPL Vacuum Cleaning Systems.

COMMENT/CCC DECISION - August 1996

Ad not considered likely to confuse consumers on grounds of similarity in visual, nor considered to have taken unfair advantage of the goodwill of another's advertising campaign, the time frames in each case being broadly overlapping.

116

26. **REDIFFUSION DENTSU YOUNG & RUBICAM P.LTD** - Recruitment - Advertising Personnel

Dr. H.C.Shah

C-1417-7/96

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "Recruitment - Advertising Personnel", in the Times of India (6/96). As per complaint, the Ad mentions well-known and popular personalities such as 'Cindy' and 'Naomi', to boost the image of the company; most probably their prior permission has not been taken. This is objectionable.

Names of well-known companies such as Canon, Sony, Panasonic, Atlas, Maruti, Pepsi Foods have been quoted in the Ad, claiming them to be new clients.
It is likely that their prior permission has not been taken. This is objectionable.

COMMENT/CCC DECISION - August 1996

Prior written permission was not required in support of the mention of clients' names, nor did the copy confer undue advantage on the services advertised.

27. **COMPUTERVISION R&D INDIA PVT LTD** - Recruitment - Computer Software Personnel

AGENCY - PRATIBHA ADVERTISING

116

C-1418-7/96

Dr. H.C.Shah

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "Recruitment - Computer Software Personnel", in the Times of India (6/96). As per complaint, the names of several leading multinational corporations such as Airbus, BMW, Framatome, Rover, GE Appliances ... etc have been mentioned in the Ad as being "just a few of our customers". It is unlikely that their prior permission has been obtained. Hence this Ad is objectionable.

COMMENT/CCC DECISION - August 1996

Prior written permission was not required in support of the mention of clients' names, nor did the copy confer undue advantage on the services advertised.

116

28. **ANCHEMCO LTD** - STP Son of a Gun Protectant

C-1419-7/96

AGENCY - ANTHEM COMMUNICATIONS P.LTD

NATURE OF COMPLAINT

Suo motto (complaint registered in 7/96) consideration of an Ad of "STP Son of a Gun Protectant", in The Hindustan Times (6/96). The headline, "New tyres, dash-board & car seats for just Rs.220?", and the claim in the copy, "keeping your car looking like new", are not consistent or credible, and are likely to mislead the reader.

COMMENT/CCC DECISION - August 1996

116

Exparte. Claim considered permissible, within advertising licence.

29. **BPL LIMITED** - BPL Vaccum Cleaning Systems

C-1421-7/96

Mr. P.K. Naik

AGENCY - CLARION ADVERTISING SERVICES LTD

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "BPL Vacuum Cleaning Systems", in Mid-Day (6/96). As per complaint, "it is impossible that any vacuum cleaner will pull out a Cheetah's hair from such a distance". The Ad is misleading and the claim is false and exaggerated.

COMMENT/CCC DECISION - August 1996

Visual not misleading, but merely an attention getting illustration of obvious untruth, with a touch of humour.

30. **HINDUSTAN LEVER LTD** - Clinic Plus Liquid Protein Shampoo

115

C-1415-6/96

Mr. Arta Mishra

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 6/96) against a TVC of "Clinic Plus Liquid Protein Shampoo", on Doordarshan (6/96).
As per complaint, the Ad shows a school girl getting ready to go to school, with her tiffin box which contains three samples of protein, out of the four that her teacher had asked for. The three samples shown are all natural and there can't be any doubt or debate regarding their protein rich capacity. The girl asks her mother for the fourth sample, but the mother asks her daughter to show her hair, and the Clinic Plus liquid "protein" shampoo, which is "responsible for her ever-shining, strong and healthy hair".
This misleads the consumer/viewer to distinguish between a shampoo and hair oil.

COMMENT/CCC DECISION - October 1996

117

Claim substantiated.

31. **BENNETT COLEMAN & CO** - One of the World's Big Ideas

C-1422-8/96

Dr. Hasmukh C. Shah

AGENCY - NEXUS EQUITY ADVERTISING P.LTD

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Times of India - One of the World's Big Ideas", in Sunday Review Times of India (7/96). The Ad mentions, "' American Express', born 1891, The Times of India, born 1838".
As per complaint, use of the name American Express in their Ad, as a comparison, is to derive undue advantage of this name, for their own product most probably. No such prior permission has been obtained.

COMMENT/CCC DECISION - October 1996

115

Prior permission in writing was obtained.

32. **MR COFFEE** - MR Filter Coffee

C-1430-6/96

AGENCY - ART ADVERTISING AGENCY

Mumbai Grahak Panchayat

NATURE OF COMPLAINT

Copy of complaint (received in 6/96) against an Ad of "MR Filter Coffee", in Mid-Day (6/96) and T.O.I. - Bombay Times edition (6/96). As per complaint, the said Ad which covers the picture of two women and a man with a caption, "Mixed pleasure tastes better", is highly suggestive and poor in taste. There is no relevance of the picture and caption with the product - coffee.

COMMENT/CCC DECISION - October 1996

117

Ad not in contravention of the Code. Not offensive.

33. **STANDARD CHARTERED BANK** - 20.76% Interest on Deposits

C-1431-8/96

AGENCY - ENTERPRISE ADVERTISING PVT LTD

Mr. S. N. Nadkarni

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Standard Chartered Bank - 20.76% Interest on Deposits", in the Times of India (7/96). As per complaint, the message in fine print in the Ad, stated, "Compounded annual rate on a 5 year deposit", without mentioning the relevant rate of interest for the period. This is likely to mislead the consumers.

COMMENT/CCC DECISION - October 1996

117

Claim not misleading. Factual.

34. **TIPS & TOES COSMETICS (I) LTD** - Personal Advice from Mickey Contractor at Zedds

C-1432-8/96

AGENCY - TRIKAYA GREY ADVERTISING (I) LTD

Dr. H. C. Shah

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Tips & Toes - Personal Advice from Mickey Contractor at Zedds", in the Times of India (7/96). As per complaint, well-known models have been mentioned by name in the Ad, which is considered to be in contravention of the Advertising Code, unless the advertiser has proof that prior permission has been taken in writing from the persons concerned.

COMMENT/CCC DECISION - October 1996

Ad not in contravention of the Code. Prior permission not required from own clients.

116

35. **I.T.C. LTD** - Wills Cigarettes

C-1426-7/96

AGENCY - HINDUSTAN THOMPSON ASSOCIATES LTD

Mr. Anil B. Popat

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "Wills Cigarettes", in India Today (3/96). The complainant refers to the claim, "Filter and tobacco perfectly matched", and the slogan, "Made for each other", which appear in the Ad, and to the slogan, "filter and tobacco perfectly matched", which appears on the pack of Wills filter cigarettes.
As per complaint, the advertiser should substantiate what is meant by, "perfect matching of filter and tobacco" and what benefit does it provide, particularly regarding injury to health.
As for the slogan, "Made for each other", the Ad is vague since it does not state what this refers to, the product or the persons appearing in the Ad. This could be misleading.

COMMENT/CCC DECISION - October 1996

116

Exparte. Ad not in contravention of the Code. Claims not misleading.

36. **ALPINE BIOTECH LTD** - Farm Fresh Button Mushroom

C-1428-7/96

AGENCY -

Mr. Rajendra Bapat

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "Farm Fresh Button Mushroom", in Dainik Bhaskar, Indore (2/96). As per complaint, the Ad mentions that their 100% Mushroom production is being exported and in the same Ad it is also mentioned that at some selected places (locally) it is available for sale, from cold storage facilites. This is contradictory, and cheating the consumers.

COMMENT/CCC DECISION - October 1996

116

Exparte. Claims not false.

37. **BHARTI ENTERPRISES** - Contest - Win Cellular Phones

Dr. Rajan T. D.

C-1444-7/96

AGENCY - PERCEPT ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 7/96) against an Ad of "Contest - Win Cellular Phones", in the Times of India (6/96). The complainant had sent an entry for the above. The envelope was returned within a couple of days by the P.O. with the stamp - 'No such Box holder at Kalbadevi, Mumbai 400002'.
As per complaint, the address, for sending entries, published in the Ad is incomplete. The name of the advertiser and the pincode are not mentioned.
The rules of the contest states that the winners will be intimated in writing, by ordinary post. Any contest advertised in newspapers/magazines should declare the results in the same publication.

COMMENT/CCC DECISION - October 1996

116

Ad did not contravene the Code. Isolated instance of procedural/postal lapse.

38. **THOMSON CONSUMER ELECTRONICS** - Presenting Tomorrow's World - Home Entertainment Marvels

C-1427-7/96

AGENCY - McCANN-ERICKSON P.LTD

NATURE OF COMPLAINT Indian Institute of Foreign Trade hostels

Complaint (received in 7/96) against an Ad of "Thomson Electronics - Presenting Tomorrow's World - home entertainment marvels", in the Times of India (7/96).
The Ad invited the readers to an exhibition of Thomson products at Hotel Ashok, New Delhi. It also promised a free gift for every visitor. However when the complainant (a student) went there he was told that they were not entertaining students.
As per complaint, the Ad was deceptive.

COMMENT/CCC DECISION - November 1996

119

An isolated instance of non-performance.
Advertising Agency assured and offered to make good the lapse.

39. **PHILIPS INDIA LTD** - New Audio Music Portable System

C-1438-9/96

AGENCY - EURO RSCG ADVERTISING PVT LTD

Mr. P.P. Varma

NATURE OF COMPLAINT

Complaint (received in 9/96) against a TVC of "New Audio music portable system", on Zee TV (8/96). As per complaint, in this Ad, the setting is an audio-vending shop where a young boy and girl are shown. Here the young boy, blind-folded, is trying to feel the smoothness of the speakers which appear to be round. At the same time, in the background, the sketch of a girl is shown. Crudely speaking, the boy appears to be "feeling the tenderness/smoothness of the girl".
The complainant feels very embarassed to watch this Ad.

COMMENT/CCC DECISION - November 1996

119

Ad not in contravention of the Code. Complaint subjective.

40. **HINDUSTAN LEVER LTD** - International Surf Excel - Money back offer

Mr. Arta Mishra

C-1447-9/96

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 9/96) against a TVC of "International Surf Excel - Money back offer", on Doordarshan (9/96). As per complaint, the conditions of this offer are not announced on the TV, which says that HLL will refund the unsatisfied consumers' money, "aur woh bhi pyarse". So the person who responds to the TV Ad is not aware of any conditions imposed by HLL, such as the conditions mentioned in their Newspaper Ad of the same trial offer.
The message is incomplete and confusing.

COMMENT/CCC DECISION - November 1996

Ad not confusing or unfair. In the TVC, respondents directed to dealers for details.

119

41. **HINDUSTAN LEVER LTD** - International Surf Excel - Money back offer

Mr. Arta Mishra
C-1448-9/96

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "International Surf Excel - Money back offer", in the Times of India (9/96). As per complaint, the 'conditions' Sl.Nos.5,7&8 compel the consumer to send the product either by Regd parcel post or by a reputed courier. In either of the cases the cost is a minimum of Rs.20/- to Rs.25/-. The Ad proclaims, in smallest letters, that HLL won't bear the cost of reaching the pack to them. HLL has not mentioned whether they would entertain the claim on 'No questions asked' basis, as regards the result of trial.
This Ad is confusing, misleading and appears an unethical business practice.

COMMENT/CCC DECISION - November 1996

117

Ad not confusing or unfair. Terms of offer clear.

42. **MANSA IMPEX PVT LTD** - Free Lady - Device

C-1436-8/96
Ms. Veena B.N.

AGENCY - TRANS MEDIA COMMUNICATIONS

NATURE OF COMPLAINT

Complaint (received in 8/96) against an Ad of "Free Lady - device", in the Times of India, Bangalore (8/96). The complainant considers the Ad to be objectionable.

COMMENT/CCC DECISION - November 1996

Claim not considered false or misleading. Ad visual not objectionable.

119

43. **BHARAT SHELL LIMITED** - Shell Hydraulic Fluids

C-1440-9/96
Castrol (I) Ltd.

AGENCY - CONTRACT ADVTG (I) LTD

#

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Shell Hydraulic Fluids", in a special supplement of the Economic Times entitled 'Fluid Power Journal' (7/96). The complainant has serious objection to the line, "Life Blood of your Hydraulic Systems", which has been used by the advertiser.
This line has been used extensively from as early as June 1991, for Castrol GTX campaigns which stated, "The lifeblood of your engine".
This "appears to be a blatant copy" of the Castrol campaign.

COMMENT/CCC DECISION - November 1996

Ad not likely to mislead the consumers, being aimed at a distinctly different market segment. The complainant has not established prior usage or exclusive advertising property.

Complaints that were NOT UPHELD by the Consumer Complaints Council

44. **BPL LIMITED** - We Indians, Believe in the Best

C-1442-9/96 119

AGENCY - DHAR & HOON

NATURE OF COMPLAINT

Dr. B.K. Roy Chowdhury

Complaint (received in 9/96) against an Ad of "We Indians, believe in the best", in The Asian Age, Calcutta edition (9/96). As per complaint, the words in the Ad are derogatory to "We Indians", particularly to the class of people who believe otherwise.
The words, "Why do we think fair skin is beautiful?" immediately after "Why do we have a need to impress all foreigners?", will create racial division, and thereby hatred. This is offensive even in the eyes of the law.

COMMENT/CCC DECISION - November 1996

Ad not discriminatory or objectionable. Complaint subjective.

119

45. **INDIAN OIL CORPORATION LTD** - Notice for Retail Outlet Dealership

Mr. Pukraj Soni 9/96
C-1443-9/96

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Notice for Retail Outlet Dealership", in Rajasthan Patrika (4/96). As per complaint, in the Ad it was mentioned that the total income of the family should not be more than Rs.50000/-, whereas in the application form the details of gross income and net income were required to be given. So in the Ad, the particulars regarding income were misleading.

COMMENT/CCC DECISION - November 1996

Ad not misleading.

118

46. **COLGATE PALMOLIVE (I) LTD** - Colgate Plus Toothbrush

Lintas
C-1450-10/96

AGENCY - REDIFFUSION DENTSU YOUNG & RUBICAM PVT LTD #

NATURE OF COMPLAINT

Complaint (received in 10/96) against the press Ad of "Colgate Plus Toothbrush", (probably 9/96). The press Ad claims that Colgate Plus is "Dentists First Choice". Further, it goes on to say that it is "the single largest toothbrush recommended & used by dentists in India". As per complaint, this claim is clearly incorrect for the following reason:
-Independent market share data sources that are used by the industry indicate that Colgate Plus is not the largest selling toothbrush in the market.
Hence, the Ad would result in misleading consumers.

COMMENT/CCC DECISION - November 1996

Claim not false. However, Advertiser should mention the date and source of research/survey findings, in their Ad.

118
C-1451-10/96

47. **COLGATE PALMOLIVE (I) LTD** - Colgate Plus Zig-Zag Toothbrush

AGENCY - REDIFFUSION DENTSU YOUNG & RUBICAM PVT LTD

Lintas

NATURE OF COMPLAINT

Complaint (received in 10/96) against a TVC of "Colgate Plus Zig-Zag Toothbrush", on Doordarshan (9/96). As per complaint, the TVC claims that Colgate Plus is "Dentists First Choice". Further, it goes on to say that it is "the single largest toothbrush recommended & used by dentists in India". This claim is clearly incorrect for the following reason:
-Dentists in India do not belong in large enough numbers to any single association. As such, endorsement by any association cannot be deemed to represent the view of a significant majority of dentists in this country. Hence, the Ad would result in misleading consumers.

COMMENT/CCC DECISION - November 1996

118

Claim not false. ***Ad modified, mentions the timing of research/survey findings.***

48. **UNIWORTH INTERNATIONAL LTD** - Ego Gentswear

C-1459-10/96

AGENCY - RESPONSE

Mr. Hemant Sharma

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Ego Gentswear", in the Times of India, Delhi edition (10/96). As per complaint, the painting of a full nude body of a man (including depiction of the male organ) is shown in the Ad. As per the Indian culture this Ad is indecent.

COMMENT/CCC DECISION - November 1996

118

Ad not objectionable or indecent.
Ad modified.

49. **HINDUSTAN LATEX LTD** - Moods Contest

C-1455-10/96

AGENCY - R.K.SWAMY/BBDO ADVTG P.LTD

Mr. Xavier Mathew

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Moods Contest", in Malayala Manorama (8/96). The specific complaint is against depicting a nude statue and a lady looking at the nudity. The morality of the public is questioned here.
This is objectionable.

COMMENT/CCC DECISION - November 1996

118

Ad not objectionable or immoral.
Ad discontinued.

50. **HEWLETT-PACKARD (INDIA) LTD** - HP Printers & PCs

C-1456-10/96

AGENCY - MAA COMMUNICATIONS BOZELL LTD

Mr. M.N. Damodaran Nair

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "HP Printers & PCs", in The Hindu (9/96). As per complaint, the Ad instigates violence in a man's subconsciouness. It instills a belief in man that the "killer instinct" (supported by illustration of a lethal weapon), is a positive quality to be nurtured. This is objectionable.

COMMENT/CCC DECISION - November 1996

118

Ad not offensive, being advertising licence.
Ad discontinued.

51. **CADBURY (I) LTD** - Dairy Milk Chocolate

C-1462-10/96

AGENCY -

CAS of India

NATURE OF COMPLAINT

Complaint (received in 10/96) against the promotion message on the special pack of "Dairy Milk Chocolate". As per complaint, in the Ad the company is deceiving the consumers by claiming that "they are getting 25% extra, of the milk chocolate, free". On closer examination it appears that both the regular and the special slabs have the same weight content. The special slab is much thinner than the regular one and hence perhaps the 2 extra pieces provided.

COMMENT/CCC DECISION - November 1996

118

Claim (25% extra) substantiated. Complaint incorrect, not valid.

52. **COLGATE PALMOLIVE (I) LTD** - Colgate Toothpowder

Lintas

AGENCY - REDIFFUSION DENTSU YOUNG & RUBICAM PVT LTD

C-1449-10/96

#

NATURE OF COMPLAINT

Complaint (received in 10/96) against a TVC of "Colgate Toothpowder", on Doordarshan (9/96). As per complaint, the TVC ends on a pack shot with the claim, "Ziada mazboot dhant, ziada swasth masoode". Clearly this is intended to suggest that by using Colgate toothpowder the consumer can expect to make his/her teeth stronger and gums healthier.
This claim is misleading. The complainant seeks data to substantiate this claim.

COMMENT/CCC DECISION - December 1996

118

Ad not misleading. Claim, based on regular observance of dental hygiene, not false.

53. **NATIONAL DAIRY DEVELOPMENT BOARD** - Dhara Vegetable Oil

C-1464-10/96

AGENCY - MUDRA COMMUNICATIONS LTD

Mr. Arta Mishra

NATURE OF COMPLAINT

Complaint (received in 10/96) against a TVC of "Dhara Vegetable Oil", on Doordarshan (9/96). As per complaint, just to promote the sale of a vegetable oil, it is not proper to portray a "toddler", who does not have

any sense of maturity, to understand what it takes to flee home. It will 'promote' a tendency amongst kids to flee their homes on slightest provocation.
The Ad/spot encourages unhealthy practice amongst kids.

118

COMMENT/CCC DECISION - December 1996

Ad may not necessarily lead to unhealthy practice amongst children in general.

C-1458-10/96

54. **GILLETTE DIVERSIFIED OPERATIONS P.LTD** - Oral-B Toothbrush

AGENCY - R.K.SWAMY/BBDO ADVTG P. LTD

#

NATURE OF COMPLAINT

Colgate Palmolive (I) Ltd.

Complaint (received in 10/96) against a TVC of "Oral-B Toothbrush", on Doordarshan (4/96). As per complaint, Colgate Palmolive, Canada, in the course of promoting and marketing their toothpaste, 'Colgate Total', were airing a TVC in Canada since March'95, featuring "a dentist examining his patient in a dentist's clinic. The dentist was in conversation with the patient, with a dental instrument placed in the patient's mouth".
A TVC for Oral-B toothbrush in India was aired for the first time on April 14, 1996 on the DD Metro Channel.

The complaint suggests -
a)that the Oral-B commercial has been produced by "adopting and copying the creative expression" used in the CP commercial;
b)that although the language in the commentary is different, the "method of carrying out the conversation" is similar. This could confuse and mislead the viewers.

COMMENT/CCC DECISION - December 1996

Ad not likely to cause confusion or to mislead the viewing public in general. The complaint has not established exclusive advertising property in creative expression.

117

55. **DIRECT HOME SHOPPING (INDIA) P.LTD** - VibraSlim

C-1439-8/96

AGENCY - OGILVY & MATHER DIRECT

NATURE OF COMPLAINT

Union Bank of India

Complaint (received in 8/96) against an Ad of "VibraSlim", in Sunday Afternoon (8/96). The complainant seeks substantiation of the claim, "Lose at least 5 kilos within 30 days", with
-medical rationale of treatment and how it works.
-statistics and support information on the number of clients treated, who experienced the claimed results.

COMMENT/CCC DECISION - December 1996

118

Claim not false.

56. **SHARP INDIA ELECTRONICS** - Sharp Fax Machines

Tech Movers Systems (I) Ltd.

C-1454-10/96

AGENCY - NEXUS EQUITY ADVERTISING P.LTD

#

NATURE OF COMPLAINT

Complaint (received in 10/96) against an Ad of "Sharp Fax Machines", in the Times of India (9/96), Daily Telegraph and Gujarat Samachar (9/96). As per complaint, in the Ad the product is a Fax machine, but the visual displays bare legs of a female from below the rear side of the hip till the heels. The copy states that, "it seems the world doesn't want dirty pictures".
Depicting the female form cheaply, for selling an unrelated product or service is offensive.

COMMENT/CCC DECISION - December 1996

Ad not objectionable.
Ad discontinued.

120

57. **GODREJ GE APPLIANCES LTD** - Godrej Air Conditioners Mr. J.K. Jagiasi

C-1465-9/96

AGENCY - HINDUSTAN THOMPSON ASSOCIATES LTD

NATURE OF COMPLAINT

Complaint (received in 9/96) against an Ad of "Godrej Air Conditioners", in the Times of India (9/96). As per complaint, the advertiser has stated that the users of their air conditioners can "Experience the Fastest Drop in Temperature with the new Godrej ACs".
The advertiser has not stated any technical superiority of their air conditioner.
The Ad is likely to mislead genuine buyers.

COMMENT/CCC DECISION - December 1996

115

Claim not false or misleading.

58. **HINDUSTAN LEVER LTD** - Pepsodent Toothpaste

C-1401-6/96

Ms. Kamala chowdry

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 5/96) against a TVC of "Pepsodent Toothpaste", on Doordarshan (5/96).
As per complaint, in the TVC, a child is shown eating sweets and being scolded by the sister, that bacteria will harm his teeth. A mouth wash is necessary after consumption of food material, especially sweets. But the mother intervenes saying, "Pepsodent dopehar tak ladtha rahata hai", thus silencing the girl and contradicting oral hygiene requirements.

COMMENT/CCC DECISION - January 1997

Upheld (June'96) - Chapters I.1 and I.4. Claim not substantiated. Misleading, Exaggeration.
On REVIEW - NOT UPHELD. Claims substantiated by technical/clinical information provided subsequently.

120

59. **SMITHKLINE BEECHAM CONSUMER HEALTHCARE LTD** - Crocin

C-1483-12/96

AGENCY - OGILVY & MATHER LTD

Mr. Arta Mishra

NATURE OF COMPLAINT

Complaint (received in 12/96) against a TVC of "Crocin", on Doordarshan (12/96). As per complaint, Crocin (containing Paracetamol mainly) is being advertised on TV as "dard ki dawa", which directly gives the impression to the average viewers, that paracetamol can be taken anytime, without any medical advice. It is hazardous to promote paracetamol, as an OTC medicine, especially as "dard ki dawa" (pain killer).

COMMENT/CCC DECISION - January 1997

Crocin being an OTC product, under the prevailing Drug Rules, Ad does not contravene the Code.

60. **TIMES OF INDIA** - Mystery City

C-1485-12/96 120

AGENCY -

Suo motu

NATURE OF COMPLAINT

Complaint (registered in 12/96) against an Ad of "Mystery City", in the Times of India, New Delhi (12/96). As per complaint, the banner-line of the Ad states, "Win Rs.250,000". The Ad does not mention the identity or any other details of the advertiser.
The criteria for choosing winners at random by computer, makes it a matter of 'chance' rather than of 'skill'. The important fact to note is that the response Telephone number is of Chile, South America. Such phone calls being international, would cost quite a bit. This is unfair to readers.

COMMENT/CCC DECISION - January 1997

Exparte. Ad not in contravention of the Code. Not misleading.

120

61. **BAJAJ AUTO DEALERS ASSOCIATION** - Bajaj Two Wheeler Offer

AGENCY - RANK ADVERTISING CONSULTANTS

C-1486-12/96

Godrej GE Appliances Ltd.

NATURE OF COMPLAINT #

Complaint (received in 12/96) against an Ad of "Bajaj Two Wheeler offer", in Malayala Manorama (12/96). As per complaint, one of the prizes mentioned in this offer is a Videocon No-Frost Double Door Refrigerator, model no.VNR-B-14CH-165 Litres, whereas information from trade sources mention that this model has a capacity of **only 142 Litres** (and not 165 Litres).
This kind of Ad is misleading.

COMMENT/CCC DECISION - January 1997

Complaint not valid, since the specification mentioned in the Ad (165 Litres) has been validated (by Videocon).

62. **KINETIC ENGINEERING LTD** - Kinetic Safari V2

C-1492-1/97

AGENCY - TRITON COMMUNICATIONS P.LTD

121

Mr. Shahbar Khan

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad in Hindi, of "Kinetic Safari V2", in the Navbharat Times, Jabalpur (12/96). As per complaint, in the Ad, average mileage for 1 litre petrol is claimed as 85 km in bold letters,

whereas in the same Ad in one corner it is mentioned in very fine print, in English only (not in Hindi), "Under standard test conditions". It is not clear as to what these test conditions are and where and how these are being conducted.
Not stating this vital information clearly, is misleading.

COMMENT/CCC DECISION - January 1997

Ad not misleading.
Ad modified.

63. **NATIONAL PANASONIC INDIA P.LTD** - Ecstasee CH75 Audio System

Mr. R. Kalyanaraman

AGENCY - EVEREST ADVERTISING PVT LTD

121 C-1495-1/97

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "Ecstasee CH75 Audio System", in the Times of India (10/96). As per complaint, this "seductive provocative" Ad (depicting a nude female form), is objectionable.

COMMENT/CCC DECISION - January 1997

Ad not objectionable.

64. **UNITED DISTILLERS INDIA LTD** - Vat 69 Finest Scotch Whisky

C-1484-12/96

AGENCY - CORVO DRAFTDIRECT PVT LTD

S. motu

120

NATURE OF COMPLAINT

Complaint (registered in 12/96) against an Ad - promotion mailer for "Vat 69 Finest Scotch Whisky". As per complaint, the letter addressed, 'Dear Friend', states, "So pick up a genuine bottle of VAT 69 and celebrate the return of a classic".
"What's more, we have prepared an exclusive booklet on the origin and evolution of Scotch, for your reading pleasure".
"All you have to do, is to return the enclosed form duly filled up to receive your booklet free!"
The Ad mentions, "For restricted circulation in the wine & spirits trade only".

The promotion is for a liquor product - "Vat 69 Finest Scotch Whisky", addressed to an individual at his office in Mumbai and not to the establishment of a wine and spirits trader as mentioned in the promotion material.

COMMENT/CCC DECISION - March 1997

Ad not in breach of the law, the Ad (promotion mailer) having originated in Karnataka. (Promotion of liquor not prohibited).

65. **GUJARAT CO-OP MILK MARKETING FEDERATION LTD** - Amulya Milk Powder

C-1488-12/96

AGENCY - ULKA ADVERTISING PVT LTD

120

Mr. K.N. Narayanan

NATURE OF COMPLAINT

Complaint (received in 12/96) against a TVC of "Amulya Milk Powder", on Doordarshan, Trivandrum (12/96). As per complaint, the Ad is objectionable, for the following reasons:

-There is a statement in the Ad about "Amulya's purity in milk". This statement indicates that milk (original) is not pure and the purest milk is Amulya powder.

COMMENT/CCC DECISION - March 1997

121

Claim not objectionable. Complaint subjective.

C-1501-1/97

Mr. K. P. Deepak Rao

66. **CEAT LIMITED** - Ceat Maestro Tyres

AGENCY - HINDUSTAN THOMPSON ASSOCIATES

NATURE OF COMPLAINT

Complaint (received in 1/97) against a TVC of "Ceat Maestro Tyres", on Doordarshan (1/97). As per complaint, it is wrong to show a Maruti car "driving up a building, vertically".

COMMENT/CCC DECISION - March 1997

120

Ad not objectionable, as such 'Advertising licence' permitted under Chapter I.6 of the Code.

C-1499-12/96

Mr. Shahbar Khan

67. **HERO MOTORS** - Hero Puch

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad - pamphlet of "Hero Puch". As per complaint, in the Ad, mileage for 1 litre petrol is mentioned as 91 km. The Ad also mentions in fine print, "*(ARAI results, under ideal conditions)". What is ARAI? What is "under ideal conditions"?
Not stating this vital information clearly, is misleading.

COMMENT/CCC DECISION - March 1997

120

Claim supported by the reference to ARAI, clear and acceptable.

C-1494-12/96

Mr. Shrikant Chowdhry

68. **HERO MOTORS** - Hero Puch

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 12/96) against an Ad - pamphlet of "Hero Puch". As per complaint, in the Ad, the company claims that Hero Puch is giving 91 km/ltr output, whereas the one purchased by the complainant gives an average of not more than 45-50 km/ltr. The claim is false.
The Ad also mentions in fine print, "*(ARAI results, under ideal conditions)". What is ARAI? What is "under ideal conditions"?
Not stating this vital information clearly, is misleading.

Complaints that were NOT UPHELD by the Consumer Complaints Council

75. **PERTECH COMPUTERS LTD** - PCL Millennum Computers

C-1570-2/97

AGENCY - MAA BOZELL COMMUNICATIONS PVT LTD

122

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "PCL Millennum Computers", in The Hitavada (11/96). As per complaint, PCL are advertising, "delivery within 4-6 weeks".
In response to the Ad the complainant had placed an order along with full payment in advance. He had not been delivered a machine, though 2.5 months had passed.
This Ad is false.

Mehadia & Sons

COMMENT/CCC DECISION - March 1997

Delay in delivery of equipment ordered, due to unanticipated higher demand in response to the scheme/offer. Remedial compensation measures were already initiated by the Advertiser to reduce customer disappointment.

76. **GUJARAT CO-OP MILK MKTG FEDERATION LTD** - Amul Range of Products

AGENCY - ULKA ADVERTISING LTD

122 C-1574-2/97

Mr. S.K. Garg.

NATURE OF COMPLAINT

Complaint (received in 2/97) against a TVC of "Amul range of Products", on Doordarshan (1/97). As per complaint, the TVC states, "Amul the taste of India", which implies the taste of India is like Amul. India is a big nation and not any edible thing. It is a wrong reference for the Indian nation.

COMMENT/CCC DECISION - March 1997

122

Ad not misleading. Complaint subjective.

77. **GUJARAT CO-OP MILK MARKETING FEDERATION LTD** - Amul Butter

Mr. S.K. Garg 2/97

AGENCY - daCUNHA ASSOCIATES PVT LTD

C-1575-

NATURE OF COMPLAINT

Complaint (received in 2/97) against a TVC of "Amul Butter", on Doordarshan (1/97). As per complaint, the TVC shows "Lord Krishna" stealing butter from the hanging pot, and on the screen, "Amul Nand ke Lala ka Pahla Pyar", is shown along with same commentary.
In another scene "Lord Krishna" is shown eating butter, and on the screen, "Amul Maakhan Chor ke Pahli Pasand", is shown and the same commentary is heard.
To show 'Amul' marketed by GCMMF since last 50 years, as a first love and first choice of Lord Krishna who was born thousands of years before - these depictions are misleading and false.

COMMENT/CCC DECISION - March 1997

Ad not misleading, and complaint about the Ad contents not valid and partially incorrect.

78. **BAJAJ AUTO LTD** - 4 Stroke Motorcycle Kawasaki 4S

C-1527-2197/122

AGENCY - CHAITRA LEO BURNETT PVT LTD

Ms. Archana Shah

NATURE OF COMPLAINT

Complaint (received in 2/97) against a TVC of "4 Stroke Motorcycle Kawasaki 4S", on Star TV (probably in 2/97). As per complaint, the said Ad shows the motorcycle rider driving on the railway tracks. It is a very dangerous Ad which would provoke the youngsters to attempt such kind of actions which will lead to nothing but death.
It also creates confusion in the minds of young children, who learn to believe that motorcycles can also run on railway tracks.

COMMENT/CCC DECISION - March 1997

Visuals and commentary clear and not misleading or advocating dangerous practices.

79. **UNITED TELE SHOPPING & MARKETING CO LTD** - Prompt Home Delivery of Kitchenware

Mr. D.K. Basu

C-1536-3197

AGENCY -

SBI Home Finance Ltd.

122

NATURE OF COMPLAINT

Complaint (received in 3/97) against a TV programme of "Prompt Home Delivery of Kitchenware", on DD Metro channel (11/96). In response to the TV Ad, the complainant decided to buy a set of "7 non-sticky kitchen utensils".

The Ad claimed that on receipt of the order with or without payment (by VPP), the advertiser would send the product within 7 days.
The complainant sent a DD to the advertiser (16/11/96).
However, he had ***yet*** (24/2/97) to receive the said product. This is a false claim.

COMMENT/CCC DECISION - March 1997

Complaint eroneous and not valid.
The Advertiser has confirmed that the item ordered has not been mentioned or shown in their TV programme.

80. **KEYAM ASSOCIATES** - Recruitment for Saudi Arabia

121

Mr. Rabi Sunder

C-1499-1197

AGENCY - KANNAN ADVERTISING AGENCY

NATURE OF COMPLAINT

Complaint (received in 1/97) against an Ad of "Recruitment for Saudi Arabia", in The Hindu (1/97). As per complaint, an ITI Diploma Holder with 5 years experience applied for the post at Item No.10 in the Ad, which offered a salary of SR.1100 + Food.
At the interview in Madras, he was told that the salary will be SR.1000 less SR.100 for Food. Thus the real salary will be SR.900. When he showed the cutting of the Ad, he was told that it was a printing mistake. This is a false Ad.

COMMENT/CCC DECISION - March 1997

Complaint not supported by facts/proof.

81. **SEIKO EPSON CORPORATION** - Black & White Printers

AGENCY - CONTRACT ADVERTISING I.LTD

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Black & White Printers", in the Deccan Herald (8/96). The complainant has purchased one EPSON STYLUS 1500 Printer for A2 size printing, after seeing the series of Ads in newspapers/magazines during Aug/Sept'96.

After receipt of the printer, he came to know that he cannot print A2 size (420mm x 594mm) even though the Ad specified this size clearly. When he approached the supplier and the local Liaison office, their standard reply was that Stylus 1500 can print 345mm width only, as per the manual but not A2 size i.e.420 mm width. According to the complainant, this is a false and misleading Ad.

COMMENT/CCC DECISION - March 1997

Ad not misleading, and complaint not valid.
The Advertiser has confirmed the specifications in their relevant technical literature conforms with the Ad claim.

82. **THE ARVIND MILLS LTD** - Flying Machine - Ruggers Casual Wear

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Flying Machine - Ruggers casual wear", in Deccan Chronicle, Hyderabad (1/97). As per complaint, the Ad states, "Oooh, it's opening!", and depicts a lady opening her jeans at the waist and displaying a half shirt, apparently without a bra.
This indecent pose of a woman and the related exclamation is objectionable.

COMMENT/CCC DECISION - March 1997

Ad not objectionable. Complaint subjective.

83. **INDIAN OIL CORPORATION LTD**

AGENCY -

NATURE OF COMPLAINT

Complaint (received in 2/97) against the Hoarding of "IOC - 'This City runs on Servo'", put up in Mumbai. As per complaint, this message implies that most of the vehicles in a particular city, run on Servo. IOC's overall market share (automotive/industrial/marine/aviation lubricants) is around 40% only and their share in the automotive lubricant market is even lower. Servo is the IOC brand for lubricants only. Their fuels are not sold under the Servo brand name. This Ad is misleading the consumer and making a false claim.

122

COMMENT/CCC DECISION - March 1997

Claim not false.
The Advertiser has provided convincing market data to confirm their leading market position.

84. **ARJAY APPAREL INDUSTRIES LTD** - Love Panties

Ms. Ujjwala M. Kadam
C-1520-2/97

AGENCY - DYNAMIC ADVTG & RESEARCH TEAM (DART)

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Love Panties", in the Times of India (2/97). As per complaint, the visuals and the text in the Ad are strongly condemnable. This is against the respect and dignity of women.

COMMENT/CCC DECISION - March 1997

Ad not objectionable. Complaint subjective.

122
C-1524-2/97
Ms. Ujjwala M. Kadam

85. **FEMINA** - Marriage and Sex

AGENCY - NEXUS EQUITY ADVTG P.LTD

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Femina - Marriage and Sex", in the Times of India (2/97). As per complaint, the visuals and the text in the Ad are strongly condemnable. This is against the respect and dignity of women.

COMMENT/CCC DECISION - March 1997

Ad not objectionable. Complaint subjective.

122
C-1523-2/97
Mr. S. Ravikumar

86. **PROCTER & GAMBLE (I) LTD** - New Ariel

AGENCY - CHAITRA LEO BURNETT ADVTG P.LTD

NATURE OF COMPLAINT #

Complaint (received in 2/97) against the Ads of "New Ariel", in The Hindu (probably in 1/97). The complainant seeks proof of the claim, "endorsed by 30 leading textile, garment and other manufacturers worldwide", and also "Vimal's certification".
The Ads mention 'ordinary detergent' as ageing the fabrics/clothes faster.
The complainant seeks clarification of "an ordinary detergent", - is old Ariel included?
The Ads show effects after 40 washes, but do not show the original new look of the garment, before it has been washed even once.

COMMENT/CCC DECISION - March 1997

Ads not false or misleading. Claims verified.

Complaints that were NOT UPHELD by the Consumer Complaints Council

87. **HINDUSTAN LEVER LTD** - International Surf Excel

Mr. S. Ravikumar
C-1524-2/97
122

AGENCY - AMMIRATI PURIS LINTAS

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "International Surf Excel", in The Hindu (probably in 1/97).
As per complaint, the Ad mentions 'ordinary detergent' as ageing the fabrics/clothes faster.
The complainant seeks clarification of "an ordinary detergent", - is old Surf included?
The Ad shows effects after 40 washes, but does not show the original new look of the garment, before it has been washed even once.

COMMENT/CCC DECISION - March 1997

122
C-1525-2/97
Ms. P.V. Naik

Ad not false or misleading.

88. **CENTURY GASES & PETROCHEMICALS LTD** - Century's LokVikas Scheme

AGENCY - ELAN ADVERTISING

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Century's LokVikas Scheme", in the Bombay Times (1/97).
The complainant is one of the new consumers of Century Gas, who have advertised "LPG in 60 seconds".
But actually the complainant got the connection within 6 days.
The Ad mentions that, "Refills available day and night at our 24 hour consumer cell", but the complainant got it after 11 days.
This is a false and misleading Ad.

COMMENT/CCC DECISION - March 1997

Ad not false or misleading. Complaint subjective. Isolated instances of procedural lapses.

122
C-1534-2/97
Ms. Faith Nagporewalla

89. **SAMSONITE INDIA PVT LTD** - Samsonite Luggage

AGENCY - iB&W COMMUNICATIONS P.LTD

NATURE OF COMPLAINT

Complaint (received in 2/97) against an Ad of "Samsonite Luggage", in the Times of India (2/97). As per complaint, the Ad is highly objectionable for the following reasons:
-It misleads the consumers by the usage of certain statements.
-In an effort to compete, it unfairly discredits other products directly.
-It clearly is making use of the name of another firm to both discredit it and make waves by making use of the goodwill attached to the name of the other firm.

COMMENT/CCC DECISION - March 1997

Ad not apparently unfair to competitors. (No brand, logo or Ad property of a competitor mentioned/depicted).

THE ADVERTISING STANDARDS COUNCIL OF INDIA

COMPLAINTS THAT WERE *NON ISSUES*
APRIL 1996 TO MARCH 1997

1. **LIVING MEDIA (I) LTD** - Free Gift Offer

C-1367-3/96

AGENCY - NEXUS EQUITY ADVERTISING P. LTD

Dr. Ajey V. Godbole

NATURE OF COMPLAINT

Complaint (received in 3/96) against an Ad of "Free gift offer", in India Today (8/95). The Ad stated that on a 3 year subscription of India Today, a personal stereo will be given as a free gift. The personal stereo may take 6-8 weeks to be delivered by registered post.

On 5/9/95 the complainant sent the required form and payment as per the Ad. Despite reminders on 21/12/95 and 24/1/96, he had not received the gift till 8/3/96, "Living Media India Ltd have failed to keep the promise in their Ad".

COMMENT/CCC DECISION - April 1996

NON ISSUE. Isolated instance of non-performance.
Advertiser assured and offered to make good the lapse.

2. **GODREJ PACIFIC TECHNOLOGY LTD** - Panaboard

C-1373-4/96

AGENCY - DESIGN WORKSHOP

Samsung (I) Electronics Ltd.

NATURE OF COMPLAINT

Complaint (received in 4/96) against an Ad of "Panaboard", in The Hindustan Times, New Delhi (3/96). A press Ad prepared by HTA for their client Panasonic India Pvt Ltd, for their product Panaboard (which first appeared in the press in early February'96), "has been copied blatantly by Design Workshop, Delhi - agency for Godrej & Boyce Mfg Co" (in their Ad which appeared in Hindustan Times in March'96). As per complaint, this is an obvious instance of plagiarism of design and concept of the Ad including line drawings of the visuals used in the Panasonic India Ad.

This is detrimental to the image and brand equity related to Panaboard marketed by Panasonic India Pvt Ltd and is likely to mislead the public reading the Ad.

COMMENT/CCC DECISION - June 1996

NON ISSUE. A matter of 'contractual misunderstanding' between the Advertiser and Principals.
Ad withdrawn.

3. **HINDUSTAN LEVER LTD** - Breeze Soap

C-1487-12/96

AGENCY - AMMIRATI PURIS LINTAS

Rajasthan Voluntary Health Association

Complaints that were NON ISSUES

NATURE OF COMPLAINT

Complaint (received in 12/96) against a TVC of "Breeze Soap", on Doordarshan (probably in 12/96). As per complaint, the TVC of "Breeze soap" very closely resembles the TVC for "Nirma Beauty soap" in content and opening lyrics. The "Nirma Beauty soap" commercial has been appearing on DD1 since Sept'95, whereas the "Breeze soap" TVC has appeared lately, in Dec'96.

The "Breeze soap" Ad by "referring" to Nirma as an "Ordinary soap", (whereas Nirma beauty is a toilet soap with 70% TFM), denigrates other comparable products and conveys misleading implications to the most discerning customers.

COMMENT/CCC DECISION - January 1997

NON ISSUE. Complainant failed to provide the TVC of 'Nirma Beauty soap', and other relevant supporting information for CCC deliberation.

4. **HERBERTSONS LIMITED** - Bagpiper Club Soda & Glasses

AGENCY -

NATURE OF COMPLAINT

Copy of complaint (received in 11/96) against a TVC of "Bagpiper Club Soda and Glasses", on Doordarshan (10/96). As per complaint, this Ad is objectionable, since it relates to or promotes liquor, by reference to the Brand name - Bagpiper.

COMMENT/CCC DECISION - March 1997

NON ISSUE. Copy of the TVC and DD approved storyboard not provided by the Advertiser for deliberation by the CCC.

The Advertising Standards Council of India

A.S.C.I. SECRETARIAT, 205, Bombay Market, Tardeo Road, Mumbai 400 034. Tel : 4936863, 4937066.

PERTINENT EXTRACTS FROM
THE CODE FOR SELF-REGULATION IN ADVERTISING

Declaration of Fundamental Principles

This Code for Self-Regulation has been drawn up by people in professions and industries in or connected with advertising, in consultation with representatives of people affected by advertising, and had been accepted by individuals, corporate bodies and associations engaged in or otherwise concerned with the practice of advertising with the following as basic guidelines with a view to achieve the acceptance of fair advertising practices in the best interests of the ultimate consumer :

I. To ensure the truthfulness and honesty of representations and claims made by advertisements and to safeguard against misleading advertisements.

II. To ensure that advertisements are not offensive to generally accepted standards of public decency.

III. To safeguard against the indiscriminate use of advertising for the promotion of products which are regarded as hazardous to society or to individuals to a degree or of a type which is unacceptable to society at large.

IV. To ensure that advertisements observe fairness in competition so that the consumer's need to be informed on choices in the market-place and the canons of generally accepted competitive behaviour in business are both served.

Responsibility for the Observance of this Code

As the advertiser originates the advertising brief and sanctions its placement, the advertiser carries full responsibility for the observance of this Code. This responsibility embraces the advertisement in its entire content and form (including testimonials and statements or visual presentations originating from other sources). The fact that the content or form, wholly or in part, originates from other sources is not an excuse for non-observances of this Code.

As creators and expert advisors, the advertising agency has full responsibility to ensure the observance of this Code in as much as the facts are known to them : to advise their clients in accordance with this Code; and if clients are not amenable to their advice, to refer the matter to the Advertising Standards Council of India. If the agency view is upheld by The Advertising Standards Council of India and the client is determined to persist with the unacceptable advertisement, under this Code it is the agency's responsibility to refuse to release or in any way assist the release of such advertisement, and the requirement of such refusal is applicable to all other agencies and to media.

Any media owner must view each advertisement offered for publication to them from the point of view of the Code. If any advertisement is considered by the media owner to be in contravention of the Code, the media owner should refer the matter to The Advertising Standards Council of India. All advertisements found by The Advertising Standards Council of India to be in violation of this Code shall be refused publication by all media owners.

STANDARDS OF CONDUCT

"Advertising is an important and legitimate means for the seller to awaken interest in his products. The success of advertising depends on public confidence. Hence no practice should be permitted which tends to impair this confidence". The standards laid down here should be taken as minimum standards of acceptability which would be liable to be reviewed from time to time in relation to the prevailing norm of consumers' susceptibilities.

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ASCI propagates its Code and a sense of responsibility for its observance amongst advertisers,advertising agencies and others connected with the creation of advertising, and the media.

ASCI endeavours to achieve compliance with its decisions through reasoned persuasion and the power of public opinion.

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A DECADE OF SELF REGULATION IN ADVERTISING